

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 672

Response Ref: Reg19/672/1

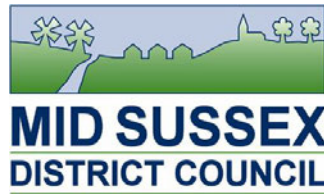
Respondent: Mr J Ordidge

Organisation: Thakeham

On Behalf Of: Great Harwood Farm House

Category: Developer

Appear at Examination? x



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Jonathan"/>
Last Name	<input type="text" value="Ordidge"/>
Job Title (where relevant)	<input type="text" value="Senior Planner"/>
Organisation (where relevant)	<input type="text" value="Thakeham Homes"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="Thakeham House"/>
Line 2	<input type="text" value="Summers Place"/>
Line 3	<input type="text" value="Stane Street"/>
Line 4	<input type="text" value="Billingshurst"/>
Post Code	<input type="text" value="RH14 9GN"/>
Telephone Number	<input type="text" value="07500848675"/>
E-mail Address	<input type="text" value="Jonathan.ordidge@thakeham.com"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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Part B – Your Comments

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

Name or Organisation:

Thakeham Homes

3a. Does your comment relate to:

Site
Allocations
DPD

☒

Sustainability
Appraisal

☒

Habitats Regulations
Assessment

☐

Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☐

3b. To which part does this representation relate?

Paragraph

Policy SA

11

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes

☒

No

☐

4b. Sound

Yes

☒

No

☐

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

Sound

Unsound

(1) Positively prepared

☒

☐

(2) Justified

☒

☐

(3) Effective

☒

☐

(4) Consistent with national policy

☒

☐

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

If it is found that Mid Sussex District Council need to allocate additional sites to meet their updated housing need, Land adjacent to Great Harwoods Farm, off Harwoods Lane, East Grinstead should be considered favourably, as it is a suitable and sustainable site for new residential development; and could accommodate approximately 300 dwellings.

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

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

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

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

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,

as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

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

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

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

☐ **Yes, I wish to participate at the oral examination**

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

X

(ii) The publication of the recommendations from the Examination

X

(iii) The Site Allocations DPD is adopted

X

Signature:

Date:

28.09.2020

Thank you for taking time to respond to this consultation



THAKEHAM

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

28th September 2020

Dear Sir/Madam,

Mid Sussex District Plan 2014-2031 – draft Site Allocations DPD (Regulation 19) Consultation Draft

Land adjacent to Great Harwoods Farm, off Harwoods Lane, East Grinstead (SHLAA ID 17)

Introduction

Thakeham Homes Ltd is responding to the draft Site Allocations Development Plan Document (DPD) (Regulation 19) Consultation to the Mid Sussex District Plan (MSDP) 2014-2031 as stakeholders. These representations are submitted in respect of Thakeham Homes' interests at Land adjacent to Great Harwoods Farm off Harwoods Lane in East Grinstead.

A site location plan that identifies the full extent of the site is attached at Appendix A. The site features in the Site Selection Paper 3 under ID 17 (Land adjacent to Great Harwoods Farm House, off Harwoods Lane, East Grinstead), and is being promoted for approximately 300 homes.

If it is found that Mid Sussex District Council (MSDC) need to allocate additional sites to meet their updated housing need, Land East of College Lane should be considered favourably, as it is a suitable and sustainable site for new residential development.

The comments made here do not prejudice any other representations that are submitted by Thakeham Homes that respond to their interests elsewhere in the district.

About Thakeham

- Thakeham do not just build houses; Thakeham is an infrastructure-led sustainable placemaker.
- From 2025, ALL Thakeham Homes will be carbon neutral in construction and zero carbon in lifetime use.
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Thakeham House, Summers Place, Stane Street, Billingshurst, West Sussex, RH14 9GN

www.thakeham.com

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- Thakeham is committed to delivering a 20% biodiversity net gain on new developments in Mid Sussex District.
- Thakeham is one of only 12 organisations selected to become a member of the Healthy New Towns Network, which is a collaboration between NHS England, Public Health England, Housing Developers and Housing Associations. Thakeham is committed to advocating the Healthy New Towns principles, prioritising health and wellbeing within our developments and creating the healthy neighbourhoods, towns and cities of the future.
- Our approach sets us apart from our competitors. We deliver our schemes with a focus on sustainable development, looking ahead of current housing standards.

1. Settlement Hierarchy

If it is found that MSDC need to allocate additional sites to meet their updated housing need, we consider the most sustainable settlements within the District should be the focus for allocating new sites.

East Grinstead is defined as Category 1 in the settlement hierarchy within the adopted District Plan. Therefore, it is jointly the most sustainable settlement in the District by the Council's own assessment, and benefits from the greatest number of shops and services.

Policy DP6 in the adopted District Plan states that Category 1 settlements have a: *"comprehensive range of employment, retail, health, education, leisure services and facilities. These settlements will also benefit from good public transport provision and will act as a main service centre for the smaller settlements"*. It therefore suggests that a settlement of this size and provision of facilities should take a commensurate amount of housing growth brought through the draft Site Allocations DPD.

2. Land adjacent to Great Harwoods Farm

Land adjacent to Great Harwoods Farm is being promoted for approximately 300 homes.

In the Site Selection Paper 3 (February 2020), Land adjacent to Great Harwoods Farm was assessed under reference ID 17.

The Council's principle assessment was that development on the site would have a high impact on the AONB and landscape. This is contested and along with other minor concerns, is addressed in turn below.

(1) AONB

Even though the site would comprise major development within the AONB, it should not preclude it from coming forward for development in principle. Crucially, the site's visual envelope is restricted by local topography and woodland cover. From the north, the site is contained by the railway embankment and areas of woodland. To the south and east, the site

is contained by spurs of higher ground with woodland. From the west, there is existing residential development. Consequently, the proposal will sensitively respond to the AONB due to these parameters.

Further, there are localised views of the site from Public Right of Way (PRoW), but these are extremely short stretches. Crucially in respect to these views, the western part of the site is mainly obscured by woodland and existing development. From within the site, views from the PRoW extend over southern parts of the Site only and are limited in extent. Consequently, the Council's assessment overstates the importance of these views and harm arising on the PRoW.

In any event, during the design stage/masterplan process, development would be located within the most visually contained parts of the site that are well related to existing development, principally towards the north and west. The Council needs to place recognition on the fact that other parts of the site will have publicly accessible open space (including SANG) in the order of 30ha in size. Consequently, the character of the AONB landscape will be retained and enhanced. In all likelihood, development would be located within northern and western parts of the site where there are highest levels of containment and well related to the existing pattern of development.

The area of the site in the Council's assessment is incorrect. It is stated at 7.8 hectares whereas it is in fact 48 hectares. When the Council fully considers the significant area of the site, the identified areas of Ancient Woodland, Public Rights of Ways and Priority Habitat can all be easily avoided due to careful masterplanning of development stepped away from these areas. The medieval field system will be respected wherever possible and again designed around. It should not preclude development coming forward.

There could be links to the wider network of foot and cycle paths which takes in and respects the medieval field system. In any case, the importance of a medieval field system has been overstated in the Council's assessment given there are no associated landforms such as hillforts, round barrows and cemeteries.

According to Historic England's publication 'Field Systems – Introductions to Heritage Assets' (Version 1.2, dated October 2018), Page 1 confirms that "*Field systems are ubiquitous features of the British countryside*". It goes on to state that: "*later field systems, medieval or post-medieval in date, may be more visible, and often remain in use in complete or modified forms*". A heritage assessment would accompany any planning promotion and application in order to best safeguard this as much as possible.

(2) Flood Risk

The Council's assessment reports that although a water course runs along the southern boundary of the site within Flood Zones 2 and 3, this area could be excluded from the developable area. This is correct and as stated above, development would be located towards the northern and western parts of the site, rather than the south on both landscape and flood risk grounds. Instead, an extensive Country Park / SANG could be located across the eastern and southern parts of the site.

Part 3 - Sustainability / Access to Services

The Site is well served by a number of local services and facilities which are within close proximity. The Council has a 'Fair' assessment, but this should be changed to 'Good'. Existing bus services currently operate along Herontye Drive and the A22. These bus services provide access from the site to East Grinstead town centre and to destinations further afield such as Crawley, Uckfield, Brighton, Lingfield and Tunbridge Wells.

Further, the development provides an excellent opportunity to provide new/enhanced bus services between the site and East Grinstead. These would undoubtedly benefit existing residents.

On the Site's north-eastern boundary, The Forest Way provides an off-road cycle route into the town and south towards Forest Row. On the western boundary, the existing footpath that crosses the Site connects to a wider network of recreational footpaths and bridleways. Proposals would establish clear, direct and safe links through the site to existing pedestrian and cycle routes. Opportunities to provide new and improved facilities for pedestrians and cyclists between the development and everyday local services and facilities will be identified.

Conclusions

If MSDC need to allocate additional sites for residential development as part of draft 'Policy SA11: Additional Housing Allocations', Land adjacent to Great Harwoods Farm, East Grinstead should be reconsidered for its development potential to provide approximately 300 dwellings towards the Council's housing need.

East Grinstead is a Category 1 tier (most sustainable) in the settlement hierarchy, and thus is considered suitable to accommodate additional housing.

Land adjacent to Great Harwoods Farm is sustainably located on the edge of East Grinstead, and could accommodate approximately 300 new dwellings, if the Council need to allocate additional sites for housing.

This representation has demonstrated why the site is suitable for development, and how the constraints identified previously can be mitigated accordingly through high quality design.

We trust that this is taken into account in the process going forward and we would be grateful for confirmation of receipt.

In the meantime, please do not hesitate to contact me if you have any queries or require any further information.

Yours faithfully

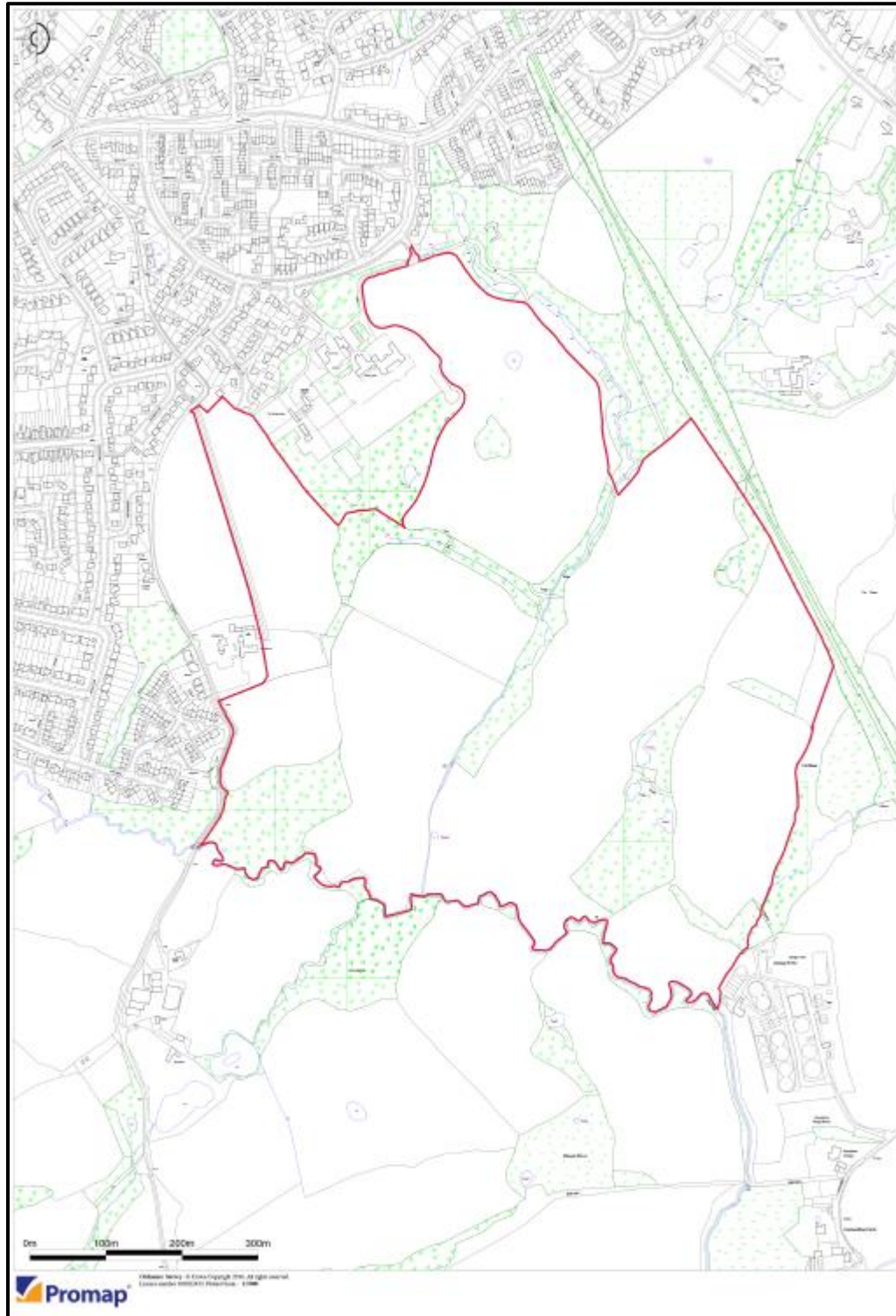


Olivia Forsyth

Head of Planning (South)

Appendix A

Site Location Plan



Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 674

Response Ref: Reg19/674/1

Respondent: Mr J Ordidge

Organisation: Thakeham

On Behalf Of: Land east of College Lane HP

Category: Developer

Appear at Examination? x



THAKEHAM

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

28th September 2020

Dear Sir/Madam,

Mid Sussex District Plan 2014-2031 – draft Site Allocations DPD (Regulation 19) Consultation Draft

Land East of College Lane, Hurstpierpoint (SHLAA ID 19)

Introduction

Thakeham Homes Ltd is responding to the draft Site Allocations Development Plan Document (DPD) (Regulation 19) Consultation to the Mid Sussex District Plan (MSDP) 2014-2031 as stakeholders. These representations are submitted in respect of Thakeham Homes' interests at Land East of College Lane, Hurstpierpoint.

A site location plan that identifies the full extent of the site is attached at Appendix A. The site features in the Site Selection Paper 3 under ID 19 (Land East of College Lane, Hurstpierpoint), and is being promoted for 40 homes. Please note that the previously promoted figure of 165 homes as part of the Regulation 18 representation was an error and associated documentation quoting this figure should be amended.

If it is found that Mid Sussex District Council (MSDC) need to allocate additional sites to meet their updated housing need, Land East of College Lane should be considered favourably, as it is a suitable and sustainable site for new residential development.

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- Our approach sets us apart from our competitors. We deliver our schemes with a focus on sustainable development, looking ahead of current housing standards.

1. Settlement Hierarchy

As defined by Policy DP6 of the District Plan, Hurstpierpoint is a Category 2 settlement within the District.

Policy DP6 states that Category 2 settlements “*benefit from a good range of services and facilities, including employment opportunities and access to public transport*”.

As currently drafted, Policy SA11: Additional Housing Allocations does not allocate any new dwellings to Hurstpierpoint.

As such, if the Council need to allocate additional dwellings, to ensure a rolling 5-year housing land supply, as part of Draft ‘Policy SA11: Additional Housing Allocations’, a settlement of this size and provision of facilities should take a commensurate amount of housing growth.

2. Land East of College Lane

In the Site Selection Paper 3, Land East of College Lane, Hurstpierpoint has been assessed under reference ID 19. As highlighted above, the number of dwellings referenced within the Regulation 18 consultation is not consistent with the promotion of the site and the yield should be amended to 40 dwellings. The site has minimal constraints overall which is positive to note and performs reasonably well. However, in our view, a number of areas have been incorrectly assessed and need re-consideration in light of the evidence set out below. Please note we do not provide comments to each item of the assessment, only those which we consider need reassessing.

(5) Listed Buildings

The entry for the site in the Sustainability Appraisal states that: “*The site performs notably positively in relation to the housing and economic SA objectives, though poorly in relation to land use, countryside and historic SA objectives on the basis of its greenfield location in the setting of a Grade II* Listed farmhouse*”.

However, we consider the Council to have overstated the alleged harm that would be caused by development on the site to the setting of the Grade II listed ‘Wickham Farmhouse’. The site

is located opposite Wickham Farmhouse (not adjacent to), and the listed property is set back 30m from College Lane; as such is perceptually and spatially separate from the site (see Appendix B). Furthermore, Land East of College Lane is sufficiently large enough in area (5.5 hectares) to mitigate potential impact of new residential development on the setting of Wickham Farmhouse, with spatial buffers and landscaping.

(8) Landscape

The Council's assessment in terms of landscape impact is 'Low', which is very positive.

However, there appears to be a contradiction in the accompanying text which erroneously suggests that the site has substantial landscape sensitivity and substantial landscape value. The site is not in the AONB and is bounded by residential development to the south and east. Therefore the site should not be considered to have 'substantial landscape sensitivity' and 'substantial landscape value'.

The site boundary is well defined by tree/vegetation coverage. As such, there is a strong level of visual containment which will only be enhanced in any planning application and with its wider residential context.

The Council's assessment in (8) is that "the site could be visible from the surrounding countryside and potentially from the South Downs National Park". However, the South Down National Park (SDNP) lies approximately 280m south of the site, and intervening development would ensure there is no inter-visibility between the site and SDNP.

Since the determination of previous planning application 13/01250/FUL, further Landscape Visual Appraisal work has been undertaken in respect of the site. This work has resulted in a reduced site area which is restricted to the southern area only (Site 19) as it was concluded that there is potential to accommodate residential development within this area in landscape terms.

The site has residential development on two sides and it is anticipated that the incorporation of green infrastructure within a future scheme could provide enhanced screening of built form,

and a robust landscaped edge to the extent of the settlement, including views from College Lane and Belmont Lane.

A more robust and landscaped edge to development, based on an enhanced and reinforced stream corridor, with associated planting, would reduce suburban influences and also reinforce the distinction between development in Hurstpierpoint to the east of College Lane and Hurst Wickham. It is therefore anticipated that through careful design, a suitable scheme which respects the landscape character of the site could be implemented successfully.

Part 3 Sustainability / Access to Services

The site is situated in a sustainable location for housing.

The site is assessed as having 'Fair' access to public transport. However, there are 2no. bus stops just two minutes' walk along Wickham Hill to the south with direct connections to Brighton, Burgess Hill and Haywards Heath. Consequently, this should be reclassified as being 'Good'.

Also, the Council's assessment considers the site to be a 10-15 minutes' walk to services and health facilities. The main service centre of Hurstpierpoint is situated approximately 800m to the west, and thus would not take more than 10 minutes to walk. Consequently, the site should be reclassified within the 0-10 minute category. The time has been overstated and again adversely affects its chances of being considered sustainable.

In broader terms, the site is well related to the settlement boundary of Hurstpierpoint to the south and west, and is within walking distance to the shops and services of Hurstpierpoint, as well as bus stops with direct access to the surrounding area. There are also pedestrian footpath links to the village centre in order to enhance its sustainability credentials.

Conclusions

If MSDC need to allocate additional sites for residential development as part of draft 'Policy SA11: Additional Housing Allocations', Land East of College Lane, Hurstpierpoint should be reconsidered for its development potential to provide 40 dwellings towards the Council's housing need.

Hurstpierpoint is a Category 2 tier (second most sustainable) in the settlement hierarchy, and thus is considered suitable to accommodate additional housing.

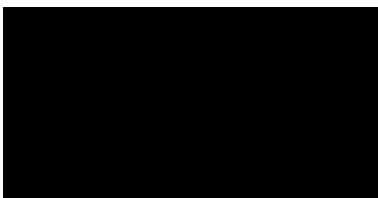
Land East of College Lane is sustainably located on the edge of Hurstpierpoint, and could accommodate 40 new dwellings, if the Council seek to allocate additional sites for housing. This representation has demonstrated why the site is suitable for development, and how the constraints identified previously can be mitigated accordingly through high quality design.

As such, we ask for reconsideration in the Council's assessment given the evidence presented in this representation.

We trust that this is taken into account and we would be grateful for confirmation of receipt.

In the meantime, please do not hesitate to contact me if you have any queries or require any further information.

Yours Faithfully,

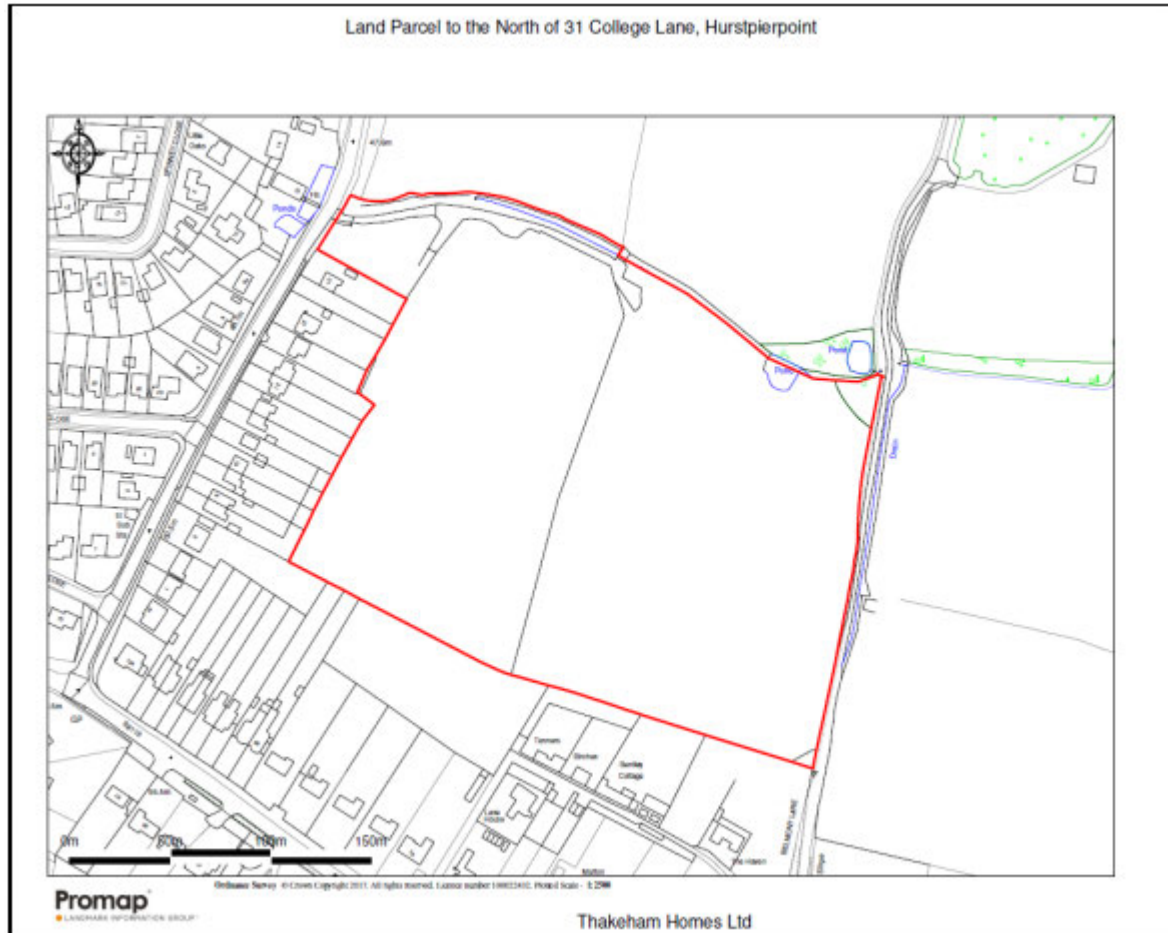


Olivia Forsyth

Head of Planning (South)

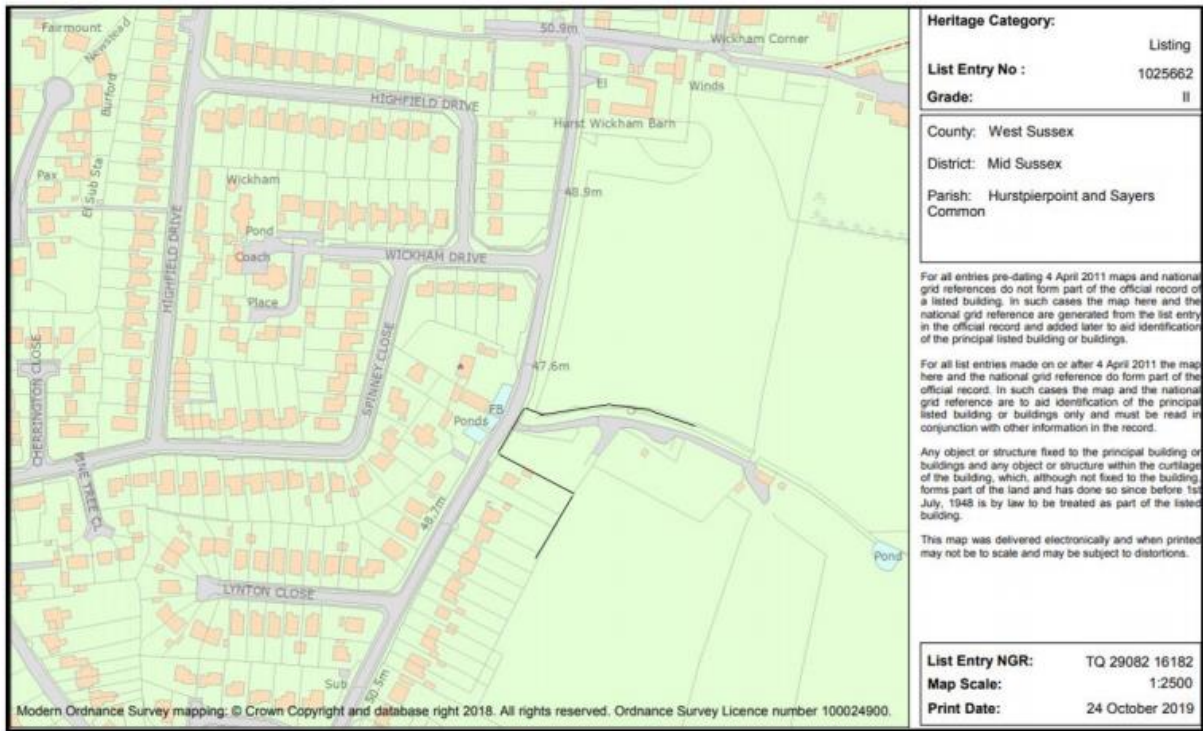
Appendix A

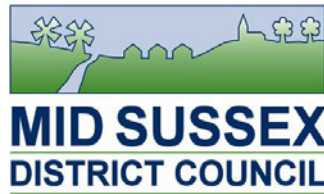
Site Location Plan



Appendix B

A plan showing the Listed Building (marked with a blue triangle) with the site boundary demise (in a black line).





Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

- i) to allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan;
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A guidance note accompanies this form and can be used to help fill this form in.

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Jonathan"/>
Last Name	<input type="text" value="Ordidge"/>
Job Title (where relevant)	<input type="text" value="Senior Planner"/>
Organisation (where relevant)	<input type="text" value="Thakeham Homes"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="Thakeham House"/>
Line 2	<input type="text" value="Summers Place"/>
Line 3	<input type="text" value="Stane Street"/>
Line 4	<input type="text" value="Billingshurst"/>
Post Code	<input type="text" value="RH14 9GN"/>
Telephone Number	<input type="text" value="07500848675"/>
E-mail Address	<input type="text" value="Jonathan.ordidge@thakeham.com"/>



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Part B – Your Comments

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

Name or Organisation:

Thakeham Homes

3a. Does your comment relate to:

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Sustainability
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3b. To which part does this representation relate?

Paragraph

Policy SA

11

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes

☒

No

☐

4b. Sound

Yes

☒

No

☐

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

Sound

Unsound

(1) Positively prepared

☒

☐

(2) Justified

☒

☐

(3) Effective

☒

☐

(4) Consistent with national policy

☒

☐

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

If it is found that Mid Sussex District Council need to allocate additional sites to meet their updated housing need, Land east of College Lane should be considered favourably, as it is a suitable and sustainable site for new residential development; and could accommodate 40 dwellings.

t is

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

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

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

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

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

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

☒ X

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒ X

(ii) The publication of the recommendations from the Examination

☒ X

(iii) The Site Allocations DPD is adopted

☒ X

Signature:

Date:

28.09.2020

Thank you for taking time to respond to this consultation

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 675

Response Ref: Reg19/675/1

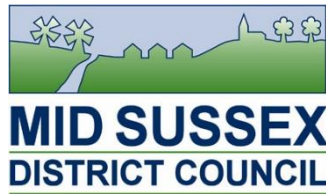
Respondent: Mr J Ordidge

Organisation: Thakeham

On Behalf Of: Land West of Kemps HP

Category: Developer

Appear at Examination? x



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Jonathan"/>
Last Name	<input type="text" value="Ordidge"/>
Job Title (where relevant)	<input type="text" value="Senior Planner"/>
Organisation (where relevant)	<input type="text" value="Thakeham Homes Ltd"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="Thakeham House"/>
Line 2	<input type="text" value="Summers Place"/>
Line 3	<input type="text" value="Stane Street"/>
Line 4	<input type="text" value="Billingshurst"/>
Post Code	<input type="text" value="RH14 9GN"/>
Telephone Number	<input type="text" value="07500848675"/>
E-mail Address	<input type="text" value="Jonathan.ordidge@thakeham.com"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation:

Thakeham Homes

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="11"/>	Draft Policies Map	<input type="text"/>
-----------	----------------------	-----------	---------------------------------	--------------------	----------------------

4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☒ No ☐

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

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

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

If it is found that Mid Sussex District Council need to allocate additional sites to meet their updated housing need, Land west of Kemps should be considered favourably, as it is a suitable and sustainable site for new residential development; and could accommodate 90 dwellings.

t is

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

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

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

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

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

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

☒

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

☐

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:

Date:

28.09.2020

Thank you for taking time to respond to this consultation



THAKEHAM

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

28th September 2020

Dear Sir/Madam,

Mid Sussex District Plan 2014-2031 – draft Site Allocations DPD (Regulation 19) Consultation Draft

Land west of Kemps, Hurstpierpoint (SHLAA ID 13)

Introduction

Thakeham Homes Ltd is responding to the draft Site Allocations Development Plan Document (DPD) (Regulation 19) Consultation to the Mid Sussex District Plan (MSDP) 2014-2031 as stakeholders. These representations are submitted in respect of Thakeham Homes' interests at Land west of Kemps, Hurstpierpoint.

A site location plan that identifies the full extent of the site is attached at Appendix A. The site features in the Site Selection Paper 3 under ID 13 (Land west of Kemps, Hurstpierpoint), and is being promoted for 90 homes. Please note that the previously promoted figure of 114 homes as part of the Regulation 18 representation was an error and associated documentation quoting this figure should be amended.

If it is found that Mid Sussex District Council (MSDC) need to allocate additional sites to meet their updated housing need, Land west of Kemps should be considered favourably, as it is a suitable and sustainable site for new residential development.

The comments made here do not prejudice any other representations that are submitted by Thakeham Homes that respond to their interests elsewhere in the district.

About Thakeham

- Thakeham do not just build houses; Thakeham is an infrastructure-led sustainable placemaker.
- From 2025, ALL Thakeham Homes will be carbon neutral in construction and zero carbon in lifetime use.
- Thakeham is committed to creating new, extraordinary places.
- As a sustainable placemaker, Thakeham's commitment to improving existing communities means its schemes are design and infrastructure led; engaging with

Thakeham House, Summers Place, Stane Street, Billingshurst, West Sussex, RH14 9GN

www.thakeham.com

Company Registration No. 07278594. Registered Office Address: Thakeham House, Summers Place, Stane Street, Billingshurst, West Sussex, RH14 9GN

education, highways, healthcare, utilities and other stakeholders from the start of a project.

- Each development is different and tailored to its locality, with careful consideration of the area's character, as well as the environment.
- The delivery of homes facilitates the delivery of physical, social and green/blue infrastructure which benefits the wider surrounding residents and area.
- Thakeham is committed to delivering a 20% biodiversity net gain on new developments in Mid Sussex District.
- Thakeham is one of only 12 organisations selected to become a member of the Healthy New Towns Network, which is a collaboration between NHS England, Public Health England, Housing Developers and Housing Associations. Thakeham is committed to advocating the Healthy New Towns principles, prioritising health and wellbeing within our developments and creating the healthy neighbourhoods, towns and cities of the future.
- Our approach sets us apart from our competitors. We deliver our schemes with a focus on sustainable development, looking ahead of current housing standards.

1. Settlement Hierarchy

As defined by Policy DP6 of the District Plan, Hurstpierpoint is a Category 2 settlement within the District.

Policy DP6 states that Category 2 settlements “*benefit from a good range of services and facilities, including employment opportunities and access to public transport*”.

As currently drafted, Policy SA11: Additional Housing Allocations does not allocate any new dwellings to Hurstpierpoint.

As such, if the Council need to allocate additional dwellings, to ensure a rolling 5-year housing land supply, as part of Draft 'Policy SA11: Additional Housing Allocations', a settlement of this size and provision of facilities should take a commensurate amount of housing growth.

2. Land west of Kemps

In the Site Selection Paper 3, Land west of Kemps, Hurstpierpoint has been assessed under reference ID 13. As highlighted above, the number of dwellings referenced within the Regulation 18 consultation is not consistent with the promotion of the site and the yield should be amended to 90 dwellings. The site has minimal constraints overall which is positive to note and performs well. However, in our view, a number of areas have been incorrectly assessed and need re-consideration in light of the evidence set out below. Please note we do not provide comments to each item of the assessment, only those which we consider need reassessing.

(5) Listed Buildings and (6) Conservation Area

In respect to (5) Listed Buildings and (6) Conservation Area, it is noted that there is an adjacent Listed Building and the western boundary of the site abuts the Hurstpierpoint Conservation Area. However, these should not prevent development from coming forward in principle, especially given the area of the site at 3.8 hectares, which means that development can be concentrated away from these designations.

In terms of the proximity to the (5) Listed Building, there is a single Listed Building situated to the west (Langton Grange) which is set within its own well screened grounds from the site. This is shown in Appendix B. It is adjacent to Langton Lodge, a modern building used for self-catering which is set within the same Listed grounds and brings into question the importance of the heritage asset. Again, a single Listed Building should not mean that the entire site could not come forward for development, especially with suitable buffering and landscape mitigation measures which could be introduced along the western edge/extent during the masterplanning stage. This is confirmed in the indicative developable area shown in Appendix C in any case where there is adjacent parkland to take account of the heritage designations to the west.

(8) Landscape

The site is recorded as having a 'low' landscape sensitivity; whilst the explanatory box records the site as having "substantial landscape sensitivity and substantial landscape value". This is a contradiction and undermines the validity of the assessment. In response to the alleged "substantial landscape sensitivity" of the site, it should be noted that not all the site is proposed for development, (only the southern part is) as shown in Appendix C. This means that the proposed development area is well related to existing development and is not isolated within the landscape. This will be supplemented with additional landscaping and planting to further enclose and screen the site from the wider area. The site is bordered by residential development along two sides (south and east) in any case and therefore benefits from a residential context.

The site is neatly contained along the western edge of Hurstpierpoint and does not encroach into open countryside. Langton Lane forms a western edge and demarcation to the settlement and is comfortably protected with proposed development sitting well inside this line.

The site enables a natural extension of growth along the western flank, in the same way as the eastern flank has been recently developed with residential development (off Iden Hurst). It is a natural growth option for the settlement.

The South Downs National Park is situated to the south but will not be adversely affected by the site given its screening and visual containment, together with development being situated along the southern part of the site, as shown in Appendix C.

Part 3 Sustainability / Access to Services

The site is located in a sustainable location. In response to (17) Public Transport and it being assessed as being 'Poor', this is contested given there are bus stops less than 300m away to the east in Cuckfield Road (so-called Fairfield Crescent stop) with regular services around Hurstpierpoint (4 minutes' walk). There are further bus stops in Marchants Road to the south within 400m of the site to the east (5 minutes' walk). It is therefore inaccurate to classify the site as being poorly situated to public transport with numerous footpaths linking the site to these bus stops.

Hurstpierpoint is situated less than 3km to the south-west of Burgess Hill, which has a train station with direct services to London and Brighton. In broader terms, the site is well related to the settlement boundary and within easy distance from the shops and services of

Hurstpierpoint. This is confirmed by a green indicator in the Council's assessment stating that (16) services are situated less than 10 minutes' walk away. There are also pedestrian footpath links to the village centre to enhance its sustainability credentials.

Conclusions

If MSDC needed to allocate additional sites for residential development as part of draft 'Policy SA11: Additional Housing Allocations', Land west of Kemps, Hurstpierpoint should be reconsidered for its development potential to provide 90 dwellings towards the Council's housing need.

Hurstpierpoint is a Category 2 tier (second most sustainable) in the settlement hierarchy, and thus is considered suitable to accommodate additional housing.

Land west of Kemps is sustainably located on the edge of Hurstpierpoint, and could accommodate 90 new dwellings, if the Council seek to allocate additional sites for housing. This representation has demonstrated why the site is suitable for development, and how the constraints identified previously can be mitigated accordingly through high quality design.

As such, we ask for reconsideration in the Council's assessment given the evidence presented in this representation.

We trust that this is taken into account and we would be grateful for confirmation of receipt.

In the meantime, please do not hesitate to contact me if you have any queries or require any further information.

Yours faithfully



Olivia Forsyth

Head of Planning (South)

Appendix A

Site Location Plan



Appendix B

A Plan showing the relationship between the single Listed Building and the site (edged in red).



Appendix C

Showing the indicative development area within the red line boundary



Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 676

Response Ref: Reg19/676/1

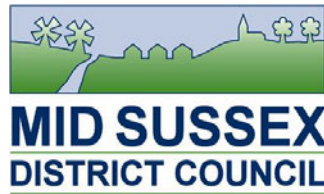
Respondent: Mr J Ordidge

Organisation: Thakeham

On Behalf Of: Land west of Old Brighton Road PP

Category: Developer

Appear at Examination? x



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

How can I respond to this consultation?

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RH16 1SS

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Jonathan"/>
Last Name	<input type="text" value="Ordidge"/>
Job Title (where relevant)	<input type="text" value="Senior Planner"/>
Organisation (where relevant)	<input type="text" value="Thakeham Homes"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="Thakeham House"/>
Line 2	<input type="text" value="Summers Place"/>
Line 3	<input type="text" value="Stane Street"/>
Line 4	<input type="text" value="Billingshurst"/>
Post Code	<input type="text" value="RH14 9GN"/>
Telephone Number	<input type="text" value="07500848675"/>
E-mail Address	<input type="text" value="Jonathan.ordidge@thakeham.com"/>



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Part B – Your Comments

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

Name or Organisation:

Thakeham Homes

3a. Does your comment relate to:

Site
Allocations
DPD

☒

Sustainability
Appraisal

☒

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

11

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes

☒

No

4b. Sound

Yes

☒

No

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

Sound

Unsound

(1) Positively prepared

☒

(2) Justified

☒

(3) Effective

☒

(4) Consistent with national policy

☒

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

Whilst it is considered the Plan, overall, is sound, the distribution of housing allocations across the District, under Policy SA11, should also include Pease Pottage and that if it is found that Mid Sussex District Council need to allocate additional sites to meet their updated housing need, Woodhurst Farmhouse, Old Brighton Road South, Pease Pottage should be considered favourably, as it is a suitable and sustainable site for new residential development; and could accommodate approximately 150 dwellings.

The accompanying representation statement outlines why the site is suitable to accommodate residential development. In summary, this is as follows:

- The site is located within an **Area of Change**. The northern edge of the site is immediately adjacent to Finches Field Recreation Ground where the village community hall has been constructed; and the site is also in the vicinity of the under-construction scheme to the east of A23 (planning permission DM/15/4711) for 619no. dwellings including a primary school and community facilities.
- There have been significant infrastructure improvements in the vicinity as a result of the implementation of planning permission DM/15/4711.
- Following the construction of the community hall at Finches Field Recreation Ground, the southern edge of Pease Pottage now adjoins the site, and thus the site is not 'separate' from Pease Pottage.
- The site is well connected to bus stops which offer services to the local area. These are The Stables and Tilgate Forest Row which are situated to the east of the A23 and accessible via the existing footbridge over the A23.
- The land parcel lies adjacent to the A23 for almost its entire length and the road has a significant influence on its character and appearance. This significantly reduces the landscape value of the site.
- The Site is very well physically and visually contained by dense vegetation, and thus the appreciation and views of the site from the wider AONB landscape is therefore significantly limited.

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

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

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.

As highlighted in the response to question 6a, and detailed more comprehensively within the accompanying representations, it is considered that the distribution of housing under Policy Sa11 should also include provision within Pease Pottage, as a sustainable location for additional development.

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

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

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

X

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

Yes, I wish to participate at the oral examination

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:



Date:

28.09.2020

Thank you for taking time to respond to this consultation



THAKEHAM

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

28th September 2020

Dear Sir/Madam,

Mid Sussex District Plan 2014-2031 – draft Site Allocations DPD (Regulation 19) Consultation Draft

Woodhurst Farmhouse, Old Brighton Road South, Pease Pottage (SHLAA ID 581)

Introduction

Thakeham Homes Ltd (Thakeham) is responding to the draft Site Allocations Development Plan Document (DPD) (Regulation 19) Consultation to the Mid Sussex District Plan (MSDP) 2014-2031 as stakeholders. These representations are submitted in respect of Thakeham Homes' interests at Woodhurst Farmhouse, Old Brighton Road South, Pease Pottage.

A site location plan that identifies the full extent of the site is attached at **Appendix A**. The site features in the Site Selection Paper 3 under ID 581 (Woodhurst Farmhouse, Old Brighton Road South, Pease Pottage), and is being promoted for approximately 150 homes.

If it is found that Mid Sussex District Council (MSDC) need to allocate additional sites to meet their updated housing need, Woodhurst Farmhouse should be considered favourably, as it is a suitable and sustainable site for new residential development.

The comments made here do not prejudice any other representations that are submitted by Thakeham in respect of their interests elsewhere in the district.

About Thakeham

- Thakeham do not just build houses, Thakeham is an infrastructure-led sustainable placemaker.
- From 2025, ALL Thakeham Homes will be carbon neutral in construction and zero carbon in lifetime use.
- Thakeham is committed to creating new, extraordinary places.
- As a sustainable placemaker, Thakeham's commitment to improving existing communities means its schemes are design and infrastructure led; engaging with education, highways, healthcare, utilities and other stakeholders from the start of a project.

Thakeham House, Summers Place, Stane Street, Billingshurst, West Sussex, RH14 9GN

www.thakeham.com

- Each development is different and tailored to its locality, with careful consideration of the area's character, as well as the environment.
- The delivery of homes facilitates the delivery of physical, social and green/ blue infrastructure which benefits the wider surrounding residents and area.
- Thakeham is committed to delivering a 20% biodiversity net gain on new developments in Mid Sussex District.
- Thakeham is one of only 12 organisations selected to become a member of the Healthy New Towns Network, which is a collaboration between NHS England, Public Health England, Housing Developers and Housing Associations.
- Thakeham is committed to advocating the Healthy New Towns principles, prioritising health and wellbeing within our developments and creating the healthy neighbourhoods, towns and cities of the future.
- Our approach sets us apart from our competitors. We deliver our schemes with a focus on sustainable development, looking ahead of current housing standards.

1. Settlement Hierarchy

As defined by Policy DP6 of the District Plan, Pease Pottage is a Category 3 settlement within the District.

Policy DP6 states that Category 3 settlements provide “*essential services for the needs of their own residents and immediate surrounding communities.*”

As currently drafted, Policy SA11: Additional Housing Allocations does not allocate any new dwellings to Pease Pottage.

As such, if the Council need to allocate additional dwellings, to ensure a rolling 5-year housing land supply, as part of Draft 'Policy SA11: Additional Housing Allocations', a settlement of this size and provision of facilities could accommodate additional homes.

2. Woodhurst Farmhouse

In the Site Selection Paper 3, Woodhurst Farmhouse has been assessed under reference ID 581. The Council's assessment is that developing the land parcel will have an unacceptable impact on the AONB and landscape due to its significant scale, exacerbated by its separation from the village of Pease Pottage and loss of public enjoyment on the AONB landscape particularly from Old Brighton Road and the PROW. This assessment is incorrect for a number of reasons.

The assessment does not take into account (or even mention) that the land parcel lies adjacent to the A23 for almost its entire length and the road has a significant influence on its character and appearance. This significantly reduces the landscape value of the site.

We would ask for reconsideration of the landscape assessment as follows:-

(i) High Level LVIA

The Council's commentary in this section acknowledges that the Site is very well physically and visually contained by dense vegetation. The appreciation and views of the site from the wider AONB landscape is therefore significantly limited.

To demonstrate this, we have undertaken a high level Landscape Visual Impact Assessment (LVIA) in which the AONB designation has been carefully considered and assessed. This is shown in **Appendix B** in the appraisal photographs and by the site context demonstrating its enclosed and well screened nature. The land parcel sits tight to the A23 and takes full advantage of existing boundary vegetation. It is not isolated within the wider landscape.

At Old Brighton Road South, the vehicle movement and noise associated with the A23 transport corridor significantly degrades landscape character and lessens the scenic beauty of the AONB (Site Context Photograph 2). The only public access across the site is along a Public Right of Way (PRoW) (reference 2796). However, there is inter-visibility between the PRoW and the A23 which becomes particularly acute where the PRoW traverses the central section of the Site due to thinning vegetation in this area, which diminishes landscape quality and experience.

The enjoyment of the AONB from the other public viewpoint of Old Brighton Road South itself is extremely limited due to the fact that the Site is only partially visible and heavily filtered by dense intervening vegetation (Site Context Photograph 1). Additionally, Woodhurst Farmhouse and land set immediately to the north is set within mature vegetation and has blocks of coniferous planting and equestrian paddocks which detract from the condition of the landscape and the special qualities of the AONB (Site Context Photograph 5). Furthermore, electricity transmission towers and telegraph poles also cross the landscape in the vicinity of the Site forming manmade urbanising elements with a vertical emphasis on the view (Site Context Photograph 10).

The site has been assessed as having a high impact on the AONB owing to its significant scale and loss of public enjoyment of the AONB landscape from Old Brighton Road and the PROW. This has been given a red marker in the assessment, but requires reconsideration.

The first aspect to note is that this site is partly brownfield. It contains residential properties and a livery, as shown in **Appendix C**. These elements contribute little to the purposes or integrity of the AONB. As the site is partly brownfield, the Council's Brownfield Register should be updated to include this site.

Further, there are redundant agricultural buildings and disused farmland within the Site. The buildings were the subject of planning permission 05/01066/FUL '*Conversion of redundant agricultural buildings to office space with associated car parking, landscaping and related works*'. A site plan showing the sizeable footprint of these buildings is appended in **Appendix D**. It is important to note that the condition of these redundant buildings since the time of the permission in September 2005 has deteriorated with some buildings having partially collapsed, as shown in **Appendix E**. It is therefore an eyesore in visual terms. In addition, as noted above, part of the site is previously developed land including containing residential properties and a livery. The A23 also runs close to the eastern boundary, resulting in the partially urbanised

character of the site. As such, it offers little in the way of scenic quality to the beauty and landscape of the AONB.

The site is also in close proximity to the settlement of Pease Pottage and the under construction scheme to the east of the A23, for 619 dwellings, which includes a primary school and community facilities.

Development on this site could allow for the extension of the proposed bus service at Pease Pottage to loop along the site frontage with Old Brighton Road South.

(ii) Area of Change

It is important to recognise that this site is located within an **Area of Change**. We would emphasise that part of the northern edge of the site is immediately adjacent to Finches Field Recreation Ground where the village community hall has been constructed. The site is also in the vicinity of the under-construction scheme to the east of A23 (planning permission DM/15/4711) for 619no. dwellings including a primary school and community facilities. This part of Pease Pottage is therefore an area of change which needs greater recognition in the Council's assessment of the site. Given that community facilities have been built at Finches Field, Site 581 would form a logical continuation of development extending south from the Pease Pottage settlement boundary.

It should also be noted that there have been infrastructure improvements in the vicinity as a result of the under-construction **619no. unit scheme in Pease Pottage**. The existing road access to the site also contains surface water and foul drainage provision and allowance has been made for a major new power supply originally intended for a (now lapsed) planning permission (09/02295) for a diagnostics and treatment centre including 120 car parking spaces. This shows that significantly sized development was contemplated and approved in the immediate vicinity of the site (and farther away from Pease Pottage).

Given that the Site is in close proximity to a large development site to the east, which will provide significant infrastructure and community facilities, there is a strong prospect that this will improve connections to the local area in the very near future.

The plan provided at Appendix A shows the existing built form in Pease Pottage and the adjacent sites which are either under construction or have planning permission for new development. This illustrates the changing context of Pease Pottage, and demonstrates how the site is well related to the future form of Pease Pottage.

(iii) Sustainable location and semi-urban character

Site 581 excludes Finches Field as this recreation land is set to the north. Indeed, a community hall has been constructed on this land, demonstrating that development is encroaching further to the south. The Site is also in close proximity to the settlement of Pease Pottage and is not 'separate' as stated in the Council's assessment. It is immediately adjacent to the pedestrian footbridge at Pease Pottage providing access by foot or cycle to Handcross and/or Tilgate Forest Row. There is also a bridleway which extends through the site in an east-west direction (reference 2S) which increases its connectivity to the wider area. Nearby commercial buildings such as the Scania Garage have a significant urbanising influence on the area.

Summary for Council's Assessment

This section outlines our comments in response to the Council's site assessment for Woodhurst Farmhouse (Site Selection Paper – Appendix B).

Part 1 – Planning Constraints

1. AONB

For the reasons set out above, it is our view that with the submitted high level LVIA combined with an acknowledgement of the changes taking place in the area and the deteriorated condition of the site, means that the site should be reassessed as **not having a high impact on the AONB**. It can be developed without compromising its integrity, landscape character or harmfully conflicting with the Statement of Significance for the High Weald AONB.

2. Flood Risk

The site is confirmed in the Council's assessment as not being at any flood risk and the site situated within Flood Zone 1 which is correct. Pease Pottage is situated on a hill relative to surrounding land and settlements in any case.

3. Ancient Woodland

Whilst there is a strip of Ancient Woodland extending across the site, which would be suitably protected with appropriate buffer zones, the envisaged quantum of development (150no.) can be comfortably delivered alongside it in a landscape-led scheme.

Part 2 – Deliverability Considerations

We do not have any comments to make on the Council's assessments in Part 2.

Part 3 – Sustainability/Access to Services

15. Health

Health facilities are less than a 20 minute walk and should be re-categorised as a 10-15 minute walk as the current time has been overstated (from the site to Coachmans Medical Practice to the north, RH11 9JA).

It is also of note that the lapsed planning permission (09/02295) for an Acute Diagnostic Centre could be resubmitted, approved and delivered over the timescale of delivery on site. There is also a local health centre in Handcross which is just one bus stop away from the nearby footbridge.

17. Public transport

The site is **not** poorly connected to public transport. It is extremely well connected to bus stops which offer services to the local area. These are The Stables and Tilgate Forest Row which are situated to the east of the A23 and accessible via the existing footbridge over the A23. This pedestrian footbridge is also used by residents of Pease Pottage for access by foot or bicycle to Handcross and/or Tilgate Forest Row which is part of the village. Tilgate Forest Row,

Woodhurst Farmhouse, the redundant farm buildings and Sussex Health can be seen as forming the southern edge of the village in all practical terms. Consequently, we would suggest that the public transport assessment to be reassessed as **Good** in the Council's assessment.

Further, proposals for Site 581 include an extended bus loop (Metrobus) as part of the continuing improvement to public transport links.

In summary, our response to the Council's site proforma assessment has demonstrated that the concerns raised in the landscape and AONB assessment have been addressed with high level LVIA evidence and other arguments and as such, Land to the west of Old Brighton Road South should be identified for allocation.

For the reasons set out above, it is our view that the high level LVIA combined with acknowledgement of the changes taking place in the area and the deteriorated condition of the site, means that the site should be reassessed as **not having a high impact on the AONB**. It can be developed without compromising its integrity or landscape character.

Conclusions

If MSDC needed to allocate additional sites for residential development as part of draft 'Policy SA11: Additional Housing Allocations', Woodhurst Farm, Pease Pottage, should be reconsidered for its development potential to provide 150 dwellings towards the Council's housing need.

Pease Pottage is a Category 3 tier (third most sustainable) in the settlement hierarchy, and thus is considered suitable to accommodate additional housing.

Woodhurst Farm is sustainably located on the edge of Pease Pottage, and could accommodate approximately 150 new dwellings, if the Council seek to allocate additional sites for housing.

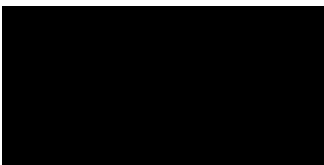
This representation has demonstrated why the site is suitable for development, and how the constraints identified previously can be mitigated accordingly through high quality design.

As such, we ask for reconsideration in the Council's assessment given the evidence presented in this representation.

We trust that this is taken into account and we would be grateful for confirmation of receipt.

In the meantime, please do not hesitate to contact me if you have any queries or require any further information.

Yours faithfully,

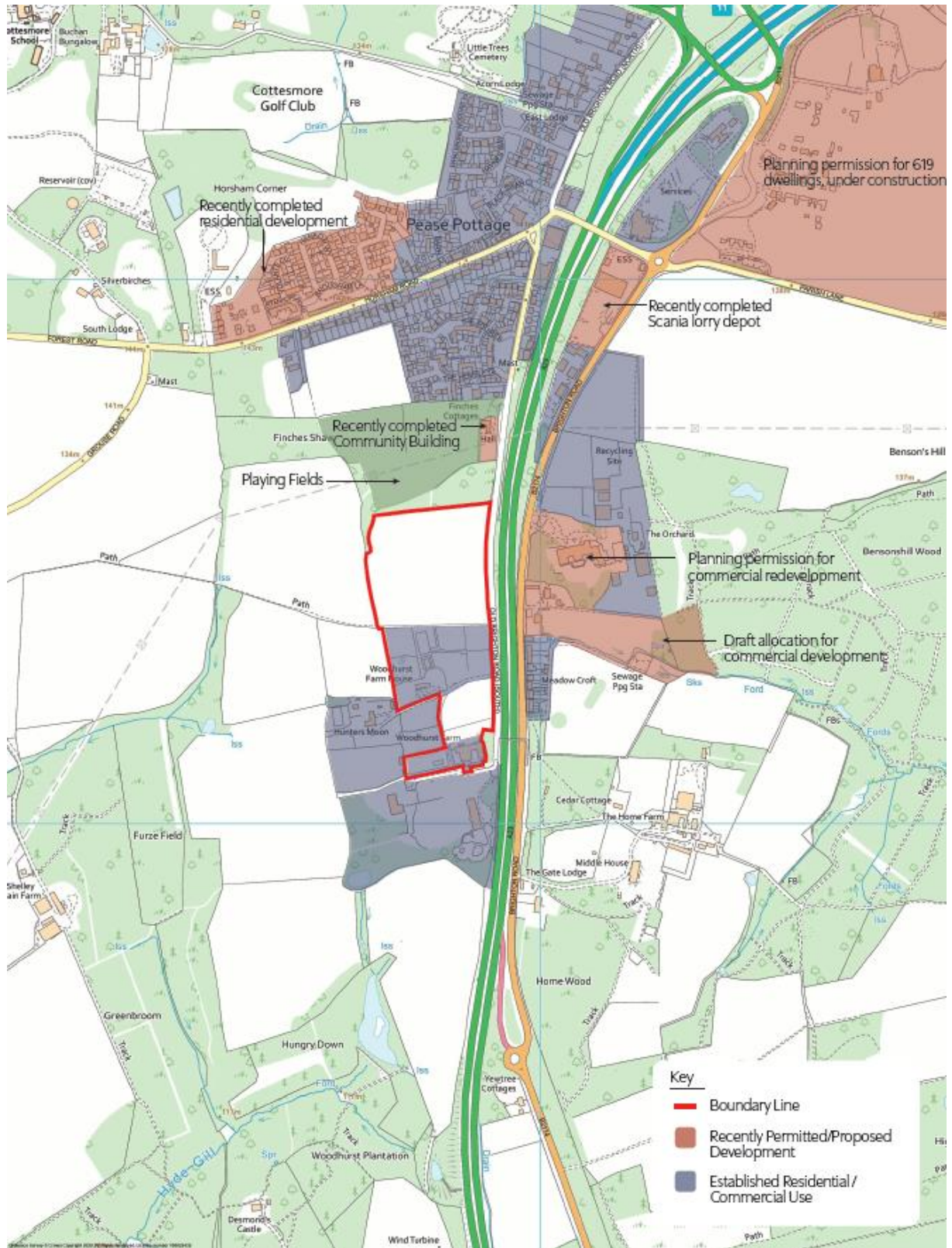


Olivia Forsyth

Head of Planning (South)

Appendix A

Site Location Plan



Appendix B - High Level LVIA Photographs



SITE APPRAISAL PHOTOGRAPH 1



SITE CONTEXT PHOTOGRAPH 2



SITE APPRAISAL PHOTOGRAPH 3

LAND WEST OF A23,
PEASE POTTAJE -
WOODHURST FARM

SITE CONTEXT AND APPRAISAL
PHOTOGRAPHS: 1 - 3

DATE TAKEN: DEC 2018
PROJECT NUMBER: 29913

**BARTON
WILLMORE**



SITE APPRAISAL PHOTOGRAPH 4



SITE APPRAISAL PHOTOGRAPH 5



SITE CONTEXT PHOTOGRAPH 6

LAND WEST OF A23,
PEASE POTAGE -
WOODHURST FARM

SITE CONTEXT AND APPRAISAL
PHOTOGRAPHS: 4 - 6

DATE TAKEN: DEC 2018
PROJECT NUMBER: 29013

**BARTON
WILLMORE**



SITE CONTEXT PHOTOGRAPH 7



SITE CONTEXT PHOTOGRAPH 8



SITE CONTEXT PHOTOGRAPH 9

LAND WEST OF A23,
PEASE POTAGE -
WOODHURST FARM

SITE CONTEXT AND APPRAISAL
PHOTOGRAPHS: 7 - 9

DATE TAKEN: DEC 2018
PROJECT NUMBER: 29013

**BARTON
WILLMORE**



SITE CONTEXT PHOTOGRAPH 10

Appendix C – View of Woodhurst Farmhouse and stables from the north



Appendix D - Site plan showing the sizeable development footprint from consented scheme 05/01066/FUL



Appendix E – View of part of the dilapidated farm buildings on site



Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 684

Response Ref: Reg19/684/3

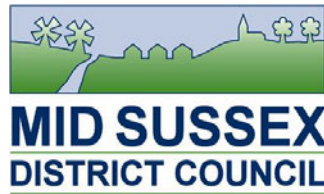
Respondent: Mr C Noel

Organisation: Strutt and Parker

On Behalf Of: Paddockhurst Estate Turners Hill

Category: Promoter

Appear at Examination? x



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Craig"/>
Last Name	<input type="text" value="Noel"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Strutt and Parker"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Paddockhurst Estate"/>
Address Line 1	<input type="text" value="201 High Street"/>
Line 2	<input type="text" value="Lewes"/>
Line 3	<input type="text"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="BN7 2NR"/>
Telephone Number	<input type="text" value="01273407045"/>
E-mail Address	<input type="text" value="craig.noel@struttandparker.com"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation:

Craig Noel – Strutt and Parker on behalf of Paddockhurst Estate

3a. Does your comment relate to:

Site
Allocations
DPD

☒

Sustainability
Appraisal

☒

Habitats Regulations
Assessment

☐

Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☐

3b. To which part does this representation relate?

Paragraph

Policy SA

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes ☒

No ☐

4b. Sound

Yes ☐

No ☒

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

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

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

Please see attached representation from Strutt and Parker dated 10th September 2020

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

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

Please see attached representation from Strutt and Parker dated 10th September 2020

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

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

Please see attached representation from Strutt and Parker dated 10th September 2020

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:

28/09/2020

Thank you for taking time to respond to this consultation

**Mid Sussex District Council
Site Allocations DPD**

Regulation 19 Consultation

**Representations on behalf of Paddockhurst
Estate**

Our ref: CN 151478

10th September 2020

Appendix 1 – Turners Hill Neighbourhood Plan (Policy THP2) and Proposals Map.

Appendix 2 – Proposed Site Layout Sketch

Introduction

- 1.1. Strutt and Parker are instructed by Paddockhurst Estate to respond to the Regulation 19 consultation Site Allocations Development Plan Document (SADPD) published by Mid Sussex District Council in July 2020. Paddockhurst Estate are freehold owners of land north of Old Vicarage Field, Turners Hill which it is promoting for sustainable new housing and open space. The Estate also own land at Withypitts, Turners Hill, which is promoted for redevelopment for residential purposes.
- 1.2. Land north of Old Vicarage Field (Site 852) extending to 9 hectares was assessed as suitable at Stage 1 of the site assessment process in September 2018 with an anticipated yield of 150 dwellings. It also remained in consideration following the Stage 2 high level assessment (and was therefore considered compliant with the District Plan spatial strategy). It features in the Stage 3 assessment but did not progress to Stage 4.
- 1.3. Land at Withypitts Farm, Selsfield Road, Turners Hill (Site 854) is proposed for allocation under Policy SA32. This allocation is supported.
- 1.4. This representation focusses on the spatial strategy for the District, its relationship to sustainability, and the associated housing numbers addressed through the Regulation 19 proposals. It also provides further details in support of Policy SA 32.

Spatial Strategy for the District

- 2.1. It is notable that the Regulation 19 SADPD under-delivers housing numbers in Category 3 settlements when assessed against District Plan targets. We consider that this shortcoming should be addressed prior to advancing the SADPD by identification of additional sites in Category 3 Medium Sized Villages. This will have sustainability advantages in addition to meeting the District Plan targets, including ensuring that the spatial distribution of affordable housing provision more accurately mirrors that anticipated in the District Plan.
- 2.2. The District Plan table which identified the spatial distribution of the housing requirement (page 32 of the District Plan) also provides minimum figures for each of the settlement Categories.
- 2.3. The minimum housing requirement for Category 1 settlements (Towns) has been revised to 706 dwellings, from the figure of 840 units in the Regulation 18 document. In Category 2 settlements (Local Service Centres), this has decreased from 222 dwellings to 198 dwellings (as a result of planning permission being granted at Land North of Shepherds Walk, Hassocks). In Category 3 (Medium Sized Villages), the requirement has reduced from 439 to 371. In Category 4 the requirement has decreased from 6 units to 5. These housing supply figures have been revised following an update to completion, commitments and windfall figures.
- 2.4. Despite the minimum residual requirement for Category 3 decreasing, this category remains the most underrepresented in the proposed site allocations. Only 238 of the minimum 371 homes required are proposed in the Regulation 19 SADPD, providing a shortfall of 133 dwellings. This position is shown in the table below (red text):

MSDC SADPD Reg 19: Representations on behalf of Paddockhurst Estate

Category	Settlements	District Plan Allocations	Minimum Requirement (2014-2031)	Minimum Residual (2017 +)	Minimum Residual Reg 18 SADPD	Minimum Residual Reg 19 SADPD	Reg19 SADPD Sites	Category Difference
1 Towns	Burgess Hill, E Grinstead, Haywards Heath	3,287	10,653	1,272	840	706	1069	363
2 Larger Village	Crawley Down, Cuckfield, Hassocks	500	3,005	838	222	198	105 (Figure does not include recent consent at Shepherds Walk, Hassocks)	37
3 Medium Village	Albourne, Ardingly, Ashurst Wood, Balcome, Bolney, Handcross, Horsted Keynes, Pease Pottage, Sayers Common, Scaynes Hill, Sharpthorne, Turners Hill, West Hoathly	600	2,200	311	439	371	238	-133
4 Smaller Village	Ansty, Staplefield, Slaugham,, Twineham, Warninglid	0	82	19	6	5	12	7
5	Hamlets	N/A	N/A	N/A	N/A	N/A	N/A	
Windfall			450					
Total			16,390	2,439	1,507	1,280	1,764	

Table 1: Spatial Distribution of Housing Requirement (Source of data: SADPD Regulation 18 and 19 draft documents.)

- 2.5. The number of dwellings at Site Allocation 27 (Land at St Martins Close (West) Handcross) has reduced from 65 to 30 dwellings because the Slaugham Neighbourhood Plan is now made and Land at St Martins Close (East) is now a commitment as at 1st April 2020. Therefore, only 30

units are identified to avoid double counting. However, there would still be a shortfall of 103 units in Category 3 if the additional 30 dwellings had been included in the housing figures.

- 2.6. The Settlement Sustainability Review (May 2015) forms part of the evidence base for the Mid Sussex District Plan (2014-2031). Paragraph 1.4 notes the Settlement Sustainability Review (May 2015) identifies strategic allocations for housing at Burgess Hill. However, additional “housing development is proposed to be met at the district’s other towns and villages to help meet the needs of existing communities.” This suggests housing supply should be proposed across the numerous settlements and not concentrated to only a select number.
- 2.7. As Table 1 shows, there is over-provision in the Category 1 settlements against under provision in Category 2 and 3 settlements. The approved settlement hierarchy constitutes a policy for delivering the spatial strategy, ensuring a sustainable pattern of development across the District. It would be wrong therefore to regard additional provision in Category 1 settlements as essentially more sustainable than provision in accordance with the spatial strategy. The latter has been formulated to produce an appropriate balance of development across settlements in the interests of sustainability.
- 2.8. The settlement hierarchy table included as part of District Plan Policy DP6 outlines the characteristics and functions of a Category 3 settlement: “Medium sized villages providing essential services for the needs of their own residents and immediate surrounding communities.” As a result, settlements within Category 3 should be considered as sustainable settlements.
- 2.9. Thus, there is sufficient justification for amending the Site Allocations DPD to increase the number of sites and units allocated within Category 3 settlements, to ensure consistency with the District Plan and the approved spatial strategy, and in turn support a sustainable pattern of development.

Housing Supply

- 3.1. Policy SA10 (Housing) within the SADPD Regulation 19 sets out how the Council propose to distribute housing across the District. Policy SA11 (Additional Housing Allocations) proposes how the 1,764 dwellings required through the SADPD will be distributed. The figure of 1,764 dwellings presents an excess of 484 dwellings above the residual amount required of 1,280.
- 3.2. Nevertheless, there is a clear under provision of homes in Category 3 settlements and therefore the settlements cannot meet their guideline (Policy DP6) residual housing requirement.
- 3.3. 158 sites out of 253 sites were taken forward following a High level Assessment (Site Selection Paper 1). Following the Detailed Evidence Testing stage (Site Selection Paper 3), 51 sites remained as having potential for allocation and were subject to further evidence base testing and assessment. The SADPD Regulation 19 document includes 22 housing allocations. This is a narrow proportion of the sites that were positively assessed and were regarded as having potential for allocation following the Detailed Evidence Testing stage.
- 3.4. Whilst there is an over-supply from the 22 sites proposed for allocation, this may not be a sufficient buffer should sites fall out of the allocations process between now and adoption. In

addition, the non-deliverability of any proposed site allocation could result in the Council jeopardising housing supply for the District.

- 3.5. MSDC should consider allocating more sites in the SADPD to ensure a continuous supply of sites during the plan period. Therefore, it would be sensible to look at settlements that are not currently meeting the residual housing requirement, most notably Category 3 settlements, to provide the necessary flexibility.

Assessed Housing Options and Sustainability Appraisal

- 4.1. This section is an update to assessed housing options and sustainability appraisal discussion presented in the representation in response to the SADPD Regulation 18 document.
- 4.2. MSDC are required to assess potential reasonable alternative strategies against the selected approach developed for the purposes of the Regulation 19 version of the SADPD. Similarly, to the preparation of the Regulation 18 draft document, the Council purports to have carried out that exercise by considering three potential Options for the SADPD consultation, as set out in the SADPD Sustainability Appraisal – Non-technical Summary Regulation 19 (July 2020).
- 4.3. As with the SADPD Sustainability Appraisal Regulation 18 document (September 2019), the Options presented were not sufficiently different in terms of addressing the approved spatial strategy. 20 of the 22 sites ultimately identified in the selected Option were common to all 3 Options.
- 4.4. Option B included three additional sites at Burgess Hill (Category 1 settlement) while Option 3 included those sites plus a 3rd site at Haywards Heath (again a Category 1 settlement). This means that the choice around options was solely a choice around the overall number of units to be delivered in excess of the minimum residual requirement. There was no reasonable alternative presented in relation to the spatial strategy and the distribution of development between the settlement categories. Options B and C simply added additional dwellings to Category 1 settlements and did not seek to redress imbalances between the other settlement categories. The choice provided was against delivering either 144, 484 or 774 dwellings above the minimum residual requirement. In each scenario, the minimum target provision was exceeded in Category 1, 2 and 4 settlements. None of the Options met the Category 3 target residual minimum.
- 4.5. This is surprising given that there are nearly the same number of settlements in Category 3 (13) than in all of the other settlement categories where sites are proposed for allocation combined (14). It is not credible that there are no potentially suitable additional Category 3 sites that might be considered as reasonable alternatives for the purpose of the sustainability appraisal.
- 4.6. Paragraph 1.36 of the Sustainability Appraisal (July 2020) says that additional sites should ideally be drawn from sites from the highest settlement category in the hierarchy. As noted at paragraph 4.5, all additional sites were only considered from Category 1 settlements.
- 4.7. Housing supply should not only be directed at Category 1 settlements, not only because that would be contrary to the Spatial Strategy in the District Plan, but indeed because Category 3

settlements should be considered as sustainable locations to provide housing in Mid Sussex. There is strong justification that settlements in Category 3 of the Settlement Hierarchy should be considered as sustainable locations for site allocations as locations outside of the main town centres become increasingly desirable places to live, and there is less need to commute to offices in the main towns. An increase in home-working has eased pressures on public transport links in the District, and will continue to do so as employers prepare for the longevity of home-working.

- 4.8. The assessment criteria in the Sustainability Appraisal should be reviewed as a result of rapidly changing employment environments in response to the COVID-19 crisis; the pandemic has shifted transport movements and commuting patterns, in particular.

Windfalls

- 5.1. The Regulation 19 SADPD proposes to increase the windfall allowance to 84 dwellings per annum, amounting to a total of 504 dwellings over the final 7 years of the Plan period (2024-2031). Proportionately then, there are more windfall units to be provided for than are now proposed to be identified in categories 2 and 3 combined.
- 5.2. Part of this increase is attributed to the inclusion of sites of up to 9 units in the assessment. MSDC are still very reliant on the delivery of homes from windfall sites. This could potentially negatively impact the delivery of affordable housing. In addition, site-specific infrastructure requirements are more readily made out in policies supporting the delivery of allocated sites, meaning that generally speaking greater public benefit can be anticipated in plans where a higher proportion of the number of dwellings targeted are to be provided on sites specifically allocated in Local Plans. It is also important to note that windfall sites cannot be assumed to come forward in proportion to the balance of development contemplated through the spatial strategy. This means that the spatial strategy may be further compromised (in addition to the under-provision in categories 2 and 3 identified above), given that windfall developments most commonly derive from within the larger settlements. These issues can be overcome by identifying more housing sites through the SADPD, and specifically with Category 3 settlements.
- 5.3. Without allocating further sites to meet the adjusted housing need, there will be a greater reliance on windfall sites. The Council is therefore encouraged to rely less on non-identified sources of housing growth (which by their nature are unpredictable in relation to the realisation of the spatial strategy) and to plan more effectively by identifying additional sites for allocation in the SADPD.

Suitability of Turners Hill

- 6.1. Turners Hill is acknowledged to be one of 13 settlements within Category 3 in the settlement hierarchy, identified as a Medium-Sized Village that provides essential services and which is capable of accommodating additional residential development. The District Plan identifies a minimum residual requirement for Category 3 settlements of 311 dwellings. This has been

increased to 371 in the context of the current Regulation 19 consultation. The current draft SADPD delivers 238 units in such settlements, an under-provision of 133 units.

- 6.2. Under-provision is also apparent within Turners Hill. Table 12 produced at paragraph 6.12 of the sustainability appraisal demonstrates that (in addition to the 133-unit shortfall across Category 3 Settlements), the Regulation 19 SADPD under-delivers against the expectation for sustainable growth for Turners Hill – namely a further 67 dwellings. The SADPD does allocate one site in Turners Hill for 16 dwellings, leaving at least 51 units to be found if the residual for the village is to be met. While the Turners Hill Neighbourhood Plan (Made in 2016) does identify a development site, this provision is included in the Council's assessment in order to arrive at the residual requirement as an existing Neighbourhood Plan commitment.

Land north of Old Vicarage Field

- 7.1. Land north of Old Vicarage Field (Site 852) was found to be unsuitable for allocation, primarily for access reasons. The Site Selection Paper notes that *“access is proposed via an adjacent allocated site. However, the adjacent allocation has no extant permission and it cannot be assumed that it will come forward over the plan period”*.
- 7.2. The adjacent land in question is allocated in the made Turners Hill Neighbourhood Plan (Policy THP2). Crucially, it is under the control of the same landowner. Whilst no planning permission has been granted, it is not unreasonable to assume that the THP2 land will come forward for development within the next 5 years, unlocking the land to the north for development. Extracts from the Made Neighbourhood Plan and associated Proposals Map are at Appendix 1.
- 7.3. All other matters raised (in relation to potential Conservation Area and Landscape impact) are capable of mitigation through site master planning.
- 7.4. This site is very well related to the settlement and to planned new development. The land lies to the north of the AONB. It is capable of meeting the identified housing shortfall in Turners Hill. It is deliverable within years 6-10 and should not be ruled out as a potential allocation by virtue of access arrangements.

Land at Withpitts Farm

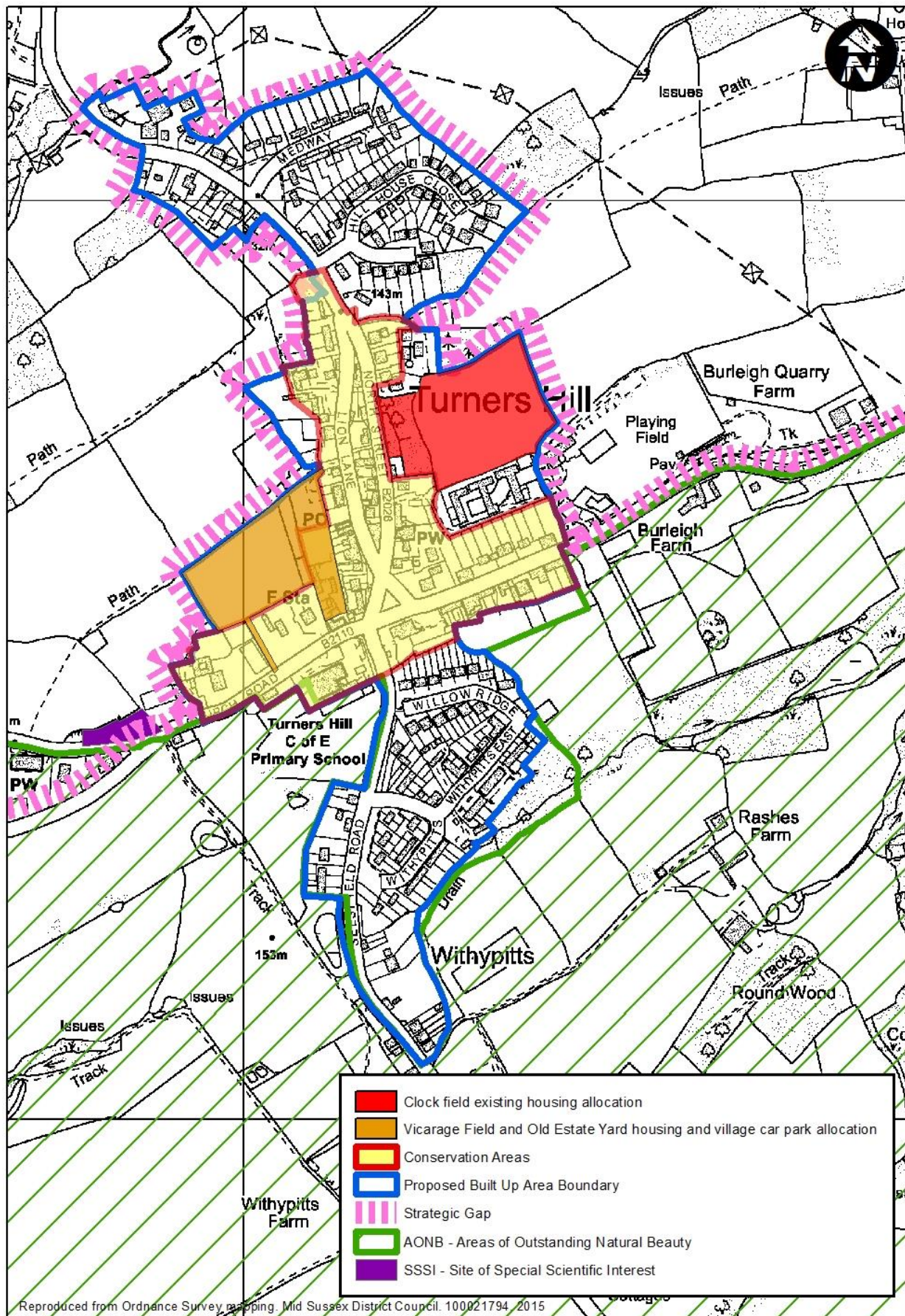
- 8.1. Paddockhurst Estate has been proactive in undertaking assessment work in support of the proposed allocation of land at Withpitts Farm. A sketch layout has been prepared (Appendix 2), supported by an Opportunities and Constraints Assessment and a Design Development document. A LVIA has been produced, and a Transport Assessment is being prepared, supported by Safety Audit work. The Transport Assessment will soon be finalised with the provision of vehicle tracking work.

Summary

- 9.1. It is evident from the figures published in the Regulation 19 SADPD that there remains a significant shortfall of homes in Category 3 settlements across the District. Turners Hill is a

Category 3 settlement where housing provision is under-represented against the target minimum figure indicated in the Sustainability Appraisal.

- 9.2. The proposed allocation at Withypitts Farm will help to deliver the Spatial Strategy, but in addition, our representation at Regulation 18 highlighted a suitable site (Land North of Old Vicarage Farm) available to meet this acknowledged shortfall. Access to this site is available across land within the same ownership, across land that in turn is allocated for development in the Turners Hill Neighbourhood Plan. There is no reason to consider that the site will not come forward for development within years 6-10.
- 9.3. As noted in our previous representation, the Regulation 19 SADPD over-relies on windfall development, and more so in the latest iteration of the DPD. If the SADPD relies too heavily on windfall despite the availability of suitable residential sites, it cannot be considered justified, effective or consistent with national policy and therefore would be unsound. Difficulties with delivery on some of the District Plan's strategic sites and the unproven response to Policy DP6 mean that further site allocations are the safest way to ensure that a five-year supply is maintained through the Plan period.
- 9.4. We do not consider the SADPD to be 'sound' in its current form. In addition to the heavy reliance on windfall sites, the approach to reasonable alternatives presented in the Sustainability Appraisal (July 2020) is not consistent with the spatial strategy of the District Plan. The SADPD not only under-provides for housing in Category 3 settlements, but MSDC also risk not meeting housing numbers across the District if any of the proposed site allocations are non-deliverable.

Proposals Map

12 POLICIES

HOUSING POLICIES

THP1 Housing Site Allocations

Development of Old Vicarage Field and the Old Estate Yard will be permitted providing they meet the site specific conditions listed in THP2 below.

THP2 Development of Old Vicarage Field and the Old Estate Yard

Development of the two adjoining sites of Old Vicarage Field & the Old Estate Yard must deliver the following:

A mix of dwellings, which will address the priorities of the parish including 30% affordable homes. The mix will consist mainly of 1, 2 and 3 bedroom homes which would include 2 bungalows for the elderly and/or disabled as identified in the village survey.

The development will provide 44 new homes

A Village Car Park must be incorporated within The Old Estate Yard with pedestrian access via The Bank and the Fire Station.

The entrance road to this new Estate and Village car park is to be sited to the western side of The Old Vicarage. This position will ensure additional congestion is not created within the Primary School area which, together with the proposed 20mph zone, will not have a detrimental effect on traffic and pedestrian safety. The entrance road is to be a minimum 5.5m to incorporate pedestrian footpath and accommodate free flowing traffic to and from the Village car park.

The existing entrance to The Old Vicarage and School View properties must be closed and replaced with a continuous footpath from the new entrance road to the Fire Station. These existing properties will have rear access provision from the new entrance road. The entrance road will serve the new properties and the Village Car Park.

New pedestrian footpaths adjacent to roads must provide protection for pedestrians, for instance by way of kerbing

Internal Estate roads must meet the needs of Emergency & utility vehicles as a minimum

New homes must as a minimum comply with nationally described space standards for internal floor space and storage.

Where provided, garages should have an internal measurement of 7m x 3m as a minimum in order to accommodate a modern family sized car and some storage space.

The development will need to provide a connection to the nearest point of adequate capacity in the sewerage network, in collaboration with the service provider.

S106 / CIL funds from this development will provide a financial contribution to the Village Enhancement Scheme.

Development should be designed to preserve or enhance the character or appearance of the Turners Hill Conservation Area and its setting. Proposals should take into account the guidance of the adopted Village Design Statement and any conservation area appraisal which may be adopted by the Council.

THP3 New Homes Parking New residential development must provide the following minimum levels of off-street parking (including garages) as detailed in the table below.

1-2 bedroom dwellings	2 on-plot car parking spaces
3 + bedroom dwellings	1 on-plot car parking space per bedroom

THP4 New Homes The Design of new homes must take into account the character and style of buildings in the Parish. Applications for new development must demonstrate how they have incorporated the guidance of the adopted Village Design Statement.

Developers must use Building for Life 12 to help deliver high quality design. Good design is fundamental to making neighbourhoods sustainable and this is our desire for Turners Hill. We want all future homes to be as energy-efficient and sustainable as possible and the highest standards must always be strived for.



DRAWINGS CAN BE SCALED FOR PLANNING PURPOSES ONLY. DO NOT SCALE FOR ANY OTHER PURPOSE. ALL DIMENSIONS TO BE CHECKED ON SITE AND ANY DISCREPANCIES TO BE NOTIFIED TO THE ARCHITECT IMMEDIATELY.

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P03	22.07.20	Revised planting and hatching	BM	NM
P02	17.07.20	General changes	BM	DRC
P01	02.06.20	Initial Issue	MH	DRC
REV.	DATE	REVISION	DRW.	CHK.

COWAN
ARCHITECTS

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info@cowan-architects.co.uk | www.cowan-architects.co.uk

Client: The Trustees of Paddockhurst Estate

Job: Withypitts Farm

Address: Selsfield Road, Turners Hill

Drawing: PROPOSED SITE LAYOUT

Scale: 1:500		<div>SKETCH</div> <div>For plan development only, not for construction</div>
Drawn: BM		
Checked: DRC		
Date: 02/06/2020		
Size: A3	Dwg No. 2277-CAL-XX-XX-SK05-S3	Rev. P03

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 685

Response Ref: Reg19/685/1

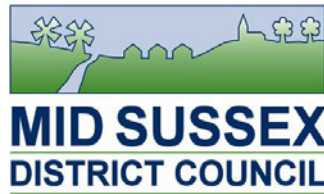
Respondent: Mr C Noel

Organisation: Strutt and Parker

On Behalf Of: Welbeck at Crawley Down

Category: Developer

Appear at Examination? ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Craig"/>
Last Name	<input type="text" value="Noel"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Strutt and Parker"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Welbeck Strategic Land III Ltd"/>
Address Line 1	<input type="text" value="201 High Street"/>
Line 2	<input type="text" value="Lewes"/>
Line 3	<input type="text"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="BN7 2NR"/>
Telephone Number	<input type="text" value="01273407045"/>
E-mail Address	<input type="text" value="craig.noel@struttandparker.com"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation:

Craig Noel – Strutt and Parker on behalf of Welbeck Strategic Land III Ltd

3a. Does your comment relate to:

Site
Allocations
DPD

☒

Sustainability
Appraisal

☐

Habitats Regulations
Assessment

☐

Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☐

3b. To which part does this representation relate?

Paragraph

Policy SA

²²

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes

☒

No

☐

4b. Sound

Yes

☒

No

☐

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

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

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

Please refer to representation from Strutt & Parker dated 28th September 2020

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

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

Please refer to representation from Strutt & Parker dated 28th September 2020

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

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

Please refer to representation from Strutt & Parker dated 28th September 2020

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:

We reserve the right to participate at the oral part of the examination

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:



Date:

28/09/2020

Thank you for taking time to respond to this consultation



Mid Sussex District Council Site Allocations DPD

Regulation 19 Consultation

**Representations on behalf of Welbeck Strategic
Land III Ltd**



Our ref: CN 200710

28th September 2020

2020 09 28 strutt_ 200710_sadpd reg 19 rep.docx

Appendix A – Representation on behalf of Welbeck Land – Regulation 18 Consultation

Appendix B – WSCC adopted and unadopted roads

Introduction

- 1.1. Strutt & Parker's planning department are instructed to respond to the Mid Sussex Site Allocations Development Plan Document (SADPD) Regulation 19 consultation on behalf of Welbeck Strategic Land III Ltd (WSL), in respect of their legal interest in land east of The Martins, Crawley Down. This land is being promoted for sustainable new housing and open space. Strutt and Parker also responded to the Regulation 18 consultation on behalf of WSL. The response is appended to this representation (Appendix A).
- 1.2. This representation focuses on the need to provide a supply of homes in Category 2 settlements in the phasing timeline, and the suitability of land east of The Martins to deliver the housing numbers set out in District's spatial strategy. It also deals with potential delivery problems on another Crawley Down site.
- 1.3. The land east of The Martins is controlled by WSL, an active and well-respected promoter with a proven track record of bringing similar sites forward for development. The company has been engaged in the promotion of this site since early 2017 and has since extended the land under its control to include Bailiff's Cottage, a property which bounds the original promotion area (east of The Martins – site reference 686) and which provides the promotion area with direct frontage and existing access to Hophurst Lane.

Spatial Strategy for the District

- 2.1. The District Plan table which identifies the spatial distribution of the housing requirement (page 32 of the District Plan) also provides minimum figures for each of the settlement categories.
- 2.2. The SADPD Regulation 19 document provides an updated minimum residual housing figure of 1,280 units (previously 1,507). The minimum housing requirement for Category 1 settlements (Towns) has been revised to 706 dwellings, from the figure of 840 units in the Regulation 18 document. The updated minimum residual housing figure for Category 2 settlements (Local Service Centres) is 198 homes, from the figure of 222 homes in the Regulation 18 document. The proposed allocations in the SADPD Regulation 19 document are anticipated to provide a supply of 105 homes in Category 2 settlements. Planning permission has been granted at Land North of Shepherds Walk, Hassocks (draft Policy SA24) and is now a commitment as 1st April 2020. Therefore, no yield has been counted here to avoid double counting, although the allocation is to be retained for 130 dwellings. In Category 3 settlements (Medium Sized Villages), the requirement has reduced from 439 to 371. In Category 4 the requirement has decreased from 6 units to 5. These housing supply figures have been revised following an update to completion, commitments and windfall figures.
- 2.3. The SADPD identifies one site for allocation within Crawley Down, a Category 2 settlement. Land north of Burleigh Lane is a draft allocation (SA22) in the Regulation 19 document for 50 homes. Site 686 (land east of The Martins), promoted by WSL, was not considered for allocation for the reasons detailed on the Site 686 pro-forma included in the background document, Site Selection Paper 3: Housing.

Potential non-deliverability of land north of Burleigh Lane

- 3.1. The land north of Burleigh Lane is located in the southern area of Crawley Down, the north and east site boundaries are adjacent to the existing built up area boundary.
- 3.2. An outline planning application was submitted in 2012 for up to 46 dwellings at land off Woodlands Close, Crawley Down. With regards to land north of Burleigh Lane, the Site Selection Paper 3 notes that the “potential to gain access from [the] north needs to be investigated further now that [the land off Woodlands Close] development is complete. Access via Burleigh Lane may not be possible.” Draft Policy SA22 in the SADPD Regulation 18 document proposed “access from Sycamore Lane or Woodlands Close. Detailed access arrangements will need to be investigated further.”
- 3.3. We assume that no potentially suitable access arrangements were investigated and presented to the Council following the Regulation 18 consultation as the SADPD Regulation 19 draft policy SA22 also states “access to be provided from Sycamore Land or Woodland Close. Access arrangements need to be investigated further.” It is not clear from the MSDC evidence library if access arrangements have been investigated further as this has not been populated in relation to this site.
- 3.4. MSDC commissioned SYSTRA to build a strategic highway model to underpin the Mid Sussex Transport Study (MSTS) and update the MSTS to test the impact of the proposed development on the strategic and local transport network. The ‘Mid Sussex Transport Study – Transport Impact of Scenarios 7 and 8’ (September 2020) assumes, (in the absence of alternative proposals) that existing roads will be used to access the land north of Burleigh Lane. Strutt and Parker has examined the title of the land adjacent to land north of Burleigh Lane and reviewed the proposed adoption arrangements within the development to the north of the proposed site allocation.
- 3.5. The map shown at Appendix B demonstrates that Burleigh Lane and Sycamore Lane are both unadopted roads. Unadopted roads (as defined in Part XI of the Highways Act 1980) are highways not maintainable at public expense. The owner of a private road is under no obligation to make its use available to third parties.
- 3.6. Woodlands Close is a residential cul-de-sac; the site at land north of Burleigh Lane is adjacent to the rear of 1-11 Woodlands Close. Access from Woodlands Close to the land north of Burleigh Lane would involve demolition of dwellings at Woodlands Close. Moreover, no evidence has been presented to demonstrate the suitability of these access arrangements. to support traffic movements from a development of 50 new homes.
- 3.7. With the permission at Hassocks accounted for and if SA22 were sure to come forward, there will be no evident shortfall of housing Category 2 settlements. However, if access constraints at Land North of Burleigh Lane mean that the site is not brought forward in the phasing timeline indicated on the draft policy proforma (1-5 years) then there will be a shortfall of at least 13 homes in Category 2 settlements, notwithstanding any delay with the Hassocks site (SA24).

SA22 is the only proposed allocation in the SADPD for Crawley Down. Without the allocation at the land north of Burleigh Lane there will be no new homes delivered in Crawley Down through the SADPD despite it being an acknowledged sustainable location for growth, capable of accommodating larger sites.

Suitability of land east of The Martins

- 4.1. This section updates the 'suitability' discussion within our Regulation 18 representation (Appendix A).
- 4.2. Crawley Down is one of just six settlements within Category 2 in the settlement hierarchy. The District Plan identifies a minimum residual requirement for Category 2 settlements of 838 dwellings. This has been revised to 198 units as at April 2020 in the context of the current Regulation 19 consultation.
- 4.3. Land to the rear of The Martins (site 686) extending to 6.5 hectares was assessed as suitable at Stage 1 of the site assessment process in September 2018 with an anticipated yield of 125 dwellings. It also remained under consideration following the Stage 2 high level assessment (and, importantly, was therefore considered compliant with the District Plan spatial strategy).
- 4.4. The detailed site assessment stage (Stage 3) considered the potential for allocating Site 686 for 150 units. The comment provided by way of the rationale for not testing the site further at Stage 4 is given as follows:

"Large site in relation to the housing requirement of the settlement. Potential yield is 150 in relation to a need of 18. Considered that there are more suitable sites available to meet this need. The site does not integrate with the village (turns its back on existing residential area)."
(Site Selection Paper 3, September 2019)
- 4.5. These issues however are not in themselves convincing reasons not to further investigate allocation of the site.
- 4.6. There is no evidence to suggest that the scale of the site is inappropriate in relation to the settlement of Crawley Down. Indeed, we would suggest that it is entirely within what might be regarded as acceptable for a settlement within Category 2. The additional strategic site added at Hassocks was for 400 units, for example.
- 4.7. It is entirely wrong in our assessment to treat the target minimum number of dwellings (either for a settlement or a category of settlements) as anything other than precisely that – a minimum. The response reproduced above suggests that these figures somehow represent a finite residual "need". The figure quoted (18 units) was a snapshot in time. However, this is simply the difference between the minimum residual requirement in the District Plan and the number of units committed within the settlement. As a Category 2 settlement, Crawley Down is to be considered a sustainable location for growth, including for larger sites.

- 4.8. The other reason given for not progressing with the site is that “turns its back” on the existing residential area. Taken literally, this is not a response that bears detailed consideration. The site lies at the end of residential gardens of properties in The Martins, in the same way that any number of sites proposed for identification in the SADPD include areas which do exactly the same in relation to their respective settlements.
- 4.9. In terms of integration, Site 686 achieves this in two main ways. Firstly, the pedestrian and cycle connection that has been agreed with WSCC to the south of the site, provides access between the site and The Martins, which will allow service providers to access between the areas and neighbours to interact without the need to use Hophurst Lane, and will provide an attractive link for new residents not only to Worth Way (which itself integrates with other parts of the village (as well as functioning as a sustainable transport /recreation route) but also into the immediately adjacent residential area, via The Martins.
- 4.10. Secondly, the additional land now included in Site 686 (with frontage to Hophurst Lane) provides the potential to be developed in a manner which reads as part of the north eastern quadrant of Crawley Down, an area that has seen recent redevelopment, and would be no different in that respect to any of the recently consented residential developments immediately to the west.

Summary

- 5.1. According to Policy DP6 of the District Plan (2014-2031), Category 2 settlements are larger villages acting as a Local Service Centre serving “the wider hinterland and benefit from a good range of services and facilitates.” Site 686 (land east of The Martins) is under the control of a respected development company and is available to support the realisation of the District Plan spatial strategy. It is of a size and in a location entirely appropriate for identification within a Category 2 Settlement.
- 5.2. At present, land north of Burleigh Lane is the only proposed site allocation at Crawley Down. The Site Selection Paper 3 noted access to the site from Burleigh Lane may not be possible. Subsequent drafts of the SADPD (both Regulation 18 and 19) suggest possible access to the site from Woodlands Close or Sycamore Lane. However, there are constraints to delivering either access option. Relying on the site risks the effectiveness of the SADPD in delivering sufficient growth in accordance with the Spatial Strategy, and therefore the soundness of the Plan.
- 5.3. The SADPD Regulation includes an indicative phasing timeline of 1-5 years for the for the proposed allocation at land north of Burleigh Lane. Deliverability of 50 units at SA22 within 5 years is clearly questionable due to the potential constraints around access.
- 5.4. The non-deliverability of homes at the land north of Burleigh Lane would lead to a shortfall of housing supply in Category 2 settlements. The Council should be minded to consider options to ensure housing numbers are met across the District.

- 5.5. The land east of The Martins at Crawley Down is exceptionally well-placed to help deliver the spatial strategy of the District Plan.
- 5.6. The land is in a sustainable location. Is proportionate in size in relation to the settlement, and can be properly integrated to form an extension to the existing community. The Council are urged to reconsider the site for identification.



Mid Sussex District Council Site Allocations DPD

Regulation 18 Consultation

Representations on behalf of Welbeck Land



Our ref: CN 200710

19 November 2019

Strutt and Parker are instructed by Welbeck Land to respond to the Regulation 18 consultation Site Allocations Development Plan Document (SADPD) published by Mid Sussex District Council on 9th October 2019 in respect of their legal interest in land east of The Martins, Crawley Down. This land is being promoted for sustainable new housing and open space.

Issue 1: Deliverability

- 1.1. The land is controlled by Welbeck Land, an active and well-respected developer with a proven track record of bringing similar sites forward for development. The company has been engaged in the promotion of this site since early in 2017 and has recently extended the land under its control to include Bailiff's Cottage, a property which bounds the original promotion area (east of The Martins – site reference 686) and which provides the promotion area with direct frontage and existing access to Hophurst Lane.

Issue 2: Assessed Housing Options and the Sustainability Appraisal

- 2.1. MSDC are required to assess potential reasonable alternative strategies against the selected approach developed for the purposes of the Regulation 18 version of the SADPD. The Council purports to have carried out that exercise by considering three potential Options for the SADPD consultation, as set out in the committee report.
- 2.2. The Options presented however were not sufficiently different in terms of addressing the approved spatial strategy. 20 of the 22 sites ultimately identified in the selected Option were common to all 3 Options.
- 2.3. Option 2 included two additional sites at Burgess Hill (Category 1 settlement) while Option 3 included those sites plus a 3rd site at Haywards Heath (again a Category 1 settlement). This means that the choice around options was solely a choice around the overall number of units to be delivered in excess of the minimum residual requirement. There was no reasonable alternative presented in relation to the spatial strategy and the distribution of development between the settlement categories. Options 2 and 3 simply added additional dwellings to Category 1 settlements and did not seek to redress imbalances between the other settlement categories. The choice provided was against delivering either 112, 455 or 742 dwellings above the minimum residual requirement.
- 2.4. Option 2 included two additional sites at Burgess Hill (Category 1 settlement) while Option 3 included those sites plus a 3rd site at Haywards Heath (again a Category 1 settlement). This means that the choice around options was solely a choice around the overall number of units to be delivered in excess of the minimum residual requirement. There was no reasonable alternative presented in relation to the spatial strategy and the distribution of development between the settlement categories. Options 2 and 3 simply added additional dwellings to Category 1 settlements and did not seek to redress imbalances between the other settlement

categories. The choice provided was against delivering either 112, 455 or 742 dwellings above the minimum residual requirement.

Issue 3: Insufficient Site Allocations

- 3.1. The spatial strategy and settlement hierarchy are elements that are set by the District Plan, and the focus on Category 1 and Category 2 settlements in the Regulation 18 SADPD therefore accords with the strategy. The proposed allocations in Category 1 settlements provide an appropriate response. However, concerns are raised on the basis that the Site Allocations DPD could identify more sites (in numeric terms) in order to be likely to deliver the residual housing requirement established under District Plan DP4. This should be remedied at Regulation 19 stage by the identification of more otherwise acceptable sites.
- 3.2. The Site Allocation DPD proposes to meet the residual requirement through the allocation of just 22 further sites. This runs a significant risk. The Strategic Sites identified in the District Plan are themselves relatively small in number, and that approach is already proving to be problematic in terms of housing delivery (see section 5 below). One of the potential advantages of preparing a Site Allocations DPD after a period of monitoring progress with strategic sites is the ability to balance the positive benefits that larger strategic allocations can produce with the greater predictability that smaller site allocations can provide. However, the potential advantages are significantly compromised by the Regulation 18 approach as the sites proposed for identification are insufficient in number to adequately compensate for the over-reliance of the District Plan on a small number of larger sites. Whilst it is acknowledged that the SADPD identifies sites with more than sufficient capacity to meet the residual requirement (assuming for the time being that the increased reliance on windfalls is acceptable), the limited number of sites nevertheless places the overall level of delivery at risk, given that the relationship with the District Plan is not effectively balanced. Nor is there evidence that the approach established under DP6 to support the release of small sites is helping to re-address that balance.

Issue 4: Windfalls

- 4.1. The SADPD places significantly greater reliance on windfall sites than the District Plan, without providing suitable evidence to support the assumptions made. The Council is therefore encouraged to rely less on non-identified sources of housing growth (which by their nature are unpredictable in relation to the realisation of the spatial strategy) and to plan more effectively by identifying additional sites for allocation in the Regulation 19 version of the SADPD.
- 4.2. The District Plan makes provision for a windfall allowance of 45 dwellings per annum on small sites of up to 5 units, from year 6 of the plan period, contributing a total of 450 units over the plan period 2014-2031.

- 4.3. The Regulation 18 SADPD proposes to increase that allowance to 84 dwellings per annum, amounting to a total of 588 dwellings over the final 7 years of the Plan period (2024-2031). Part of this increase is attributed to now including sites of up to 9 units in the assessment.
- 4.4. This is the figure that has been used for the purpose of assessing the residual housing requirement for the SADPD.
- 4.5. Strutt & Parker has produced a separate paper analysing the justification for this approach. A copy is provided as Appendix A to these representations. The conclusions of the analysis are that:
- The extension of the qualifying sites to include those with a capacity of up to 9 units risks double-counting of sites identified in one of the many neighbourhood plans in the District;
 - The Council's latest assessment relies on evidence produced over a short period of time in a relatively buoyant housing market; Home Builders' Federation (2007);
 - Evidence of delays in achieving the anticipated housing trajectory from strategic sites is likely to result in a significant deficit against the housing requirement later in the Plan period;
 - The windfall allowance should be reduced, and further sites allocated through the SADPD process instead.
- 4.6. There are a number of potential implications from over-reliance on windfalls. Not only is the spatial strategy put at risk (there being a reduced ability to steer the quantity of development to locations consistent with the District Plan's strategy), the potential benefits arising from site allocation policies themselves are also much reduced. In particular, the likely quantum of affordable housing delivery is put at greater risk given that windfall sites are much less likely to deliver affordable provision. In addition, site-specific infrastructure requirements are more readily made out in policies supporting the delivery of allocated sites, meaning that generally speaking greater public benefit can be anticipated in Plans where a higher proportion of the number of dwellings targeted are to be provided on sites specifically allocated in Local Plans.

Issue 5: Strategic Sites under-delivery

- 5.1. The District Plan's strategic sites are very unlikely to meet the anticipated target numbers within the Plan period. As a result, there is a strong case for the identification of additional provision through further site identification through the SADPD (rather than reliance on an increased level of windfalls). This should be addressed by further site identification at the Regulation 19 stage.
- 5.2. The District Plan includes strategic site allocations at Burgess Hill, Hassocks and Pease Pottage, totalling 5,080 units. Of this total, 4,867 are expected to be delivered during the plan period to 2031.
- 5.3. There are however already signs that this trajectory will not be met.

- 5.4. At Burgess Hill, outline planning permission has only very recently been granted for the Northern Arc scheme, and then for 3,040 dwellings rather than the 3,500 contemplated in the District Plan strategic allocation. The Council's Housing Land Supply Position Statement, produced in July 2019 nevertheless anticipated completions to begin in 2021/22.
- 5.5. Given that the recent permission (DM/18/5114) is in outline only and that reserved matters and/or discharge of conditions applications have yet to be submitted, completion of any units in a little over 12 months seems very unlikely.
- 5.6. Delivery is expected to reach 156 dwellings per annum by 2023/2024 but even at that rate, the level of provision originally anticipated within the Plan period will not be reached.
- 5.7. At Hassocks, an outline application for 500 units has been presented to MSDC but remains undetermined, with no committee date yet fixed. Again, the July 2019 HLS Position Statement assumes first completions in 2021/22. This site is far less complex than the Northern Arc scheme, but this start date remains ambitious. The site ought to provide 50 dwellings per annum once commenced as suggested in the Position Statement.
- 5.8. The Kings Way (Burgess Hill) and Pease Pottage strategic sites are progressing acceptably but together are not large enough to compensate for likely delays with the others. It is therefore important that greater certainty be afforded through the SADPD process to bolster supply. Such certainty cannot be reliably achieved through an increased windfall allowance. Instead, additional site allocations should be made at Regulation 19 stage.

Issue 6: Suitability

- 6.1. Crawley Down is acknowledged to be one of the six settlements within Category 2 in the settlement hierarchy. The District Plan identifies a minimum residual requirement for Category 2 settlements of 838 dwellings. This has been revised to 222 units as at 1st April 2019 in the context of the current Regulation 18 consultation.
- 6.2. Land to the rear of The Martins (site 686) extending to 6.5 hectares was assessed as suitable at Stage 1 of the site assessment process in September 2018 with an anticipated yield of 125 dwellings. It also remained in consideration following the Stage 2 high level assessment (and was therefore considered compliant with the District Plan spatial strategy).
- 6.3. The detailed site assessment stage (Stage 3) considered the potential for allocating site 686 for 150 units. The comment provided by way of the rationale for not testing the site further at Stage 4 is given as follows:

"Large site in relation to the housing requirement of the settlement. Potential yield is 150 in relation to a need of 18. Considered that there are more suitable sites available to meet this need. The site does not integrate with the village (turns its back on existing residential area)."
(Site Selection Paper 3, September 2019)

- 6.4. These issues however are not in themselves convincing reasons not to further investigate allocation of the site.
- 6.5. There is no suggestion that the scale of the site is inappropriate in relation to the settlement of Crawley Down. Indeed, we would suggest that it is entirely within what might be regarded as acceptable, particularly given its Category 2 status.
- 6.6. It is entirely wrong in our assessment to treat the target minimum number of dwellings (either for a settlement or a category of settlements) as anything other than precisely that – a minimum. The response reproduced above suggests that these figures somehow represent a finite residual “need”. The figure quoted (18 units) was a snapshot in time. However, this is simply the difference between the minimum residual requirement in the District Plan and the number of units committed within the settlement. As a Category 2 settlement, Crawley Down is to be considered a sustainable location for growth, including for larger sites.
- 6.7. It is quite apparent that officers did not follow a similar rationale when considering the range of Options under the Sustainability Appraisal. All three Options considered over-provided against the Category 1 April 2019 minimum residual requirement (840 units) – the selected option by an additional 579 units. An option for an additional 859 units (Option 3) was also considered to be a “reasonable alternative”. It is difficult to see therefore why a scheme of 150 dwellings in a Category 2 settlement, set against a spatial strategy that identified minimum residual requirements, should not be considered further, when each of the Options presented were all significantly in excess of the minimum residual target for Category 1 settlements.
- 6.8. The other reason given for not progressing with the site is that “turns its back” on the existing residential area. Taken literally, this is not a response that bears detailed consideration. The site lies at the end of residential gardens of properties in The Martins, in the same way that any number of sites proposed for identification in the SADPD include areas which do exactly the same in relation to their respective settlements.
- 6.9. In terms of integration, site 686 does achieve this in two ways. Firstly, the pedestrian and cycle connection that has been agreed with WSCC to the south of the site, provides access between the site and the Martins, which will allow neighbours to visit each other without the need to use Hophurst Lane, and will provide an attractive link for new residents not only to Worth Way (which itself integrates with other parts of the village) but also into the immediately adjacent residential area, via The Martins.
- 6.10. Secondly, the additional land now included in site 686 (with frontage to Hophurst Lane) provides the potential to be developed in a manner which reads as part of the north eastern limit of Crawley Down, and would be no different in that respect to any of the recently consented residential developments immediately to the west.

7: Summary

- 7.1. The land east of The Martins at Crawley Down is exceptionally well-placed to help deliver the spatial strategy of the District Plan, given the difficulties experienced with some of the strategic site allocations and the need to resolve the uncertainty arising from the Council's flawed approach to windfalls.
- 7.2. The land is in a sustainable location. Is proportionate in size in relation to the settlement, and can be properly integrated to form an extension to the existing community. The Council are urged to reconsider the site as a candidate for allocation in the Regulation 19 version of the SADPD.



Mid Sussex District Council Site Allocations Development Plan Document

Regulation 18 Consultation Draft

Housing Supply Technical Note

Prepared by Strutt & Parker

S&P Ref: 210906 / GW/SC

October 2019

Executive Summary

1. This technical note has been prepared by Strutt & Parker in response to the emerging Site Allocations Development Plan Document (DPD) Regulation 18 Consultation, to provide commentary on elements of the Council's housing supply, in particular its revised windfall estimate and the deliverability of strategic allocations.
2. The National Planning Policy Framework (NPPF) is clear that where a windfall allowance is included as part of housing supply, it should be justified by compelling evidence. There are a number of concerns at this stage with whether the Council's approach to calculating windfalls is justified, in particular due to the risk of double counting with neighbourhood plans, and the limited period used to estimate the revised windfall figure.
3. With respect to the deliverability of strategic allocations, the Council are relying on four strategic sites as a key element of their housing supply over the remaining plan period. Whilst development has commenced on two of these sites, there is a risk of the Burgess Hill Northern Arc in particular delivering significantly less housing within the plan period than expected.
4. We recommend the Council reappraise its approach to windfalls and revise the housing trajectory to understand the likely impact of these issues. Additional land for development should be allocated through the Site Allocations DPD to ensure it can maintain a five year supply of housing land over the remainder of the plan period.

Windfalls

Policy Background

5. Paragraph 70 of the NPPF 2019 states:

'Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.'

6. Windfalls are simply defined in the glossary of the NPPF as 'sites not specifically identified in the development plan.'
7. National Planning Practice Guidance simply refers back to paragraph 70 of the NPPF.

Adopted District Plan

8. The adopted Mid Sussex District Plan (March 2018) sets out that a windfall of 45 dwellings per annum (dpa) can be delivered on small sites of up to 5 units, from year 6 of the plan period, contributing a total of 450 units over the plan period 2014-2031.
9. The basis of this windfall estimate is set out in the Council's Windfall Study dated November 2015. The figure has been derived by first calculating the average annual number of completions on previously developed sites of between 1-5 dwellings, for the seven years 2007-2014. This figure has then been discounted by 20% to ensure a robust figure which can be used as a reliable source of supply.

Emerging Site Allocations DPD

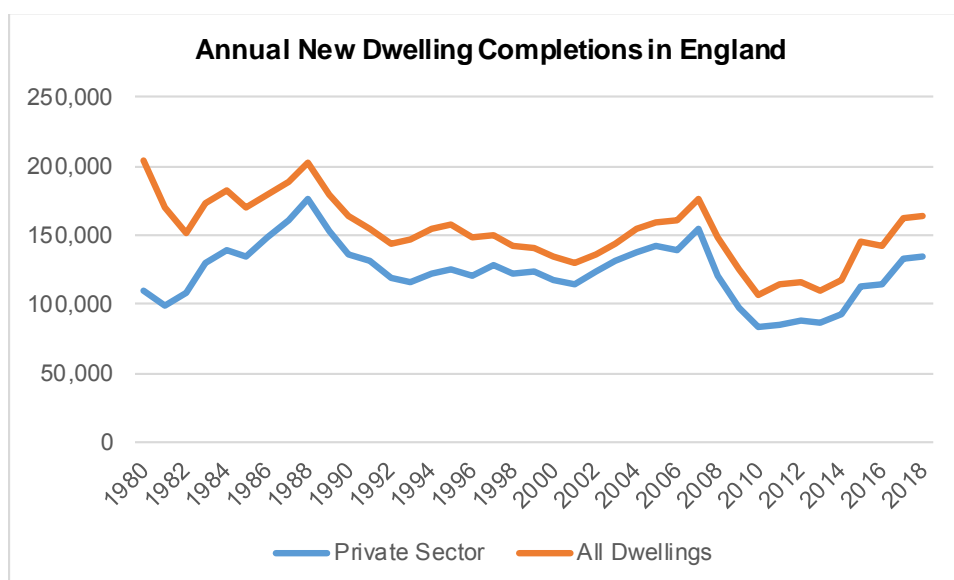
10. The emerging Site Allocations DPD proposes to include an increased windfall allowance of 84dpa, or a total of 588 dwellings over the final 7 years of the plan period (2024-2031). The Council have produced a Windfall Study Update (dated September 2019). This sets out that the figure of 84dpa has been derived by applying a broadly similar methodology as previously, although with a number of key differences. The primary difference is that the range of sites which have been considered as potential windfalls has been increased from sites with a capacity of 1-5 units to sites with 1-9 units. National Policy does not set any limit on the size of site which can be considered a windfall, and there is a logic in increasing the range to sites with a capacity of up to 9 units as this aligns with the definition of non-major development as defined in the NPPF. This change in approach does however need to be clearly justified by robust evidence.
11. An important factor which has to be considered is whether increasing the windfall site threshold creates a risk of double counting with sites between 6-9 dwellings which have been allocated

through the Development Plan. None of the District Plan, Small Site Allocations DPD or emerging Site Allocations DPD include any site allocations between 6-9 units. There are however a number of Neighbourhood Plans within Mid Sussex District for sites below 10 units including:

- Land at Hay Lane, Albourne – 2 dwellings
- Barn Cottage, Ansty – 8 dwellings
- 98-104 Maypole Road, Ashurst Wood – 5 dwellings
- Mount Pleasant Nursery, Ashurst Wood – 3 dwellings
- Willow Trees, Lewes Road, Ashurst Wood – 2-4 dwellings
- Spinney Hill, Ashurst Wood – 2-4 dwellings
- G&W Motors, Bolney – 9 dwellings
- Bolney House Garden, Bolney – 3-5 dwellings
- Site of 11 Manor Drive, Cuckfield – 3 dwellings
- Meadway Garage, Lowdells Lane, East Grinstead – 9 dwellings
- 67-69 Railway Approach, East Grinstead – 7 dwellings

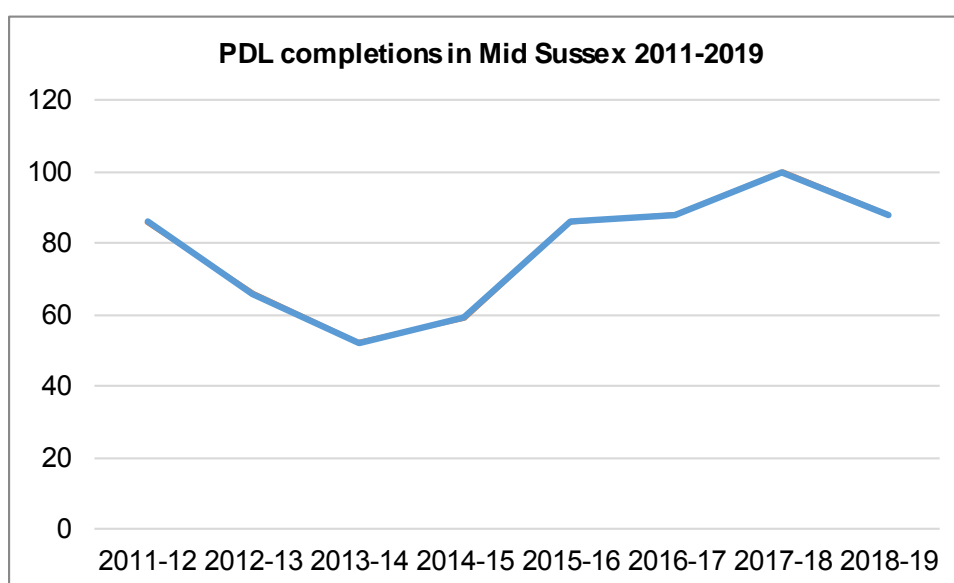
12. It is likely further sites with a capacity of less than 10 units will be allocated in future Neighbourhood Plans and Neighbourhood Plan reviews. There is a clear risk of double counting, and indeed the fact that a number of Neighbourhood Plan allocations are for sites of 5 dwellings or less, there is a clear question over whether the inclusion of any windfall allowance is robust. At the very least a significant discount should be applied to avoid double counting.
13. Another change to the Council approach to calculating its windfall estimate is that it has used a relatively short period to calculate its windfall estimate, the five years 2014-2019. This approach is flawed as it only captures completions from a relatively buoyant period in the housing market. Private sector house building, and housing building overall tends to reflect economic cycles, as illustrated by Table 1 below which shows annual completions in England since 1980.

Table 1. – Annual New Dwelling Completions in England¹



14. Making long term projections on the basis of a small range is statistically flawed, and in this case overinflates the Council's windfall estimate. We recommend a longer period is used in order to capture the full economic cycle and provide a more robust calculation. Using housing land supply data published on the Council's website, Tables 2 and 3 show the number of completions on sites of less than 10 units, on previously developed land and overall respectively. Table 4 shows net annual completions in England which illustrates how the trend in completions in Mid Sussex reflects the national trend.

Table 2. – Net annual completions on previously developed sites for less than 10 units.



¹ MHCLG Table 244: permanent dwellings started and completed, by tenure, England, historical calendar year series

Table 3. – Net annual completions on all sites for less than 10 units

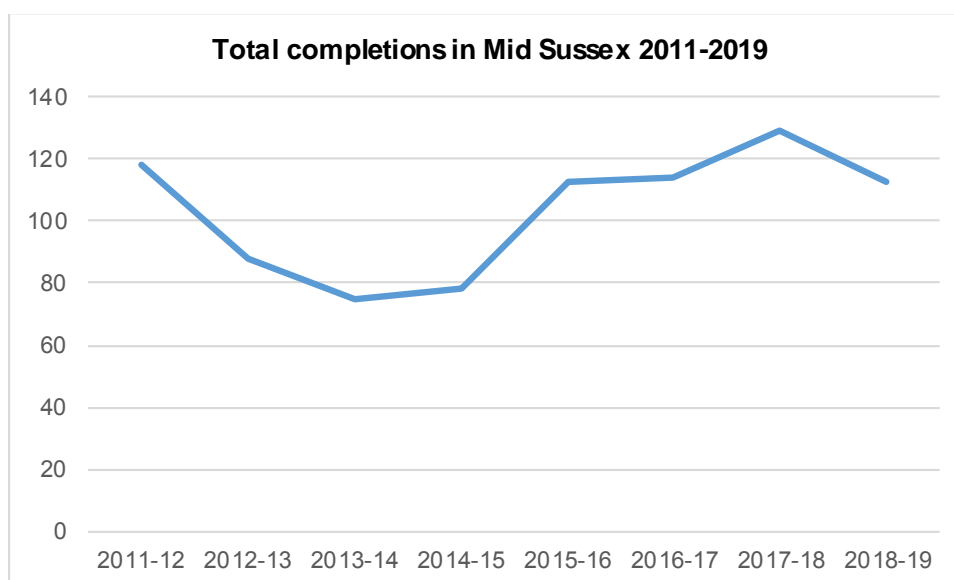
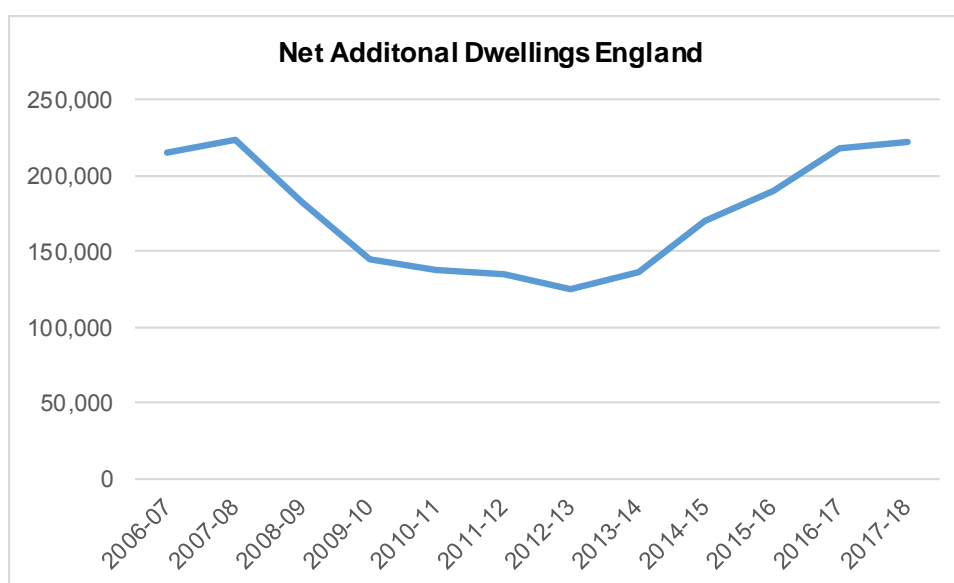


Table 4. – Net annual completions in England²



15. Using the period 2011-2019, and leaving the Council's methodology otherwise unchanged, the updated windfall figure would reduce from 84dpa to 78dpa.
16. Another underlying concern with the robustness of the Council's revised approach to calculating windfalls is that the Council is basing its revised windfall calculation on a dataset which does not relate to the policy change it is looking to reflect. Paragraph 2.24 of the consultation Draft Site Allocations DPD states that the windfall allowance is being:

² MHCLG Live Table 120: Components of housing supply; net additional dwellings, England 2006-07 to 2017-18

‘updated to reflect changes in national policy and District Plan Policy DP6 that supports development of up to 9 dwellings that are contiguous to existing Settlement Boundaries and based on past performance.’

17. As set out in paragraph 3.2 of the Windfall Study Update 2019, there has only been one monitoring year where Policy DP6 has been the policy position. As such past completions do not provide any real guidance as to what effect this policy change will have, if any, and it is not robust to use this change in policy to justify a change to the windfall estimate at this stage.
18. In summary, there are clear flaws in the Council’s approach to Windfalls, and there is no compelling evidence to justify an increase in the estimated contribution windfalls will make above 45dpa in the adopted District Plan. Indeed, the potential double counting with small sites allocated in Neighbourhood Plans brings into question whether a windfall allowance is justified at all.

Deliverability of Strategic Allocations

19. The adopted District Plan includes four strategic housing allocations. Two of these allocations, Kings Way at Burgess Hill and East of Pease Pottage are progressing broadly as expected with development having commenced. Progress has been slower however on the other two allocations.

North of Clayton Mills, Hassocks

20. An outline planning application (DM/18/4979) for up to 500 dwellings on this site was submitted in December 2018 but has not yet been determined. The Council's submitted Housing Land Supply Position Statement July 2019 sets out that completions on this site are expected from the monitoring year 2021/22, with delivery of 50dpa. At this build rate final completions would be in the final year of the plan period.
21. As the outline permission has yet to be determined, assuming this is approved, for completions to start in 2021/22 is ambitious although not necessarily unrealistic. As such it appears realistic that this site can deliver in full within the plan period, however any delays risk pushing completions beyond the end of the plan period.

Northern Arc, Burgess Hill

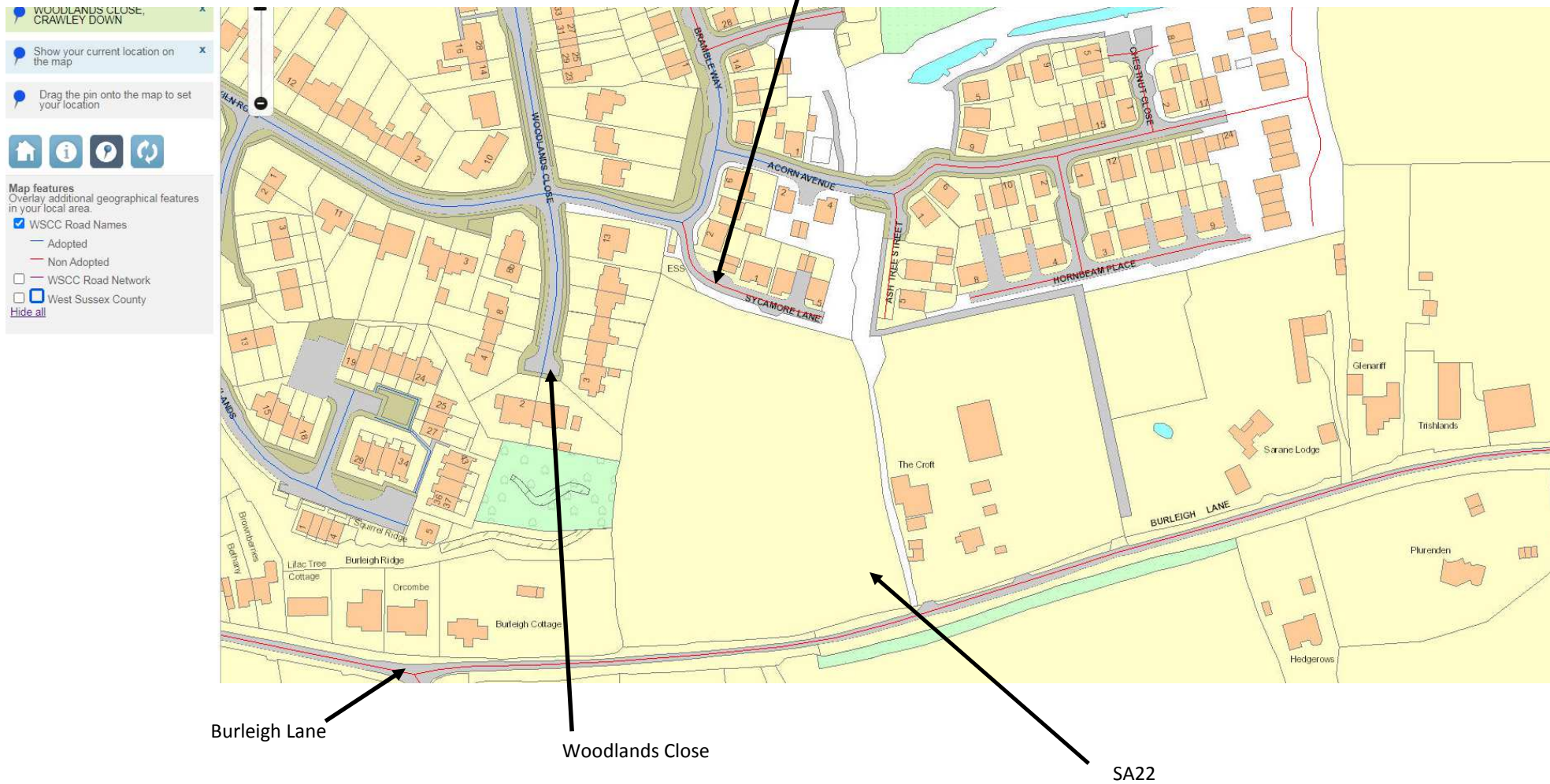
22. An outline planning application (DM/18/5114) for 3,040 homes was submitted in December 2018 and finally approved on 4 October 2019. The Council's submitted Housing Land Supply Position Statement July 2019 states the first completions are expected in 2021/22, with delivery rising from 80 in the first year to 132 and 156 in subsequent years.
23. Assuming a delivery rate of 156dpa is maintained, this site would only delivery 1,460 dwellings over the plan period, significantly below the 3,500 dwellings it is allocated for. For a site of this size, for completions to start in 2021/22 appears overly ambitious.
24. Research by Lichfields³ in 2016 found that sites of 2,000 units or more on average took six years from first submission of an application to full, hybrid, or first reserved matters approval. This reflects the inherent complexities of delivering sites of this size and associated infrastructure. At this rate, first completions are unlikely to take place until 2024-2025, with the site likely to deliver less than 1,000 units within the plan period to 2031.
25. Despite Homes England seeking to unlock supporting infrastructure, there does not appear to be any reliable evidence at this stage that this is likely to significantly accelerate delivery. Whilst the submitted Housing Land Supply Position Statement states at paragraph 3.5 that the majority of the dwellings this site is allocated for will be delivered within the plan period, this is manifestly not the case.
26. The Council however has the opportunity, through the Site Allocations DPD to allocate a number of additional deliverable small and medium-sized sites. This will provide greater

³ NLP (2016) *Start to Finish* (<https://lichfields.uk/media/1728/start-to-finish.pdf>)

certainty and help ensure the Council it is building the homes which are needed, and that it will be able to demonstrate a robust supply of housing over the remainder of the plan period, rather than opening the door for unplanned speculative development.

Conclusion

1. National policy sets out that if an allowance of windfalls is to be included as part of housing supply, this should be justified by compelling evidence. There are a number of concerns at this stage with whether the Council's approach to calculating windfalls is justified. In particular, there is a risk of double counting with sites which have a capacity of less than 10 dwellings allocated through neighbourhood plans. This brings into question whether any windfall allowance is justified at all, and as a minimum we recommend a significant discount should be applied to address this issue. The Council has also used a short period of time during a relatively buoyant construction period to estimate its windfall allowance, which has the effect of overestimated the likely contribution from small sites to housing supply in future years.
2. The Council are relying on four strategic sites as a key element of their housing supply over the remaining plan period. Whilst development has commenced on two of these sites, there is a risk of the Burgess Hill Northern Arc in particular delivering significantly less housing within the plan period than expected. This is likely to result in a significant deficit against the housing requirement in the later years of the plan.
3. We recommend the Council review its approach to windfalls and the housing trajectory for the remainder of the plan period to take account of these concerns, allocating additional land for development through the Site Allocations DPD to ensure a five year supply of housing land can be maintained over the remainder of the plan period.



Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 690

Response Ref: Reg19/690/2

Respondent: Ms L Bourke

Organisation: Slaigham Parish Council

On Behalf Of:

Category: Town & Parish Council

Appear at Examination? x

From: Laura Bourke <laura.bourke@dowsettmayhew.com>
Sent: 28 September 2020 17:18
To: ldfconsultation
Cc: planningpolicy; Slaugham Parish Clerk.
Subject: Re: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)
Attachments: Planning Policy_200928.pdf

Dear Planning Policy

Please find attached representations, made on behalf of Slaugham Parish Council, for your kind attention.

I would be grateful if you could confirm safe receipt.

Kind regards
Laura

Laura Bourke
BA MSc MRTPI
Senior Planner

T: 01273 947776
E: laura.bourke@dowsettmayhew.com

DOWSETTMAYHEW Planning Partnership
63a Ship Street | Brighton | BN1 1AE

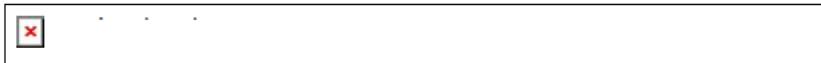


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From: Mid Sussex District Council - Planning Policy <planningpolicy@midsussex.gov.uk>
Reply to: Mid Sussex District Council - Planning Policy <planningpolicy@midsussex.gov.uk>
Date: Monday, 3 August 2020 at 16:29
To: Laura Bourke <laura.bourke@dowsettmayhew.com>
Subject: Mid Sussex DC Planning Policy - Site Allocations DPD Consultation (Regulation 19)

[View this email in your browser](#)



Site Allocations DPD - Regulation 19 Consultation

3rd August 2020

Mid Sussex District Council has published the Site Allocations Development Plan Document for consultation from the **3rd August, closing midnight on the 28th September 2020.**

The Site Allocations DPD forms part of the Mid Sussex District Plan 2014-2031, which was adopted in March 2018. Its preparation is in response to the requirement by the Planning Inspector to meet the residual housing and employment needs up to 2031.

The Site Allocations DPD proposes a number of new housing and employment sites for allocation in order to meet this need. It also includes an allocation for a Science and Technology Park to the west of Burgess Hill, and a number of other strategic planning policies considered necessary for delivering sustainable development.

The Council must publish the version of the Site Allocations DPD that it intends to submit to the Planning Inspectorate for Examination. At this stage of consultation, the Council is seeking views on whether the Plan is legally compliant and meets the test of 'soundness' set out in the National Planning Policy Framework (NPPF). These are the broad areas that the Inspector will focus on in examining the Plan.

Comments will be considered by an independent planning inspector alongside the submitted Site Allocations DPD at a future Public Examination before deciding whether the Plan can be adopted by the Council.

The District Council will summarise the main issues from the consultation for

the Inspector. The Inspector will also receive copies of the representations submitted.

All of the consultation documents, Community Involvement Plan, Statement of Representations Procedure, and further information can be viewed online at:

www.midsussex.gov.uk/SitesDPD

Comments can be submitted:

Online: Online Form at www.midsussex.gov.uk/SitesDPD

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

E-mail to: LDFconsultation@midsussex.gov.uk

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

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

planningpolicy@midsussex.gov.uk

Our address is:

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

planningpolicy@midsussex.gov.uk

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28 September 2020

Dear Planning Policy

Submission Draft Site Allocations Development Plan Document - Regulation 19 Consultation

In response to the current consultation on the Draft Site Allocations Development Plan Document (DPDP) (Regulation 19) Consultation, I set out below, for and on behalf of, Slaugham Parish Council (SPC), comments in respect of SA11: Additional Housing Allocations and SA27: Land at St.Martin Close, Handcross.

Draft Site Allocations DPD

The District Plan, sets out the housing and employment needs for the district up to 2031. In addition, it committed the Council to preparing a Site Allocations DPD in order to find sufficient housing and employment sites to meet the remaining need. In light of such, the Draft Site Allocations DPD proposes the following allocations:

- 22 housing sites;
- 7 employment sites; and
- Science and Technology Park;

It also includes 5 strategic policies required to deliver sustainable development.

Policy SA11: Additional Housing Allocations identifies the sites required to meet the residual housing need. Land at St.Martin Close (West) (SA27) is identified within the parish of Slaugham. Comments are set out below in this regard.

No comments are submitted in respect of the proposed employment sites; Science and Technology Park; and/or the proposed 5 strategic policies.

SA11: Additional Housing Allocations

The Policy confirms development will be supported at the additional site allocations, through a comprehensive approach involving the community, local planning authority, developer and other stakeholders, where development meets the requirements set out within: Policy Requirements SA12 to 33; SA GEN: General Principles for Site Allocations; and are in accordance with the Development Plan read as whole.

Table 2.5 confirms how the required level of housing will be distributed. With respect to SA27: Land at St Martin Close (West), the table confirms the number of dwellings is 30 (65) and includes a footnote.

The footnote confirms *“Slaugham Neighbourhood Plan is now made and Land St Martin Close (east) for 35 units is now a commitment as at 1st April 2020. Therefore only 30 units are counted here to avoid double counting”*.

The Council’s approach in this regard is considered sound and is supported given the development status of the Slaugham Neighbourhood Plan.

The supporting text, para 2.34-2.41 confirms the section contains the site-specific policies for each housing site. These site-specific policies are set within a template for each site that identifies key objectives and site specific policy requirements. They are accompanied by a series of general principles which are common to all the sites and are set out in SA GEN: General Principles for Site Allocations.

Whilst it is acknowledged the supporting text confirms the site specific policies and the general principles should be read alongside the National Planning Policy Framework and Planning Practice Guidance and the Development Plan taken as a whole, given the large number of ‘made’ Neighbourhood Plans in the district, it is submitted this section should make specific reference to the detailed policies contained within ‘made’ Neighbourhood Plans.

SA27: Land at St.Martin Close, Handcross

Whilst the allocation of St.Martin Close (West) is supported and considered ‘sound’, SPC wish to highlight the pressure the allocation of the site will place upon the delivery of St.Martin Close (East) given proposals at St.Martin Close (East) are to enable future vehicular and pedestrian access to St.Martin Close (West).

Objectives: With respect to the trigger points, it is recommended this reflects paragraph 6.29 of the Slaugham Neighbourhood Plan which states:

‘... the trigger point for the consideration of the release of the site should be which ever of the following events occurs first- the review of the Neighbourhood Plan itself; the adoption of the emerging Mid Sussex Allocators DPD; the adoption of any review of the Mid Sussex District Plan; (MSDP) and a material delay in delivery of the Pease Pottage strategic delivery site in the adopted MSDP ‘

Urban Design Principle: The identified principles are supported and considered ‘sound’. In line with the requirements of Policy 10 recommend this section also details that design should positively respond to the prevailing character of the adjacent residential development.

Social and Community: The identified principles are supported and considered ‘sound’. In line with the requirements of Policy 10 (and Policy 9) recommend the development provides open space *“at least to the standards set out in the MSDC Development Infrastructure and Contributions Supplementary Planning Document”*.

Biodiversity and Green Infrastructure: The identified principles are supported and considered ‘sound’. In line with the requirements of Policy 10 recommend this section details that proposals allow for the retention of existing mature trees and hedgerows on the northern, southern and western boundaries.

Highways and Access: The identified principles are supported and considered ‘sound’. SPC support the provision of integrated access with St Martin Close (East). MSDC’s position in respect

of access from Coos Lane not being acceptable for highway and landscape reasons is also supported.

Conclusion

SPC consider the Site Allocations DPD has been positively prepared, is justified, effective and consistent with national policy and therefore considered 'Sound'.

Representations in respect of SA11: Additional Housing Allocations and SA27: Land at St.Martin Close, Handcross provide suggested amendments to ensure consistency with the Slaugham Neighbourhood Plan, having regard to the legal requirements and soundness tests.

Yours sincerely



Laura Bourke BA MSc MRTPI
Senior Planner

CC: Sally McClean, Clerk to Slaugham Parish Council

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 694

Response Ref: Reg19/694/2

Respondent: Ms S Mizen

Organisation: JLL

On Behalf Of: Anstone Developments - Bolney

Category: Developer

Appear at Examination? x

From: Mizen, Stefanie <Stefanie.Mizen@eu.jll.com>
Sent: 21 September 2020 16:23
To: ldfconsultation
Subject: Draft Site Allocations DPD (Regulation 19) Consultation
Attachments: 200921 Bolney Reps - Anstone.pdf

Categories: SiteDPD

Dear Sir / Madam,

We write on behalf of Anstone Developments Ltd & Spurpoint Ltd please find our comments on the Draft Site Allocations Development Plan Document.

Look forward to confirmation of receipt.

Kind regards,

Stefanie
Stefanie Mizen
Associate - Planning, Development & Heritage
JLL
30 Warwick Street | London W1B 5NH

T [+442031471815](tel:+442031471815)
M [+44 7968 331943](tel:+447968331943)
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Planning Policy
Mid Sussex District Council
Oaklands
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Your ref N/A
Our ref 920000000019803
Direct line 0203 147 1815
Stefanie.Mizen@eu.jll.com

21 September 2020

Dear Sir / Madam,

**Consultation on Site Allocations Development Plan Document – Regulation 19
Land North of Bolney, Mid Sussex, RH17 5PJ**

We write on behalf of Anstone Developments Ltd & Spurpoint Ltd ('the client'), to provide our comments on the published Site Allocations Development Plan Document ('DPD') which is now out for consultation.

Paragraph 67 of the National Planning Policy Framework (2019) ('NPPF') requires that local authorities have a clear understanding of land available in their area and identify a sufficient supply and mix of sites. It requires planning policies to identify a supply of specific and deliverable sites.

We understand Mid Sussex District Council ('the Council') is seeking to identify sufficient housing sites across the borough to meet housing need and provide a sustainable five-year housing land supply. The Site Allocations DPD forms part of the Mid Sussex District Plan ('DP') 2014-2031, which was adopted in March 2018. Its preparation is in response to the requirement by the Planning Inspector to meet the residual housing and employment needs up to 2031. The Site Allocations DPD proposes a number of new housing and employment sites for allocation in order to meet this need.

The Council is seeking views on whether the Plan is legally compliant and meets the test of 'soundness' set out in the NPPF. We therefore provide our comments below in particular in relation to Bolney and our client's Site - the Land North of Bolney, Mid Sussex, RH17 5PJ ('the Site').

The Site

The Site adjoins the northern edge of Bolney village, see Figure 1 (Site Location Plan). The roughly rectangular Site slopes towards the built-up area of Bolney village in the south. The Site is well-screened by woodland tree cover, which encloses the boundaries and frontage of London Road limiting views into the Site from publicly accessible areas. The Site comprises former estate farmland that was previously used for pasture, although it has since become self-colonised with young woodland, scrub and bracken with open glades.



Figure 1. Site Location Plan

The southern boundary of the Site adjoins the existing built-up edge of Bolney village including the boundary of the rear gardens at Scarps Meadow Cottages, No. 1 and No. 3 Springfield Close, Rodings, Fir Trees, Pine Trees and Tree Tops. These are generally modern detached residential properties in moderate garden plots.

The Site is located immediately outside the Built-up Area Boundary with the High Weald Area of Outstanding Natural Beauty ('AONB') to the north. The Site is not located in a Conservation Area and there are no statutorily Listed buildings on-site. The Environment Agency's Flood Map for Planning indicates that the Site falls within Flood Zone 1 and is therefore subject to a low risk of flooding from rivers or the sea.

The Surroundings

The village of Bolney lies less than 6km west of Haywards Heath. The Parish has a population of 1,407 residents living in 534 households (source: ONS 2012-based subnational population projections) however only half of the housing is in the actual village settlement.

Outside the built-up area of the village, services and facilities are spread out providing Bolney Wine Estate, part-time post office, café, and Under 5s Pre-School, The Bolney Stage Public House and Bolney Cross Service Station. The closest GPs and dentists are located in Cuckfield, Burgess Hill and Haywards Heath, which also provides a hospital.

Accessibility

London Road runs along the eastern Site boundary in a north-south direction from the junction with the A23/Cowfold Road roundabout approximately 900m to the south and joining the A23 approximately 1km to the north-east of the Site.

London Road provides a grass verge and footpath running along the Site boundary within the demise of the highway and two bus stops in close proximity to the Site – one immediately adjacent to the north-east corner of the Site on London Road and one some 350 metres south of the Site. Both provide a regular service to Haywards Heath, Crawley, Burgess Hill and Brighton.

The closest railway station to Bolney is at Haywards Heath, located circa 5km away to the east, providing regular services towards London and Brighton.

Planning History

The Site was included as part of a wider development proposal to the north which has been the subject of two simultaneous outline planning applications (with all matters reserved except access). Ref. DM/18/0953 sought the erection of a new class C2 care/assisted living older persons facility (up to 15,500 sq.m gross internal floor area). Ref. DM/18/0954 sought the erection of new use class C2 care/assisted living older persons facility (up to 7,000 sq.m gross internal floor area) and erection of 40 no. age-restricted (over 55) Use Class C3 dwellings.

The applications were submitted in March 2018 and subsequently refused in January 2019. Both applications were appealed and subsequently dismissed on 16th December 2019 (refs. APP/D3830/W/19/3231997 and APP/D3830/W/19/3231996). Given major development was sought, the Inspector concluded that, on balance, although the proposals would support the objective of boosting the supply of housing in the Framework, taken as a whole such benefits would not constitute exceptional circumstances, due to the wider effects of the scheme including the impact upon the AONB. However, the Inspector did clarify a number of points to be discussed below.

Planning Case for Residential Development in Bolney

The Site Allocations DPD forms part of the Mid Sussex District Plan 2014-2031. Its preparation is in response to the requirement by the Planning Inspector to meet the residual housing and employment needs up to 2031.

Having reviewed the Site Allocations DPD, we consider the following to be important:

- It is proposed to allocate 17ha of additional employment land to meet identified needs. Of this, 9.4ha, i.e. more than half, is allocated for the Category 3 settlement of Bolney;
- The document provides an update (Policy SA10) on the minimum residual amount of new homes required to be delivered in Category 3 settlements. This figure is now 371 new homes (as a minimum), an increase of 60 homes since the DP was adopted;
- Notwithstanding this, no housing allocations whatsoever are identified in Bolney.

We would like to promote the delivery of residential development in Bolney, with specific regards to our client's Site, for the reasons stated below.

Requirement for Housing

The NPPF encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Policy DP4 of the DP relates to housing and states that *"there is a minimum District housing requirement of 16,390 dwellings between 2014 – 2031"*, which it advises is made up of the District's objectively assessed need (OAN) of 14,892 dwellings over the plan period as well as *"1,498 dwellings to ensure unmet need is addressed in the Northern West Sussex Housing Market Area"*. Policy states *"the Plan will deliver an average of 876 dwellings per annum (dpa) until 2023/24. Thereafter an average of 1,090 dpa will be delivered between 2024/25 and 2030/31"*.

The supporting text then advises that *"the spatial strategy of the District Plan is to focus the majority of housing and employment development at Burgess Hill as it has greater potential to deliver sustainable communities and to benefit from the opportunities that new development can deliver than at East Grinstead and Haywards Heath. A smaller scale development is allocated in this plan and was granted outline planning permission in 2016 at Pease*

Pottage as a contribution towards meeting the needs of the Northern West Sussex Housing Market Area. A smaller scale development is allocated at north of Clayton Mills, Hassocks. The remainder of development will be delivered as sustainable developments, including possible new strategic developments and development in other towns and villages".

There are no proposed site allocations within Bolney. This is notwithstanding Policy DP4, which sets out the strategic distribution of housing across the District and states that Bolney – along with 12 other settlements – should deliver 311 homes for the remainder of the Plan period and the proposed uplift to this requirement as set out in the Site Allocations DPD. Given over half of the additional employment land has been allocated for Bolney, clearly additional housing would be required both in terms of 1) meeting the provision required in Policy DP4 and 2) meeting the demand generated by increased employment land in that area.

Sustainable Location

Bolney is a sustainable location where significant development was proposed in the District Plan and the Neighbourhood Plan.

The Council's Settlement Sustainability Review ('SSR') was produced in 2015 in order to assist in the production of the DP, specifically the settlement strategy now set out within Policy DP4. The review lists Bolney – along with 9 other settlements – as a "Category 3" settlement and page 14 of the document provides the following assessment of the village:

"Bolney has a higher proportion of children aged up to 15 years of age and 45-64 than the Mid Sussex "district" and "rural" averages; and a lower proportion of the same indices of those aged 25-44 and 65+. The village is considered to be a Limited Local Service Centre. The village benefits from an off-peak public transport service that is sufficient to enable access to further services and facilities. Bolney is constrained to the north and to the east in part by the High Weald Area of Outstanding Natural Beauty. The A23 also runs in close proximity to the east of the village".

The SSR states Bolney is considered to meet all of the criteria to be considered a Limited Local Service Centre where "a settlement must have or share a maximum of two of the following:

- One or more retail uses which must include a convenience store;
- An infant/ primary school;
- A village hall/ community centre
- Public House".

Table 5 of the SSR, states that Bolney shares such services with Ansty, Cuckfield, Sayer Common and Warninglid. Table 6 then provides a matrix of services found in Bolney. It is evident upon viewing Table 6 that Bolney has a good provision of services providing 15 of the 28 services listed in the table.

The Inspector's appeal decision noted the various services and facilities available in Bolney, including a large village hall, a primary school, a nurse, a public house and bus stops in close proximity. Bolney is clearly a suitable location to accommodate residential-led development. There would be no effect on the settlement hierarchy or breach of development plan policy in terms of location of development.

Planning Case for Site Allocation

Given the above, our client's Site would be completely appropriate for residential development and should be considered as an additional allocation for residential.

The Site is located in Bolney, adjacent to the settlement boundary and surrounded by development. Although abutting the settlement boundary, the NPPF (paragraph 84) recognises this when it states that "planning policies

and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements". DP Policy DP6 (Settlement Hierarchy) states "The growth of settlements will be supported where this meets identified local housing, employment and community needs. Outside defined built-up area boundaries, the expansion of settlements will be supported where:

- 1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and*
- 2. The site is contiguous with an existing built up area of the settlement; and*
- 3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy."*

The DP and its evidence base recognise the need for significant residential development across West Sussex. Bolney is the most sustainable of the stand-alone settlements in Category 3, therefore significant housing and employment development should be directed to this settlement. Again, the Inspector's appeal decision supported the objective of boosting the supply of housing in the Framework.

The Inspector's appeal decision noted that the site is contiguous with the built-up area of Bolney. The Site's location immediately adjacent to the built area of Bolney is considered to minimise adverse impact on the AONB and would serve as a natural extension of the existing village.

When assessing sites for allocation, paragraph 108 of the NPPF requires that local authorities consider appropriate opportunities to promote sustainable transport, safe and suitable access and that any significant impacts from development on the transport network can be mitigated. The Site lies within a relatively short walking distance of two bus stops - one immediately adjacent to the north-east corner of the Site on London Road and one some 350 metres south of the site. Both provide a regular service to Haywards Heath, Crawley, Burgess Hill and Brighton. These factors, together with the findings set out in the SSR demonstrate that the Site is clearly a sustainable location to accommodate residential-led development in accordance with Policy DP6.

Conclusion

We support the inclusion of the Land North of Bolney as an additional site allocation in the Site Allocations DPD. As demonstrated above, Bolney and specifically our client's Site has potential for residential development because:

- There are no proposed site allocations within Bolney. This is notwithstanding Policy DP4, which sets out the strategic distribution of housing across the District and states that Bolney – along with 12 other settlements – should deliver 311 homes for the remainder of the Plan period and the proposed uplift to this requirement as set out in the Site Allocations DPD.
- Bolney has been classed as a Category 3 settlement and is clearly a sustainable location in which to accommodate residential-led development. There would be no effect on the settlement hierarchy or breach of development plan policy in terms of location of development.
- The Site's location immediately adjacent to the built area of Bolney is considered to minimise adverse impact on the AONB and would serve as a natural extension of the existing village.
- The Site has no environmental constraints to development such as flood risk (Flood Zone 1).
- The Site is in a sustainable location with good access to public transport and development would not result in adverse impacts to the highway network.

We look forward to your confirmation of receipt of this letter. If you require any information or clarification, please contact Stefanie Mizen of this office on 0203 147 1815.

Yours faithfully,



Stefanie Mizen

Stefanie Mizen

Associate – Planning, Development & Heritage

Direct line 0203 147 1815

Mobile 07968 331943

Stefanie.Mizen@eu.jll.com

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 697

Response Ref: Reg19/697/5

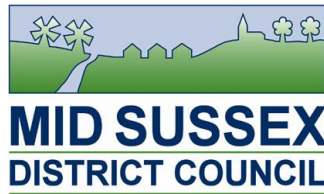
Respondent: Mr D Barnes

Organisation: Star Planning

On Behalf Of: Welbeck - Handcross

Category: Developer

Appear at Examination? ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="David"/>
Last Name	<input type="text" value="Barnes"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Star Planning and Development"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Welbeck Strategic Land III LLP"/>
Address Line 1	<input type="text" value="140 Brandwood Road"/>
Line 2	<input type="text" value="Kings Heath"/>
Line 3	<input type="text" value="Birmingham"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="B14 6BX"/>
Telephone Number	<input type="text" value="0121 444 7554"/>
E-mail Address	<input type="text" value="info@starplanning.co.uk"/>



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

Part B – Your Comments

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

Name or Organisation: Welbeck Strategic Land III LLP

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	11 Omission Policy	Draft Policies Map	<input type="text"/>
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4. Do you consider the Site Allocations DPD is:

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

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

	Sound	Unsound
(1) Positively prepared	<input 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 checked="" type="checkbox"/>

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

t is

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

1. Policy DP30 of the Mid Sussex District Plan includes the following '*If a shortfall is identified in the supply of specialist accommodation and care homes falling within Use Class C2 to meet demand in the District, the Council will consider allocating sites for such use through a Site Allocations Document, produced by the District Council.*'
2. At the time of the Local Plan's preparation, the potential need to allocate care homes was based upon Housing and Economic Development Needs Assessment (HEDNA): Addendum (August 2016) which stated at paragraph 2.18 that '*If current levels are maintained, the data suggests that at 2031, there will be significant shortfalls in the provision of specialist accommodation or care of Sheltered Housing (-46%), Enhanced Sheltered Housing (-77%) and Extra Care provision (-62%) and Registered Care provision (-31%) (with only Nursing Care indicating sufficient provision).*' The HEDNA also said '*There also appears to be justification to explore the need to allocate land to provide additional provision*' (paragraph 2.21).
3. There does not appear to be any detailed or robust consideration given during the DPD process to the need for specific allocations of care homes within Mid Sussex pursuant to the available evidence base and Local Plan Policy DP30. Welbeck has not been able to identify in the DPD's evidence base any more up-to date analysis that obviates the need for care homes to be provided during the plan period. Only Policy SA20 allocates a Class C2 care home as part of the 550 dwellings scheme at Imberhorne Lane, 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.

4. Accordingly, the DPD is not justified and is inconsistent with national policy because it fails to meet the evidenced wider housing needs of the community in Mid Sussex, especially the aging population, by not specifically considering and allocating sites for care homes at appropriate sustainable settlements.
5. In the alternative to be a housing site, the land west of London Road, Handcross could be allocated as a retirement village to include a specific care home for elderly people. Such a development would complement the existing Anchor Hanover scheme at Handcross which provides 16 one bedroom flats and 6 one bedroom bungalows that are purpose-built properties for people over the age of 55. There are also shared facilities available to those residents.

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:

Welbeck Strategic Land III LLP has extensive experience of critiquing Development Plan Documents and appearing at Examinations to articulate concerns about the drafting of such documents to assist the Inspector in understanding whether the document as a whole or individual policies or proposals are sound. Welbeck Strategic Land III LLP would make a valuable contribution to any discussion Examination.

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

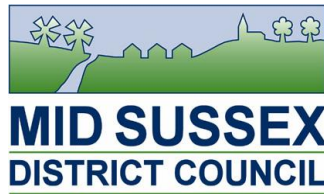
Signature:

David Barnes

Date:

22 September 2020

Thank you for taking time to respond to this consultation



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1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="David"/>
Last Name	<input type="text" value="Barnes"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Star Planning and Development"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Welbeck Strategic Land III LLP"/>
Address Line 1	<input type="text" value="140 Brandwood Road"/>
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E-mail Address	<input type="text" value="info@starplanning.co.uk"/>



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Part B – Your Comments

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Name or Organisation: Welbeck Strategic Land III LLP

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text" value="11 Omission Site"/>	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:

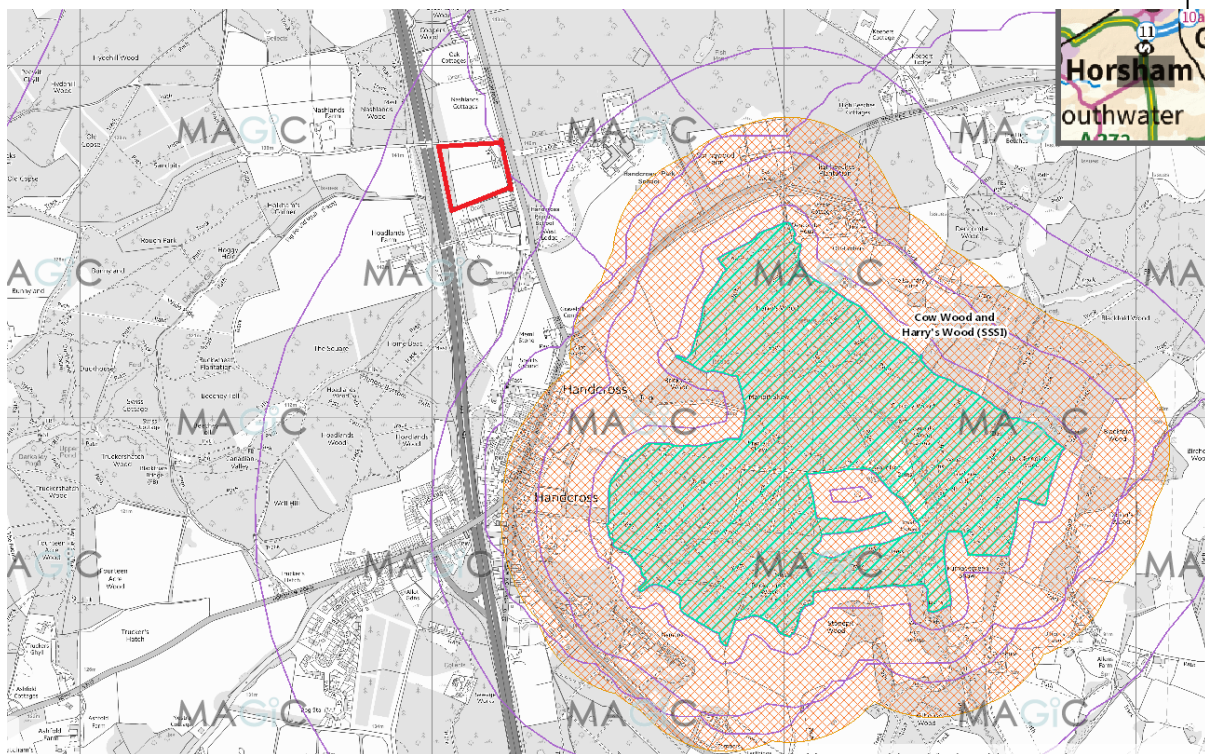
	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>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

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

It is

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

1. Welbeck has an interest in land west of London Road, Handcross referred to as SHELAA ID 823 in the Site Selection Paper 3: Housing Sites (February 2020). The only reason given for this site not progressing as a potential housing allocation is 'Proximity to SSSI/SNIC'. This assessment is based solely upon a comment that the 'Impacts of increased recreation on Cows Wood and Harry's Wood SSSI should be considered, including but not limited to impacts on communities of breeding birds' (emphasis added).
2. The comment relied upon in the Site Selection Paper does not actually say the site is unsuitable for allocation but, in effect, that further consideration be given to potential recreational impacts on the SSSI. This is no different to the commentary in the Site Selection Paper and the policy schedules in the DPD for the housing allocations proposed (e.g. further consideration of ecological, mineral, heritage or access matters).
3. The image below from Magic identifies Welbeck's site edged red, the SSSI hatched green and the hatched red area is wild bird general licence exclusion zone.



4. The site is some 700 metres distance from the boundary of the SSSI and is outside the licence exclusion zone. There is no direct public route between the site and the SSSI. Instead, as occurs at the moment, there is more immediate and direct access to the surfaced trails through the woodland to the west of the A23 which is not part of the SSSI. This is the area where, from a recreational perspective, people living on the site would walk, including with their dogs, run or cycle rather than the SSSI. There would be no increased pressure on the SSSI or an adverse effect on breeding birds.

6. There are no other matters identified in the Site Selection Paper which would preclude or prevent development. In many instances, such as access to facilities, minerals and access, the site west of London Road, Handcross 'scores' materially better than many of the proposed DPD housing allocations.
7. The site is in a sustainable location, proportionate in size in relation to the settlement and can be properly integrated to form an extension to the existing community.

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.

5. The modification sought to the DPD to ensure the Local Plan is consistent with national policy, positively prepared, effective and justified is that land west of London Road, Handcross (SHLAA ID 823) is allocated for housing purpose (or at worse indicated to be a reserve site) for circa 65 dwellings to make good:
 - (a) the inevitable shortfall of housing at North and North West Burgess Hill;
 - (b) The delay with other strategic sites delivering housing and/or the over optimism in the windfall allowance;
 - (b) the shortfall in housing at Category 3 Settlements;
 - (c) the poor selection of housing at Category 3 Settlements and
 - (d) the incorrect capacity for the site west of St Martin Close.



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:

Welbeck Strategic Land III LLP has extensive experience of critiquing Development Plan Documents and appearing at Examinations to articulate concerns about the drafting of such documents to assist the Inspector in understanding whether the document as a whole or individual policies or proposals are sound. Welbeck Strategic Land III LLP would make a valuable contribution to any discussion Examination.

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

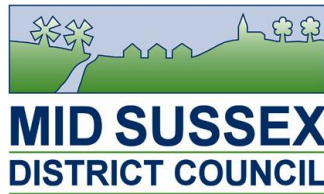
Signature:

David Barnes

Date:

22 September 2020

Thank you for taking time to respond to this consultation



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="David"/>
Last Name	<input type="text" value="Barnes"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Star Planning and Development"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Welbeck Strategic Land III LLP"/>
Address Line 1	<input type="text" value="140 Brandwood Road"/>
Line 2	<input type="text" value="Kings Heath"/>
Line 3	<input type="text" value="Birmingham"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="B14 6BX"/>
Telephone Number	<input type="text" value="0121 444 7554"/>
E-mail Address	<input type="text" value="info@starplanning.co.uk"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation: Welbeck Strategic Land III LLP

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph Policy SA ¹¹ Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

4b. Sound Yes ☐ No ☒

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

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

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

t is

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

1. As is clear from the Site Selection Paper 3: Housing Sites (February 2020) that a number of the DPD Housing Allocations lack appropriate justification and may not be deliverable:

Ref	Policy	Address	Comments
832	SA25	Land West of Seldfield Road, Ardingly	Negative effects on designated heritage assets; no assessment of the access and within Building Stone (Cuckfield) MSA.
138	SA26	Land South of Hammerwood Road, Ashurst Wood	Lack of ecological information before an allocation is made; poor public transport; 20 minutes to healthcare facilities and Brick Clay Wadhurst MCA approximately 40 metres from a resource. Poorly related to main pattern of settlement.
807	SA28	Land South of The Old Police House, Birchgrove Road, Horsted Keynes	Negative effects on designated heritage assets; poor public transport and 20 minutes to healthcare facilities. Poorly related to pattern of settlement.
184	SA29	Land South of St Stephens Church, Hamsland, Horstead Keynes	Negative effects on designated heritage assets and no assessment of the access. Poorly related to pattern of settlement.
829	SA30	Land to the North Lyndon, Reeds Lane, Sayers Common	Issues around potential contamination and access which would be reliant upon third parties. Site is within the Brick Clay (Weald) MSA.
897	SA31	Land to the rear of Firlands, Church Road, Scaynes Hill	Part of site within Building Stone (Cuckfield) MSA. All of site in Building Stone MCA. Poor public transport and distant from healthcare. No access solution has been identified.
854	SA32	Withypitts Farm, Selsfield Road, Turners Hill	Site is within Brick Clay (Wadhurst) MCA - approx 150 metres from resource. Within Building Stone (Ardingly and Cuckfield) MCA - approx 50 metres from resource. Unclear what will happen to existing agricultural buildings. Poor relationship to main settlement pattern. No access solution has been identified.

3. Some of all these proposed DPD allocations are not justified, effective nor consistent with national policy and require revisiting to identify instead sustainable and accessible locations for development at Category 3 Settlements rather than just be driven by the housing provision. As identified in the separate representation on housing provision, flexibility has been applied to the distribution of housing within the settlement hierarchy.

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. For the DPD to be sound, there is scope for additional housing land to be identified at Handcross, including land to the west of London Road, which has the most positive assessment of all site's considered by the Council in Handcross.

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:

Welbeck Strategic Land III LLP has extensive experience of critiquing Development Plan Documents and appearing at Examinations to articulate concerns about the drafting of such documents to assist the Inspector in understanding whether the document as a whole or individual policies or proposals are sound. Welbeck Strategic Land III LLP would make a valuable contribution to any discussion Examination.

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:

David Barnes

Date:

22 September 2020

Thank you for taking time to respond to this consultation

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 700

Response Ref: Reg19/700/1

Respondent: Mr C Reynolds

Organisation: Hallam Land Management

On Behalf Of: Hyde Estate Handcross

Category: Promoter

Appear at Examination? x

From: Charlie Reynolds <CREYNOLDS@hallamland.co.uk>
Sent: 28 September 2020 19:34
To: ldfconsultation
Subject: Submission Draft Sites DPD – Regulation 19 Consultation
Attachments: Draft Site Allocations DPD Representation - Reg.19 - 29th September 2020.pdf

Dear Sir/Madam,

Please find attached my representation in respect of the Submission draft Site Allocations DPD Regulation 19 consultation.

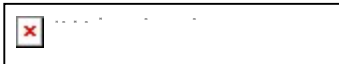
Thank you.

Kind regards
Charlie

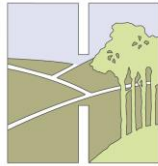
Charlie Reynolds MRTPI | Development Planner | Hallam Land Management Limited

43 Portland Place, 3rd Floor | London | W1B 1QH

t: 02074956419 | t: 02071676772 | m: 07771814110



The sender of this e-mail is a member of the Henry Boot Group of companies, the ultimate parent of which is Henry Boot PLC (company number 160996).



**Hallam Land
Management**

Hallam Land Management: South East Region

43 Portland Place

Tel: 0207 1676 781 / Mob: 07771814110

E-mail: creynolds@hallamland.co.uk

Subject to Contract

Our Ref: CR/HLM/WCF

Date: 28th September 2020

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

Dear Sir/Madam,

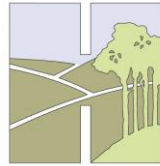
RE: Submission Draft Site Allocations DPD (Regulation 19) Consultation

We write this representation in respect of the submission draft Site Allocations Development Plan Document (DPD), which is currently subject to public consultation until the 28th September 2020.

The Site Allocations DPD is required to meet the residual housing figure to ensure that the District Plan (adopted March 2018) Policy DP4 housing requirement is met in full. The residual requirement was 1,507 (at 1st April 2019), however the updated figure is now 1,280 as of April 2020. This accounts for additional housing completions and permissions/allocations confirmed during the monitoring year 2019/20. This represents an over-supply of 484 compared to the residual requirement, we welcome this approach taken by the Council which seeks to provide an over-supply to provide resilience and flexibility.

As the Council will be aware, Hallam Land Management (HLM) has an interest in the land known as 'Warren Cottage Fields, Handcross' (see **Appendix A**) which we are promoting for up to 125 dwellings. The current masterplan concentrates-built form along the spine of the site, allowing a 15m minimum offset from the ancient woodland to the north and a comfortable buffer between existing and proposed properties on the southern edges. In addition to houses, this proposal provides a unique opportunity to facilitate the provision of a new community hall in partnership with the Parish and the Community Land Trust, which is an aspiration set out within the Slaugham Neighbourhood Plan which was '*made*' on the 25th September 2019.

To summarise this representation, we support the general approach taken within the Draft Site Allocations DPD document in regard to allocating sufficient housing for the District up to 2031, in accordance with the District Plan, and welcome the additional growth within close proximity to Crawley Borough Council in Handcross (Policy SA27). However, we still have reservations regarding whether the plan is '*Positively Prepared*'. We would suggest that the Council seek to reserve a safeguarded supply of housing sites to ensure that the full identified/required future needs for development are met.



Housing Requirement

HLM agree that the Council have correctly recognised the Objectively Assessed Housing NEED (OAHN) for the District over the plan period 2014 to 2031 of 16,390 dwellings. Although, we would note that the National Planning Policy Framework (NPPF) suggests local housing needs represent a minimum number of homes that should be delivered. As such, we believe that the Council should take into consideration potential future unmet need (beyond what was considered in the District Plan) from neighbouring authorities at this stage, instead of waiting for the District Plan Review starting in 2021/2022 (Policy DP5 – Planning to Meet Future Housing Need) to ensure the Plan is robust and addresses the OAHN across the Housing Market Area (HMA).

This is part of the NPPF test of soundness whereby a Plan needs to be '*Positively Prepared*' providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

As such, HLM recommends it would be prudent if the Council considers safeguarding additional development sites for housing, which could serve development needs in the longer term. Any sites the Council allocate should be genuinely capable of development when required and should be located where future development would be an efficient use of land; well-integrated with existing development and promote sustainable development.

The land at Warren Cottage Fields offers a site which is developable in the short term and could satisfy these requirements, whilst also enhancing the sustainability of Handcross through the delivery of a community hall and housing.

Policy SA11 – Additional Housing Allocations

HLM welcomes the additional housing growth distributed to Handcross in Slaugham Parish Council. Handcross is a Tier 3 settlement (Medium Sized Village) and has accommodated a level of development in recent years, which has contributed towards the sustainability of the village. We support the overarching general approach to housing within close proximity to Crawley, given the Districts relationship within the wider HMA.

To build upon the earlier section within our representation, we believe that the Council should seek to enhance the sustainability of Handcross by safeguarding additional land for development, which could deliver more than housing alone. To address the long-term aspiration of enhancing the community facilities in Handcross (set out within the Slaugham NP 2019), there needs to be land safeguarded. We query the inclusion of the land at Policy SA27 in the draft SA DPD because the land at St Martin Close (East) is already allocated for development of 30 dwellings by Policy 9 of the 'made' Slaugham Neighbourhood Plan (SNP) and St Martin Close (West) for 35 homes (under Policy 10) as a reserve site. We believe that the land at Warren Cottage Fields should be revisited due to the potential benefits it would bring to the village.

The existing community hall is in a poor condition with very limited opportunities to expand to cater for the growing population, on a site surrounded by housing. This is an issue, especially as National Policy states that planning policies needs to allow for established facilities to develop and modernise in a sustainable way, whilst ensuring an integrated approach between community facilities and location of housing, economic uses and services.

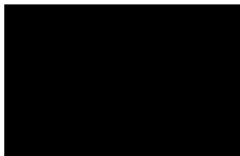


**Hallam Land
Management**

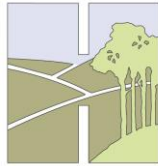
HLM are committed to the comprehensive planning and development of Warren Cottage Fields and the community hall, which offers an incremental approach to development in the longer term to address both housing need and the long-term goal of enhancing the community facilities. Where community facilities can be delivered or facilitated by development, we consider that the Council should give significant weight to this as part of the Site Allocations DPD process, given one of the main aims of the DPD is to set out additional Strategic Policies necessary to deliver sustainable development.

We trust that the above will assist the Council moving forward, we would be pleased to provide further information in relation to the Site if required. If you have any questions or require any information, please do not hesitate to contact us.

Yours sincerely
for **HALLAM LAND MANAGEMENT LIMITED**



Charlie Reynolds
Development Planner



**Hallam Land
Management**

Appendix A – Illustrative Masterplan



Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 705

Response Ref: Reg19/705/7

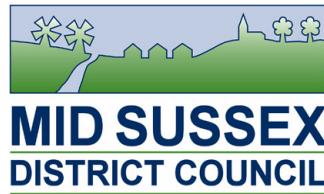
Respondent: Mr O Bell

Organisation: Nexus Planning

On Behalf Of: Miller Homes - Lewes Road HH

Category: Developer

Appear at Examination? ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Oliver"/>
Last Name	<input type="text" value="Bell"/>
Job Title (where relevant)	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Nexus Planning"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Miller Homes Ltd"/>
Address Line 1	<input type="text" value="Fifth Floor, Thames Tower"/>
Line 2	<input type="text" value="Station Road"/>
Line 3	<input type="text" value="Reading"/>
Line 4	<input type="text" value="Berkshire"/>
Post Code	<input type="text" value="RG1 1LX"/>
Telephone Number	<input type="text" value="07795 977961"/>
E-mail Address	<input type="text" value="o.bell@nexusplanning.co.uk"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation:

Miller Homes Ltd c/o Nexus Planning

3a. Does your comment relate to:

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

3b. To which part does this representation relate?

Paragraph	<input type="text"/>	Policy SA	<input type="text" value="11"/>	Draft Policies Map	<input type="text"/>
-----------	----------------------	-----------	---------------------------------	--------------------	----------------------

4. Do you consider the Site Allocations DPD is:

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

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

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

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

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

Please see attached

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

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

Please see attached

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

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

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

As a housebuilder with significant interests in the District and substantial concerns with the soundness of the Site Allocations Plan, it is essential that we attend the oral part of the examination.

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:

Oliver Bell

Date:

17/09/2020

Thank you for taking time to respond to this consultation

Representations to Mid Sussex Draft Site Allocations DPD (Regulation 19) Consultation

1. These representations have been prepared by Nexus Planning on behalf of Miller Homes Ltd in respect of the Regulation 19 consultation on the Mid Sussex draft Site Allocations DPD ("SA DPD").
2. Miller Homes control land south of Lewes Road, Haywards Heath ("the Site") (SHELAA ref. 844). The Site measures approximately 5 hectares, is available for development now and has an indicative capacity of 100 dwellings. A Vision Document for the site is attached to these representations.
3. Overall, our representations identify a number of fundamental concerns with the Site Allocations DPD and its supporting evidence. These can be summarised as follows:
 - i. The Site Allocations DPD fails to provide a sufficient buffer against the District Plan requirement to ensure the Plan incorporates flexibility and robustness against the non-implementation of allocated sites. It is suggested that a 10% buffer should be applied.
 - ii. There is no evidence to justify an increase in the windfall allowance, contrary to the 'compelling evidence' test set by the Framework (paragraph 70).
 - iii. The level of growth proposed at Haywards Heath is significantly too low.
 - iv. The SA should have considered a reasonable alternative of no further growth at East Grinstead having regard to the Habitats Directive and potential impacts upon the Ashdown Forest SAC.
 - v. Too much growth is proposed at certain Category 3 settlements in an effort to slavishly comply with indicative figures outlined within the District Plan.
 - vi. Site allocation SA25 represents major development in the AONB for which no exceptional circumstances exist.

- vii. The SA is unduly reliant upon, and constrained by, indicative and untested settlement figures, which has led to the allocation of unsustainable sites having regard to alternatives that exist in the District.
 - viii. Site Selection Paper 3 includes a number of errors or incorrect conclusions in respect site SHELAA ref. 844.
4. Given the above, the SA DPD is unsound. Additional sites will need to be allocated in order to address these issues of soundness, such as land to the south of Lewes Road, Haywards Heath (SHELAA ref, 844), which has capacity to accommodate approximately 100 dwellings, is controlled by a housebuilder – Miller Homes and is available for development now.

Policy SA11: Additional Housing Allocations

Distribution of Development

Category 1 Settlements

5. Table 2.5 within Policy SA11 outlines that 1,409 dwellings are proposed to be allocated within Category 1 Settlements, albeit only 25 dwellings are to be allocated at Haywards Heath. Within the District Plan it is clear that Burgess Hill has by far the most housing allocations, including the Northern Arc and therefore at a strategic level it is difficult to understand the justification to allocate almost a further 612 dwellings on the edge of this settlement. As a starting point, logic would suggest an even split of housing across each of the Category 1 Settlements, which is indeed broadly reflected through demographic analysis as outlined below.
6. Policy DP4 of the District Plan does not provide any strategic direction over how the minimum Category 1 settlement requirement should be apportioned. However, Policy DP6 sets out the settlement hierarchy and amongst other things confirms that a strategic policy objective is '*to provide the amount and type of housing that meets the needs of all sectors of the community*' and outlines that growth of settlements should meet identified local housing, employment and community needs.
7. With regard to local housing needs at each of the Category 1 settlements, it is evident from analysis of Census 2011 data and Office for National Statistics (ONS) Mid-Year Estimates (see Figure 1) that the population of Burgess Hill and Haywards Heath are broadly comparable i.e. they both are home to around 21% of the District total population, whereas East Grinstead has accommodated around 18% of the districts total population. Analysis of Census 2011 and Valuation Office Agency (VOA) Council Tax Base data also show the same apportionment across the three Category 1 settlements (i.e. 21% for Burgess Hill and Haywards Heath and 18% for East Grinstead).

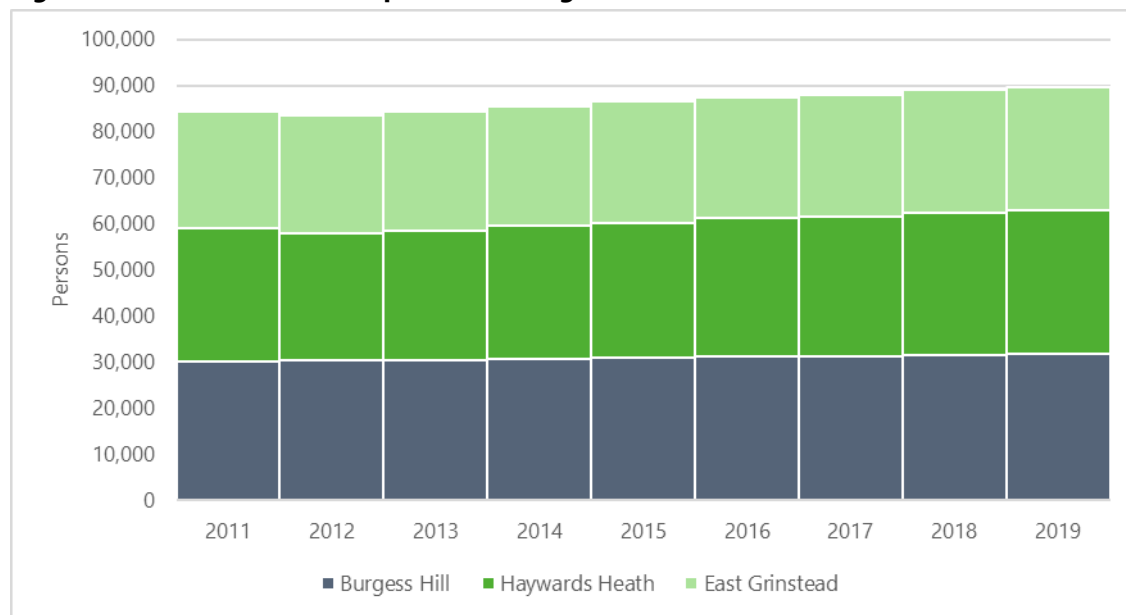
Figure 1: All Persons Population Change 2011 to 2019

Area	2011 ^a		2019 ^b	
	All Persons	Proportion of District Total	All Persons	Proportion of District Total
Mid Sussex	140,188		151,022	
Tier 1 Settlements	84,420	60%	89,650	59%
Burgess Hill	30,204	22%	31,727	21%
Haywards Heath	28,811	21%	31,081	21%
East Grinstead	25,405	18%	26,842	18%

Source: ^aCensus 2011, ^bLower Super Output Area Mid Year Estimates

8. As illustrated within Figure 2 below, of the Category 1 total population, Burgess Hill and Haywards Heath have consistently accommodated 35% of the total population, with East Grinstead accommodating the remaining 30%. Census 2011 and VOA data also show the same broad trend.

Figure 2: Tier 1 Settlement Population Change: 2011 to 2019



9. Based on the District Plan's overarching spatial strategy, which seeks to support and maintain the existing settlement hierarchy, it would therefore be reasonable to expect the level of planned growth at each of the Category 1 settlements to broadly align with demographic and housing stock trends i.e. circa 21% of the overall District figure / 35% of the total Category 1 figure at Burgess Hill and Haywards Heath respectively (around 3,600 dwellings each) and circa 18% of the overall District figure / 30% of the total Category 1 figure at East Grinstead (around 3,100

dwelling). Failure to do so would mean that contrary to the District Plan (Policy DP4), individual settlements demographic-based housing needs are not being met.

10. Of fundamental concern therefore, as illustrated within Figure 3 below, is that the proposed Category 1 settlement housing allocations within the SA DPD results in a level of planned housing growth at Haywards Heath over the period up to 2031 falling significantly short of that likely to be required to meet the settlements demographic needs and to maintain its status within the settlement hierarchy. Delivery of 2,617 dwellings at Haywards Heath only represents 15% of the overall District housing figure (16,390 dwellings) and 24% of the overall housing planned at the Category 1 settlements (10,874 dwellings).

Figure 3: Proposed Category 1 Settlement Housing Apportionment				
Area	Commitments and Completions April 2019	Proposed Allocations	Combined Commitments / Completions and Proposed Allocations	
Category 1 Settlements	9,462	1,412	10,874	
Burgess Hill	5,166	615	5,781	53%
Haywards Heath	2,592	25	2,617	24%
East Grinstead	1,704	772	2,476	23%

11. In view of the above, we firmly believe that a greater proportion of the residual District Plan housing requirement should be focused at Haywards Heath and that additional sites must be allocated within the Site Allocations DPD, such as land south of Lewes Road.
12. To achieve this, the residual minimum requirement for the Category 1 settlements should, as a starting point, be apportioned using a demographic / housing stock trend basis i.e. 35% to Burgess Hill and Haywards Heath and 30% to East Grinstead. The resulting figures are set out within Figure 4 below (noting that a buffer for flexibility has not yet been applied):

Figure 4: Demographic and Housing Stock-based Category 1 Settlement Housing Figures				
Area	Commitments and Completions April 2019	Residual Apportionment	Combined Commitments / Completions and Proposed Allocations	
Category 1 Settlements	9,462	1,191	10,653	
Burgess Hill	5,166	429	5,595	53%
Haywards Heath	2,592	357	2,949	28%
East Grinstead	1,704	405	2,109	20%

13. In accordance with the spatial strategy within the District Plan, the apportionment set out within Figure 4 above would maintain the focus for growth at Burgess Hill, whilst achieving growth at

Haywards Heath and East Grinstead which aligns with the respective settlements position within the settlement hierarchy and ensures that the demographic housing needs of the settlements is met over the Plan period.

14. Given the above, a further 332 dwellings (plus an appropriate buffer) should be allocated at Haywards Heath.
15. In reading the Council's SA and Site Selection Paper, it would appear that the sole reason for not allocating more growth at Haywards Heath is a purported lack of suitable, available and achievable sites, as evidenced by the early sifting out of potential sites on the edge of this settlement. This is a conclusion we strongly refute, indeed as set out later on in these representation, we consider land south of Lewes Road to represent a sustainable location for growth. This is particularly the case having regard to the fact numerous less sustainable settlements are currently proposed for substantially more growth, including 70 dwellings in the AONB at Ardingly (SA25) – a Category 3 village.
16. 772 dwellings are proposed to be allocated at East Grinstead – the most of any Category 1 Settlement. Figure 2.1 of the Site Allocations DPD clearly shows that East Grinstead is the only Category 1 Settlement within the Ashdown Forest 7km Zone of Influence. Paragraph 2.33 of the Site Allocations DPD outlines that a Habitat Regulations Assessment (HRA) has been undertaken and that the main potential impacts are recreation impacts primarily relating to risks to the Ashdown Forest SPA and air quality impacts primarily relating to risks to the Ashdown Forest SAC. Overall, it states that *"Using evidence-based justifications, the HRA has concluded, at this stage of plan-making, that the Sites DPD does not present any potential risks to the Ashdown Forest SPA and SAC that are not capable of being mitigated."*
17. Implicit in the Habitats Directive is the application of the 'precautionary principle', which requires that conservation objectives prevail where there is uncertainty. Given that comparably sustainable locations for growth exist within the District at other Category 1 settlements (Burgess Hill and Haywards Heath), which importantly fall well outside of the aforementioned Ashdown Forest 7km Zone of Influence, it is considered that opportunities to locate growth outside this Zone of Influence should be thoroughly evaluated and discounted before growth within this area is considered. It is noted that a Habitat Regulations Assessment (HRA) has been undertaken, however given the imprecise nature of determining air quality impacts on the Ashdown Forest SAC (which do identify impacts, albeit limited), it is considered that the possibility of significant adverse effects cannot be wholly ruled out and thus uncertainty remains with this approach.
18. Accordingly, the SA supporting the Site Allocations DPD must consider a reasonable alternative of removing any prospect of impacts upon the Ashdown Forest.

Category 3 Settlements

19. 238 dwellings are allocated at Category 3 settlements against a minimum residual requirement of 371. The SA notes this shortfall but outlines at paragraph 6.43 that this can be addressed by additional growth at Category 1 settlements commenting that *"As Category 1 is the most sustainable settlement category, and under-supply should be met at categories higher-up in the settlement hierarchy, this approach is acceptable."* Whilst this is an approach we wholly support, it is at odds with paragraph 2.4.5 of the Site Selection Paper 3 which states *"Where the results of the site assessment exercise were found to leave a shortfall in capacity at one settlement hierarchy category the aim is that this shortfall would be met in the category above. For example, in the absence of sufficient suitable, available and developable sites in Category 3 the residual need is passed up to the settlements within Category 2, and so on."* For the avoidance of doubt, we do not consider that this approach outlined in the Site Selection Paper is appropriate or aligns with national policy in the context of steering development to the most sustainable locations.
20. Given the above, it would appear that the site selection process has been determined through a process that does not align with the SA or national policy. Accordingly, the SA DPD is unsound as it is not justified or consistent with national planning policy. To address this issue, the Site Selection Papers should be amended to reflect the approach outlined in the SA, which may result in more allocations in Category 1 settlements.

Selection of Sites

21. Miller Homes Ltd control land south of Lewes Road, Haywards Heath (SHELAA ref. 844) which Site Selection Paper states was discounted following the detailed site assessment stage, with the justification offered being *"Development considered likely to have an adverse impact on Conservation Area"*. Appendix B of the Site Selection Paper then provides further commentary on the Site. Selected commentary is provided below:
 - **Ancient Woodland** – the Site is adjacent to ancient woodland however the submitted Vision Document demonstrates that a 20m buffer is proposed, exceeding Natural England guidance. No adverse effects are therefore considered to arise.
 - **Listed Buildings** – The Site Selection Paper states that whilst Colwell House (grade II listed) is separated from the rear of the grounds to Colwell House by a field, development on the site is also likely to have a potentially detrimental impact on the outlook to the rear of this listed building. Less than substantial harm is referenced (albeit the lower end of this spectrum). Orion has prepared a Historic Environment Desk-Based Assessment (attached) in respect of the site and concludes that by offsetting development away from the southern boundary of Colwell House the *"development of the study site would not harm the significance of the house."* (paragraph 4.8). Accordingly, the Site Selection Paper should be amended to no harm.
 - **Conservation Area** – The Site Selection Paper concludes that development on the site would be contrary to the established pattern of development of this part of the Conservation Area and would detract from the rurality of the setting, which contributes

positively to the manner in which the special interest of the area is appreciated. Less than substantial harm is referenced although reference is made to this being 'high' within that spectrum. Firstly, it is important to note that there is very limited if any inter-visibility between the site and the Conservation Area. The Historic Environment Desk-Based Assessment prepared by Orion has considered the proposed development and concludes that in respect of the new vehicular entrance within the Conservation Area, the loss of a small section of the hedge would not harm the experience of the Conservation Area's character provided by the Lewes Road. It then goes on to advise that the transitional rural character of the Conservation Area could also be protected by ensuring that any development includes an adequate set back from the northern boundary of the study site, and careful control of the building heights within the study site, which the masterplan proposes. The report therefore concludes that the development of the main part of the study site could be implemented while preserving the elements of rural character present in the Conservation Area. Accordingly, a neutral effect should be identified in the Site Selection Paper.

- **Trees/TPOs** – It is noted that the Site has a 'low/medium' score, which having regard to the Site Selection Paper methodology is due to the presence of trees on site but that the Tree Officer concludes impacts can be mitigated. Two trees protected by a TPO are located on the periphery of the Site but would not be impacted by the development. All other trees would be retained where possible and mitigation provided, as required. Accordingly, we agree with this conclusion.
- **Local Road/Access** – The Site Selection Paper rightly identifies that vehicular access into the Site isn't currently available but potential exists to easily gain access. Our submitted Vision Document demonstrates how a safe and suitable access arrangement can be delivered onto Lewes Road, as well as opportunities to improve the nearby Public Right of Way (PROW). Accordingly, we consider that the Site should be classified as not having any constraints in this regard i.e. scoring 'none'.
- **Deliverability** – The Site Selection Paper states that no housebuilder controls the Site but that discussions are underway. As advised at the Regulation 18 stage, we can confirm that the Site is controlled by a housebuilder – Miller Homes and available for development now. The submitted Vision Document outlines that the Site can comfortably be delivered within the plan period and accordingly, the Site should be scored green i.e. 'developable'.
- **Education** – The Site Selection Paper suggests that the Site is a 15-20 minute walk from the nearest Primary School. However, our Vision Document identifies that the development of the Site would offer the opportunity to deliver meaningful improvements to a nearby PROW which provides a direct route to Northlands Wood Primary Academy. Through resurfacing this PROW and providing lighting, it would offer a safe and attractive route to the primary school in only 10 minutes from the centre of the Site. Accordingly, it should receive the best score '<10 minute walk'.
- **Health** - The Site Selection Paper suggests that the Site is more than a 20 minute walk from the nearest GP Surgery. However, subject to the above PROW improvements this would mean that Northlands Wood Practice would be less than 1km away from the

centre of the Site, which would be scored as a '10-15 minute walk' having regard to the Council's methodology.

- **Public Transport** – The Site currently scores 'poor' for this category. This is based upon proximity to existing bus stops. The proposals would however include provision for a new bus stop outside the Site. Based upon the Council's methodology, this would improve the scoring against this category to 'fair'.
- **Neighbourhood Plan** – The Site Selection Paper references Policy E5 of the HHNP as a further consideration albeit does not offer any scoring. The proposals are assessed against this policy within the submitted Vision Document and overall it is concluded that no conflict with the HHNP would arise.

22. Having regard to the above, it is considered that the Site (SHELAA ref. 844) should score more favourably than Site Selection Paper 3 currently concludes. Most importantly, it is not considered that the purported harm to the setting of the Lewes Road Conservation Area arises – the sole reason given for discounting the Site from the site selection process. The site selection process should therefore be re-appraised in this context.
23. Given the above, it cannot be concluded that the additional housing allocations identified through Policy SA11 have been selected on a robust basis and represent an appropriate strategy and thus the SA DPD is unsound.
24. To address this issue, the Council should re-appraise the site selection process to ensure all scoring is accurate and review what implications this has for conclusions in respect of allocated / omitted sites.

Viability

25. We note that a Viability Review September 2019 has been prepared in support of the SA DPD. However, at table 4.1 of the document, it is clear that the viability appraisal work has been based upon the quantum of growth proposed through the Regulation 18 version of the SA DPD, despite the Regulation 19 version proposing reductions in some site allocations (for example SA25 reduces from 100 dwellings to 70 dwellings).
26. Paragraph 67 of the Framework outlines that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability, whilst in order to be 'effective', paragraph 35 of the Framework states that plans should be deliverable over the plan period.
27. As no updated viability appraisal has been carried out, it cannot be concluded that the SA DPD is effective or consistent with national policy and accordingly is unsound. To address this issue, a revised viability appraisal should be carried out.

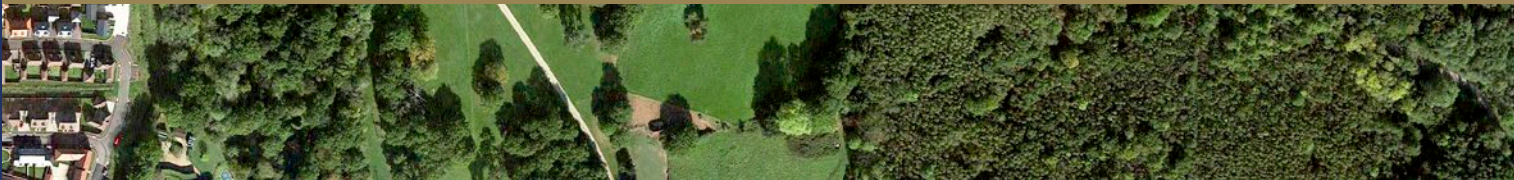


Land south of
Lewes Road, Haywards Heath

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homes



Vision Document

November 2019



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Haywards Heath Station

B2112

B2111

Walstead



Haywards Heath

B2272



Northlands Wood
GP Practice



St Wilfrid's Cofe
Primary School

B2272



Lewes Road



The Site

A272



Scaynes Hill

Railway Line



Princess Royal Hospital

B2112



Sandrocks



1. Introduction

This Vision Document has been prepared by **Nexus Planning**, on behalf of **Miller Homes Limited**, with respect to the promotion of a high quality landscape-led residential community on land south of Lewes Road, Haywards Heath for inclusion in the Council's emerging Site Allocations DPD.

The Purpose of the Document

Land south of Lewes Road, Haywards Heath ("the Site") represents an opportunity to deliver a sensitive residential extension in a highly sustainable location, being on the edge of one of the principal towns in the District - Haywards Heath. The site could accommodate in the region of 100 dwellings, helping contribute towards significant market and affordable housing needs within the District.

This Vision Document provides an analysis of the Site and its wider context, including its accessibility to services / facilities and its relationship with the wider environment. It examines the opportunities for residential development and culminates in a Vision for the Site and a concept masterplan.



Introduction to Miller Homes

Miller Homes is a national housebuilder with over 80 years of experience delivering new homes.

We have established a heritage for building high quality family homes and our success has been built on solid strategic foundations and high calibre employees operating at all levels within our business. We also have a reputation for quality and excellent customer service and have been awarded five stars in the Home Builders Federation National New Home Customer Satisfaction Survey.

Our disciplined approach to enhancing shareholder value is supported by the relationships we have developed as part of our philosophy, The Miller Difference. This is embedded within all parts of our business and ensures we have fully engaged and committed employees and subcontractors.

millershomes



Miller Homes Project Examples



Understanding the Site

The Site is located to the east of Haywards Heath and is approximately 6 hectares in size.

It is exceptionally well contained being bound to the north by residential properties (and their associated mature boundary planting) and woodland to the south.

The Site comprises three agricultural fields clearly defined by boundaries comprising well-established hedgerows and trees.

The Site is in close proximity to a range of services and facilities, which is discussed in more detail in the Accessibility section of this Vision Document.

Vehicular access to and from the Site will be achieved off Lewes Road in a significant gap between existing residential properties fronting this road. A Public Right of Way ("PROW") is located to the west of the Site and provides direct access to the urban area of Haywards Heath to the north, and the open countryside to the south.

The Site, other than the vehicular access to Lewes Road, is located outside but adjacent to the Lewes Road Conservation Area and no listed buildings are located within the Site. Ancient Woodland forms the southern boundary of the Site.



2. Planning Policy Context

Policy DP4 of the Mid Sussex District Local Plan (“MSDLP”) sets out a minimum housing requirement of 16,390 dwellings between 2014 and 2031. This policy also outlines that some 2,439 dwellings will be allocated through future Neighbourhood Plans and the Site Allocations DPD and that of that figure at least 1,272 dwellings should be allocated around Category 1 settlements.

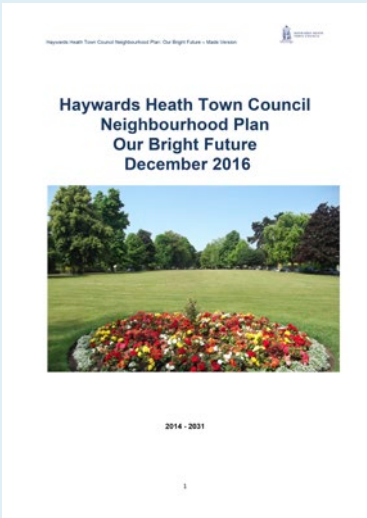
The MSDLP identifies Haywards Heath as one of only three Category 1 settlements. Accordingly, it represents one of the most sustainable settlements in the District.

The Site falls within the area covered by the Haywards Heath Neighbourhood Plan (“HHNP”). The HHNP Proposals Map shows that the Site is located outside, but adjacent to, the built up area. Policy E5 of the HHNP designates all land outside the built up area (including the Site) as a Green Corridor and permits development

within such locations provided three criterion are met (discussed later on in this Vision Document).

The Council has recently published a Regulation 18 version of the Site Allocations DPD for consultation and within this document it outlines that sites have been allocated to deliver 1,962 dwellings over the remainder of the plan period until 2031, which is purported to meet the requirements of Policy DP4 of the MSDLP.

Appendix B of the Council’s Site Selection Paper 3 identifies the Site under reference ID 844 and concludes that it is not suitable for allocation, with the principal reason being the impact upon the setting of the Lewes Road Conservation Area. This matter is addressed later on in this Vision Document and within the Historic Environment Desk-based Assessment that is appended to our wider representations to the Site Allocations DPD.

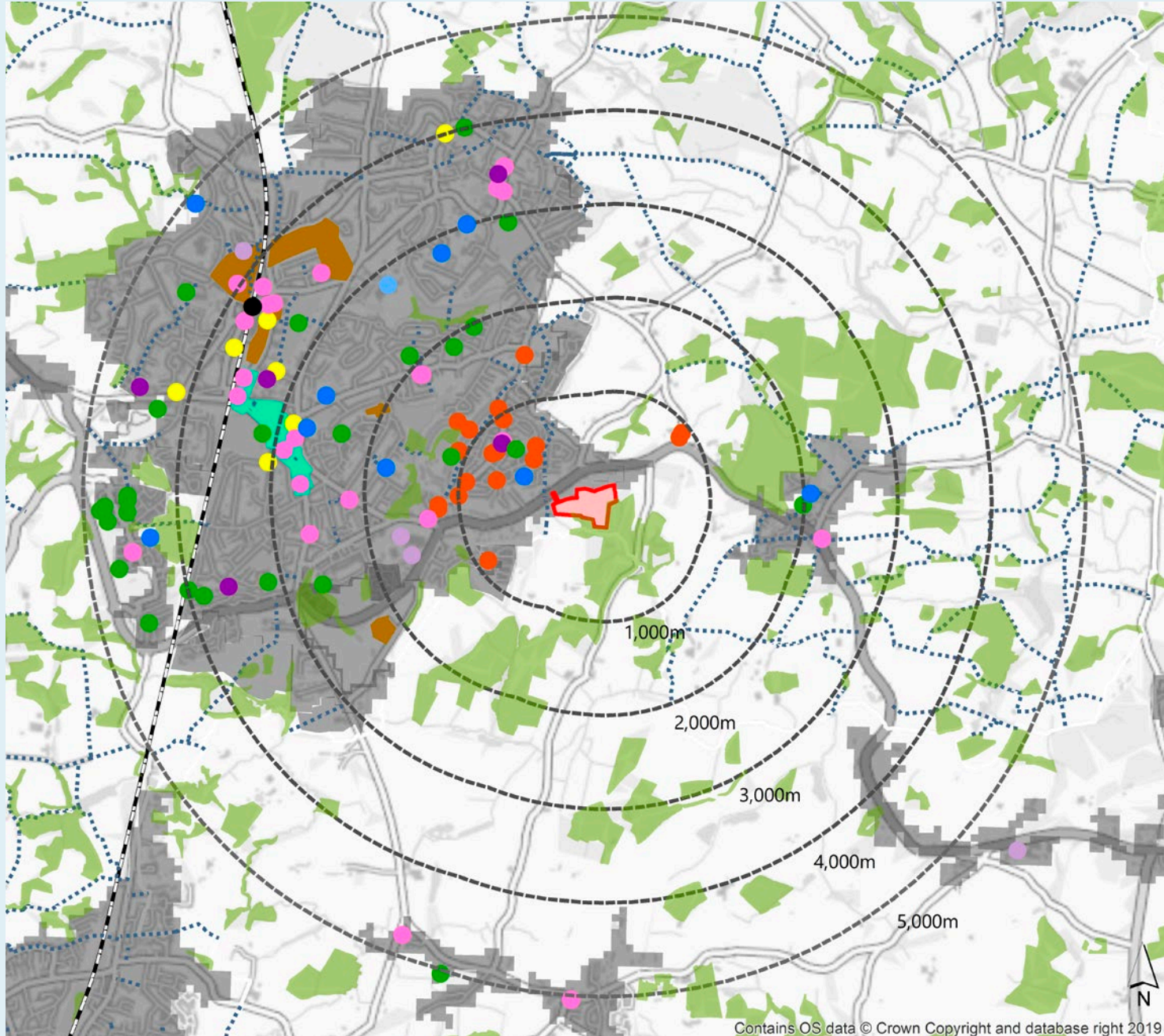


Detailed commentary on the soundness of Site Allocations DPD is provided within our separate representations, however in summary we consider that it should:

- allocate more housing in order to provide the District Plan sufficient flexibility to respond to rapid change;
- re-consider the strategy to allocate additional growth at East Grinstead in light of potential adverse effects on the Ashdown Forest SAC;
- adopt a more balanced approach to housing across the Category 1 settlements, namely increasing allocations at Haywards Heath; and
- delete or substantially reduce site allocations SA25 and SA27 as these comprises major development in the AONB, for which exceptional circumstances do not exist.

Rectifying the above issues of soundness would, in part, require the allocation of additional sites on the edge of Haywards Heath, such as the Site.





3. Accessibility

The Site is located on the edge of Haywards Heath, one of the most sustainable settlements in the District.

To the north of the Site is the area known as Northlands Wood which contains a number of amenities such as supermarket, pharmacy and playing fields. Situated in the same area is Northlands Wood Primary School, located within 700m, or less than a 10-minute walk from the Site, accessed via Public Footpath 29CU.

The Northlands Wood GP Practice is located within 700m of the Site and the Princess Royal Hospital is located 1km away. Accordingly, it is clear that a ranges of services and facilities are within a reasonable walking distance of the Site (1km).

Haywards Heath Town Centre is 1.8km to the west of the Site and offers an extensive range of shops, restaurants and leisure facilities. A range of employment opportunities also exist here. Haywards Heath railway station provides direct services to Gatwick Airport, London Victoria, Burgess Hill and Brighton and is located a little over 3km from the Site. It is therefore clear that an extensive range of further services and facilities are within a reasonable cycling distance of the Site (5km)

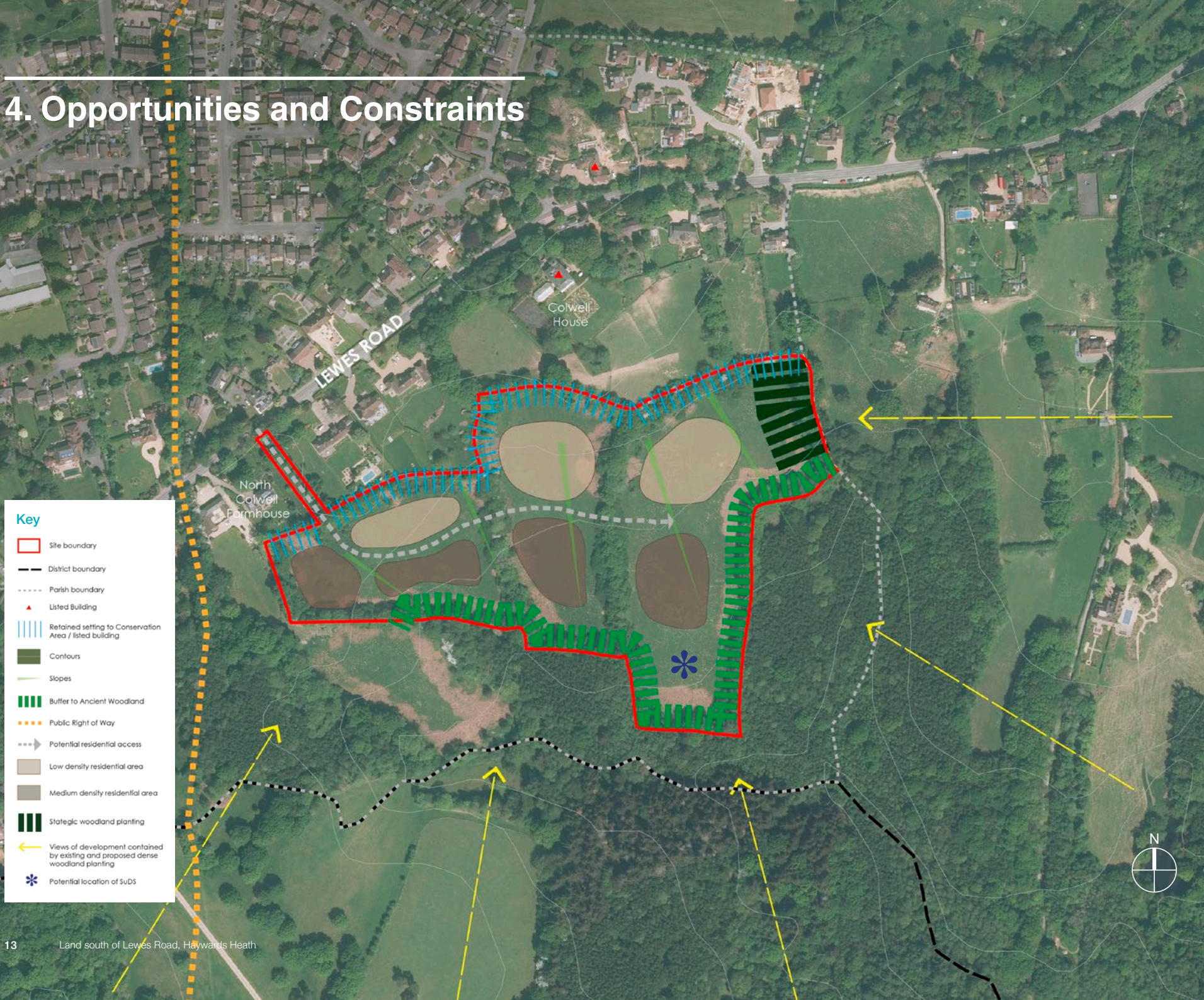
Bus service 31 (Uckfield – Newick – North Chailey – Haywards Heath Cuckfield) operates hourly (Monday to Saturday) and stops on Northlands Avenue. In addition, two school buses (Services 62 (Warden Park School) and STP3 (St Paul's Catholic College)) stop on Northlands Avenue. Bus route 31 runs along Lewes Road and therefore there is the opportunity to explore an additional stop in this location.

Overall, the Site has good levels of accessibility and there are appropriate opportunities to promote sustainable transport modes.

Key

- Land at North Colwell Farm
- Builtup Areas
- Railway Stations
- Bus Stops (within 1.5km)
- Primary Schools
- Secondary Schools
- Doctors Surgeries
- Hospitals
- Dental Surgeries
- Food Shop / Post Office
- Playgrounds
- Woodland
- PROW / Permissive Paths
- Designated Major Employment Sites
- Haywards Heath Town Centre

4. Opportunities and Constraints



This section of the Vision Document considers the key opportunities and constraints that relate to the Site, which are summarised in the plan opposite.

Landscape and Visual

The Site contains few of the key characteristics of the High Weald Fringe and is not a designated landscape. It is therefore not a valued landscape as identified by paragraph 170 of the NPPF. The Site is ordinary, with a value that is medium at best.

The hedgerow lining the southern side of Lewes Road, on the northern edge of the Site, could be moved or replaced to facilitate access to the Site, allowing for the growth of the hedgerow, without affecting the visibility splay. Whilst trees would be removed to allow access to the Site, these could be replaced with new native planting along the access or within the Site.

The Site forms a very small part of the local gap between Haywards Heath and Scaynes Hill and is not visually linked to the latter. Indeed, there is no intervisibility between the Site and Scaynes Hill. Therefore, development would not result in physical or visual coalescence with Scaynes Hill.

Areas of greenspace could be provided throughout the Site, protecting the rural setting of the Conservation Area.

The Local Gap

Policy E5 of the HHNP states that new development outside the built up area will only be permitted if it:

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

As the landscape value of the Site is medium at best, and as most of the key landscape features within the Site could be retained through the sensitive development of the Site, the Site coming forward for residential development would not unduly erode the landscape character of the area.

The development of the Site would not harm the visual setting of the town, as views into the Site are confined to the small finger of green infrastructure adjacent to Lewes Road. Views towards the rest of the Site from Lewis Road are truncated by intervening built form and vegetation.

Furthermore, it has already been established that development would not result in physical or visual coalescence of communities.

In light of the above, allocating the Site for housing would not conflict with the HHNP.



Schwegler Flat Bat Box



DIY Hedgehog Highways



Woodstone Seville Nest Box



Schwegler Bat Box

Ecology

Vegetative corridors could be retained and protected by sufficient buffers, supporting ecological connectivity. Although small breaks within the linear vegetative features may be required to facilitate access, these can be kept to a minimum.

Similarly, the ancient woodland could be protected via an appropriate buffer.

The landscaping should be dominated by native species planting including native trees, shrubs and scrub and pollen rich attractive floral species. Wildflower areas should be incorporated where possible, for example around the SUDS to the south of the Site. This will provide continued foraging resources by encouraging invertebrates.

Heritage

The Site, other than a tiny part serving as the vehicular access, is not located within any conservation area and there are no listed building on site.

The Lewes Road Conservation Area to the immediate north of the Site could be carefully considered with the proposed development preserving the overall character of the conservation area and the setting of the non-designated Loyth House.

The transitional rural character of the Conservation Area could also be protected by ensuring that the Proposed Development includes an adequate set back from the northern boundary of the Site, and careful control of the building heights within the Site. With these measures in place the Site could be implemented while preserving the elements of rural character present in the CA.

Any development could be well screened from the grade II listed building 'Colwell House' to the north of the Site and would therefore not affect its setting.

The development of the Site could be delivered without resulting in any unacceptable effects to the historic environment, and in accordance with policies DP34 and DP35 of the MSDLP and section 16 of the NPPF.

A comprehensive analysis of potential impacts upon heritage assets can be found in the Historic Environment Desk-Based Assessment submitted alongside this Vision document.



5. Concept Masterplan

Our Vision for the Site, is to deliver a locally responsive and landscape-led extension to Haywards Heath comprising approximately 100 dwellings.

The Proposed Development will be two storey and include a mix of housing ranging from 2 bedroom properties to serve first time buyers and those looking to downsize, to larger 3 and 4 bedroom homes providing much needed family housing. 30% of all housing will be affordable in accordance with adopted policy.

The scheme would be broken into three logical parcels reflecting existing field patterns retaining their boundaries where possible.

A landscape buffer is incorporated to the north to preserve the setting of the Lewes Road Conservation Area. At least a 20m buffer is provided to the ancient woodland to the south of the Site and the far southern area would be free of built development and act as a SuDs feature. This also helps to reinforce the transition of the settlement edge to countryside.

A naturalised children’s play area would be provided within the centre of the Site to maximise accessibility and natural surveillance.

The scheme will incorporate ecological enhancements throughout to achieve a net biodiversity gain.

Bat roost features will be integrated within the fabric of the new builds and a variety of bird boxes, to attract an array of species, will be erected across the Site. Hedgehog access will be implemented across the Site through newly created gardens and the periphery will continue to provide commuter routes for larger mammals.

The lighting strategy will be designed with nocturnal species in mind following best practice guidelines. For example, no light spill will reach boundary vegetation and dark corridors will be maintained across the Site.

Vehicular access would be sensitively delivered through an existing significant gap between existing properties fronting Lewes Road, ensuring suitable visibility splays can be provided. A simple priority junction access is proposed which would be wide enough to allow two large vehicles to comfortably pass each other and a footway would also be provided.

The priority junction would be in keeping with the other access roads leading off this section of Lewes Road and will have ample capacity to accommodate the traffic generated by approximately 100 dwellings.

Footway provision is proposed alongside the access road and there would be a dropped kerb crossing of Lewes Road to allow pedestrians to access the north side footway, which leads to PROW ref. 29CU.

This provides the most direct access to a number of services and facilities, including Northlands Wood Primary Academy which would only be 500m away from the entrance to the Site. The southern section of the PROW does however appear overgrown and therefore is it proposed that general enhancements would be offered such as widening, resurfacing and lighting, as required, to ensure it represents a safe and attractive option.

Key components of the masterplan are summarised on the right.

Masterplan components

- 1

Proposed new vehicular access from Lewes Road with hedgerow replaced if required, to allow for visibility splays.
- 2

Additional planting to protect amenity of existing housing and the setting of the Conservation Area
- 3

Landscape buffer to protect the setting of the Conservation Area and North Colwell House (Grade II)
- 4

Additional planting to contain extent of built up area and parish boundary
- 5

20m minimum buffer to ancient woodland to the south of the site
- 6

Open sustainable drainage feature
- 7

Existing field boundaries retained to provide ecological links
- 8

Low density housing adjacent to the Conservation Area and in the more elevated parts of the site
- 9

Medium density housing in the lower parts of the site
- 10

Additional landscape planting within the site to enhance the landscape character
- 11

Area of low density development to maintain the setting of the Conservation Area with additional planting to maintain views from Lewes Road.
- 12

Potential location for Childrens Play Area , if required.



Key Benefits

Overall, the proposals would deliver the following key benefits:

- provision of much needed market and affordable homes;
- provision of on-site open space and children's play area that would provide a valuable resource for the community;
- enhancements to PROW ref. 29CU, which would benefit both the new and existing community;
- financial contributions to improve local facilities including education and health improvements (as required);
- additional population expenditure that will help sustain and enhance existing services and facilities;
- a positive ecological impact through protection of important features and creation of new and more diverse habitats;
- additional planting to protect amenity of existing housing and the setting of the Conservation Area; and
- high quality low density and locally responsive design which incorporates a landscape buffer to preserve the setting of the Lewes Road Conservation Area and retain a transition to the open countryside

Delivery

The Site, being controlled by a housebuilder, is available for development now. It offers a suitable location for development now and does not suffer from any constraints that would prevent its delivery. It is therefore demonstrable that a realistic

prospect exists that housing could be delivered on the Site within five years, indeed it could be delivered in full within three years. Accordingly, the Site would meet the definition of 'deliverable' as set out in the NPPF.



7. Summary

The Site is in a sustainable location, situated on the edge of Haywards Heath – a Category 1 settlement.

It could accommodate approximately 100 much needed market and affordable dwellings through a range of housing types, sizes and tenures. Furthermore, the contained nature of the Site, in combination with the high quality and locally responsive nature of the scheme, ensures that this can be achieved without harm to heritage assets and wider landscape character.

The Site is in the control of a housebuilder, available for residential development now and accordingly could be delivered in full within three years. It would therefore meet the definition of deliverable, as set out in national policy.



Land south of
Lewes Road, Haywards Heath

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 708

Response Ref: Reg19/708/3

Respondent: Mrs P Canning

Organisation: Kember Loudon Williams

On Behalf Of: Mayfield Market Towns

Category: Developer

Appear at Examination? ✓

Name	Polly Canning
Organisation	Kember Loudon Williams
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Name or Organisation	KLW on behalf of Mayfield Market Towns Limited
Which document are you commenting on?	Site Allocations DPD
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>We object to the way in which the draft Plan has been prepared finding that housing allocations have not been chosen on the basis of a robust assessment process. It is demonstrably clear that reasonable alternatives to the spatial strategy have not been considered and that the Plan is inconsistent with the NPPF. Specific and particular concerns are raised in regard to the Council's methodology and assessment of identifying sites for housing development/growth in the designated Areas of Outstanding Natural Beauty (AONB) when other suitable and sustainable sites are available outside of the AONB. For further details please refer to the supporting statement accompanying this submission.</p>

<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>The following section from the supporting statement sets out the necessary changes that are required in order to make sure the Plan is sound:</p> <ul style="list-style-type: none"> -In order to ensure that the Plan is consistent with national policy and provides the most appropriate strategy when considered against reasonable alternatives, settlements outside of the AONB (such as Sayers Common) should be examined further to explore whether they are able to accommodate further growth. -In order to ensure that the Plan is justified and has been based on proportionate evidence, the site selection process should be re-examined. It is important that there is only one landscape category in the assessment process regardless of whether a site is located in the AONB or not to ensure that all sites are assessed on a level playing field. -In order to ensure that the Plan has been based on proportionate evidence and provides the most appropriate strategy when considered against reasonable alternatives, Site 857 Land West of Meadow View, Sayers Common should be carried through to the Stage 4 testing and be considered as a site suitable for housing. -In order to ensure that the Plan has been positively prepared and based on effective working it is important that any work that has been undertaken in combination with the AONB Unit is publicly available. If, as we suspect, the involvement with the AONB unit was limited then the whole site selection process should be re-appraised to ensure that the process is 'landscaped led'. -In order to ensure that the Plan is consistent with national policy the qualification of major development in the AONB should be reassessed and that Site SA 25 Land West of Selsfield Road, Ardingly in particular should be revaluated.
<p>If you wish to provide further documentation to support your response, you can upload it here</p>	<p>https://forms.midsussex.gov.uk/upload_dld.php?fileid=bf0df311359dbc2fb4e7d285d822e70b</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>Yes, I wish to participate at the oral examination</p>
<p>If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary</p>	<p>In order to make sure the Plan is found sound.</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>28/09/2020</p>

Representations Setting Out Why the Site Allocations DPD is Unsound

In relation to Mid Sussex District Council's Consultation Draft Site Allocations Development Plan Document (Regulation 19).

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APPENDICES

- 1 Site Proforma Site 832 Land West of Selsfield Road in Ardingly
- 2 Site Proforma Site 857 Land West of Meadow View Sayers Common
- 3 High Weald AONB Regulation 18 Consultation Response
- 4 Landscape Visual Appraisal
- 5 Accessibility Plan

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Our Reference: klw/18/123



1 Introduction

- 1.1 This Statement has been prepared by Kember Loudon Williams, on behalf of Mayfields Market Towns Limited (MRTL), in relation to Mid Sussex District Council's Site Allocations Development Plan Document (hereinafter referred to as 'the Plan') Regulation 19 Submission Draft: dated July 2020.
- 1.2 This Statement sets out our concerns regarding the DPD's ability to meet the required National Planning Policy Framework (hereinafter referred to as the NPPF) tests of soundness. Overall, this submission objects to the way in which the draft Plan has been prepared finding that the housing allocations have not been chosen on the basis of a robust assessment process. It is demonstrably clear that reasonable alternatives to the spatial strategy have not been considered and finds that the Plan is inconsistent with the NPPF. Specific and particular concerns are raised in regard to the Council's methodology and assessment of identifying sites for housing development/growth in the designated Areas of Outstanding Natural Beauty (AONB) when other suitable and sustainable sites are available outside of the AONB.
- 1.3 This Statement identifies areas where it is considered that the Plan fails the tests of soundness and concludes with recommendations to make the Plan sound. This includes a request to release Site Number 857 – Land West of Meadow View, Sayers Common for housing and to review the size of the development associated with Site Allocation 25, Land West of Selsfield Road, Ardingly.



2 Test of Soundness

2.1 The NPPF states at Paragraph 35 that Plans should be examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are 'sound' if they are:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national policy.

2.2 Kember Loudon Williams previously submitted representations on the Site Allocations DPD Regulation 18 which set out that the Plan failed the test of soundness on two counts:

- **Not being consistent with national policy**: because of the excessive amount of growth and development that was planned to take place in the AONB contrary to the Government's stated ambitions to conserve and enhance the most valuable landscapes; and .
- **Not being justified**: because there are credible alternative and available sites that are not constrained by any landscape designations which offer sustainable advantage. The spatial strategy relating to the distribution of development across the District was therefore considered to be fundamentally flawed.

2.3 It remains our assertion that the latest Regulation 19 version of the Plan fails the test of soundness on these two grounds. The following Section of this Statement provides further details and evidence to support this claim. In addition, we are of the view that the Regulation 19 document fails the third test of soundness on the count of:

- **Not being an effective Plan** – based on a lack of evident and effective joint working with the High Weald AONB Unit.

1) Inconsistent with National Policy

2.4 Paragraph 35 (d) of the NPPF explains that Plans are sound if they are: "*consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework*".



- 2.5 The NPPF contains the presumption in favour of “sustainable development” as set out in Paragraph 11. This means that, in plan-making, strategic policies should, as a minimum, provide for objectively assessed needs for housing.....unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution in the plan area. For obvious reasons, landscapes designated for their outstanding natural beauty (AONBs) are one such restricting policy, as set out in footnote 6.
- 2.6 Paragraph 170 of the NPPF explains that planning policies should protect and enhance valued landscapes in a manner commensurate with their statutory status. The following paragraph (171) requires the need for Local Planning Authorities to differentiate between land of the highest environmental quality and that of lesser quality, and to allocate development and growth to the least sensitive areas/landscape.
- 2.7 The most relevant policy in the NPPF for AONBs is paragraph 172. The first part of which states:
*“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 the National Parks and the Broad. **The scale and extent within these designated areas should be limited**”.*
- 2.8 The second part to paragraph 172 sets out the corresponding presumption against major development in AONBs other than in exceptional circumstances, and where it can be demonstrated that the development is in the national interest.
- 2.9 Planning Practice Guidance, revised July 2019, states:
“The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty”.
- 2.10 However, taken as a whole, it is considered that the number of sites in the AONB that have been allocated for development in the Council’s emerging Plan is excessive. In total it is proposed to allocate six housing sites in the AONB and two employment sites, resulting in a cumulative total of 188 units and 3.6 hectares of developable land for employment purposes.



Table 1: Proposed Site Allocation in the AONB

Policy	Site	Settlement	Yield	Developable Area
SA7	Cedars, Brighton Road	Pease Pottage		2.3 ha
SA8	Pease Pottage Nurseries	Pease Pottage		1 ha
SA25	Land west of Selsfield Road	Ardingly	70	5.17 ha
SA26	Land south of Hammerwood Road	Ashurst Wood	12	1.71 ha
SA27	Land at St. Martin Close	Handcross	35	1.9
SA28	Land south of the Old Police House	Horsted Keynes	25	1.23
SA29	Land south of St Stephens Church	Horsted Keynes	30	1.13
SA32	Withypitss Farm	Turners Hill	16	2.01
Total			188 Units	16.45 hectares

- 2.11 Both the strategy and the quantum of growth in the AONB are considered excessive and unacceptable. There is a failure to recognise the importance and national intent of protecting the most sensitive landscapes. Moreover, sequentially, there are other deliverable sites within Category 3 settlements that are suitable for development that are not constrained by the AONB designation. Site 857 Land West of Meadow View, Sayers Common is a credible and sequentially preferable alternative site for instance and further details about this site are provided in Section 4 of this Statement.
- 2.12 The Plan clearly fails to follow a process of directing growth to the least constrained and least sensitive landscapes in the first instance and thereafter avoiding/limiting development within the AONB. As such the Plan it is not consistent with national policy and specifically fails in accordance with the core planning principles set out at Paragraph 11, 171 and 172 of the NPPF.



2) Not Being Justified

2.13 Paragraph 35 (b) of the NPPF explains that plans are sound if they are “*Justified – an appropriate strategy, taking into account the reasonable alternatives and based on proportionate evidence*”.

2.14 As set out above, the appropriate strategy for allocating sites in the DPD should have been investigating the development potential for sites outside the AONB (or in any other protected landscape) in the first instance. Instead, it is clear that the Council has adopted an approach based on distributing allocations according to the District Plan strategy, with little regard to the overall impact this will have on protected landscapes.

2.15 The following specific concerns are raised and then explored in further detail below:

1. The site selection process is biased with the traffic light scoring system favouring sites in the AONB;
2. Reasonable alternatives to the spatial strategy have not been considered (i.e sites outside the AONB in the first instance); and
3. Lack of ‘landscape led’ planning at the start of the site selection process.

1. Bias in the Site Selection Process

2.16 Site Selection Paper 3: Housing Sites (February 2020) explains that part of the selection process involved Officers grading the potential impact of a site against 17 assessment criteria using a five tier ‘traffic light’ system, as set out below.

	Very Positive Impact
	Positive Impact
	Neutral Impact
	Negative Impact
	Very Negative Impact

2.17 A proforma was prepared for each site with a score given against each criteria and a reasonable justification for each score. Overall, 159 sites were tested at this stage, of which 108 sites were excluded and 51 were taken forward to be assessed in more detail as a “Reasonable Alternative” within the Sustainability Appraisal.



- 2.18 However, there is an obvious flaw with the scoring system which has led to favouring sites in the AONB, helping these sites to progress to the next stage above other sites not constrained by any landscape constraints. This stems from the fact that out of the 17 assessment criteria there are two landscape assessments – ones for sites located in the AONB (Planning Constraint 1) and one for sites not located in the AONB (Planning Constraint 8). This means that sites in the AONB are judged and given an overall weighted score based on a different set of criteria to those sites outside of the AONB.
- 2.19 The best way to explain this is by looking at two individual site proforma assessment sheets for Site 857 Land West of Meadow View, Sayers Common and Site 832 Land West of Selsfield Road in Ardingly. For ease of reference, the site assessment proformas are attached at Appendix 1 (Site 832) and Appendix 2 (Site 857).
- 2.20 In both instances, the landscape score given was found to be Negative. Site 832 reported the potential impact on the AONB to be Negative. Yet a similar Negative assessment was given to Site 857 despite the site not being in an AONB and not exhibiting any particular special or valued characteristics.
- 2.21 As a result of the flawed assessment process Site 857 Land West of Meadow View was dismissed and removed from the site selection process specifically because of concerns about its impact on the landscape. The detailed explanation as to why Site 857 was not taken forward is set out in Appendix A of the Council's Site Selection Paper 3 (February 2020). It states:
- "Development of this site has the potential to have an impact on the landscape. There are long distance views from the site to the south, and no strong defensible boundary or substantial screening to the south".*
- 2.22 It is fundamentally wrong that Site 857 in Sayers Common was dismissed at the early stage of the site selection process on landscape grounds whilst Site 832 in the AONB was taken through to the detailed testing stage. In view of the Council's conclusions about Site 857 in Sayers common, a full Landscape and Visual Appraisal was undertaken by Barton Willmore, which found that the Council's assessment of the impact on the landscape had been exaggerated and could be overcome. This specific issue is looked at in more detail in Section 4 of the Statement.
- 2.23 Something has clearly gone wrong with the assessment process. The starting point for any site in the AONB should have been that Site 832 in the AONB would have a Very Negative Impact on the landscape and the sites without AONB designation should naturally be favoured in the first instance. Otherwise, it makes a mockery of the designations/protectionist policies. Yet as a direct result of the "traffic light system", Site 857 was thrown out of the site selection process



specifically because of landscape concerns. This is not a justified approach and as such the Plan is considered unsound.

2. Not Considered Reasonable Alternatives

- 2.24 As identified above, The Sustainability Appraisal only considered sites that made it through the Stage 3 process. Yet, because of the identified flaws in the scoring system, a number of individual sites should have made it past Stage 3 and should have been considered as “reasonable alternative” sites. This includes Site 857 Land West of Meadow View, Sayers Common, which is examined in more detail in Section 4 of this Statement.
- 2.25 The site selection assessment process then rigidly sticks to distributing development in accordance with the spatial strategy and completely fails to consider a reasonable alternative, and correct approach of directing growth to sites outside the AONB. The Sustainability Appraisal is fixed on the spatial strategy so much so that it completely fails to consider whether it would be “better” spatially and more sustainable to direct growth to settlements (such as Sayers Common) that are unconstrained by any landscape designation.
- 2.26 It is important to remember that the District Plan spatial strategy was appraised and adopted before any individual sites were undertaken. In other words, whilst it was accepted that that the strategy was deliverable at a high level, this could not be confirmed until the Council had completed an analysis of individual sites and in combination with each other.
- 2.27 Policy DP6 was only therefore intended as a guideline and the number of dwellings planned for in each settlement was not fixed. Indeed, Paragraph 6.32 of the Sustainability Statement makes reference to this and explicitly states that “*the housing requirement were established ‘policy off’*”.
- 2.28 Yet, despite this, the site selection and assessment process has still been based firmly on a fixed approach of allocating sites specifically to meet the residual settlement numbers set in Policy DP6. As a result, a significant quantum of growth is directed to sites in the AONB, particularly in the Category 3 settlements.
- 2.29 This is not a justified approach and in our view that Plan has not been “positively prepared”. There is no acknowledgment whatsoever that the in-combination impact from allocating all of these sites for development will have a negative impact on the landscapes of the AONB.
- 2.30 A reasonable alternative approach would be to seek to maximise development outside those areas of the district constrained by an AONB designation, an approach which is understandably favoured by the Government and set out in the NPPF.



- 2.31 The Council's rigid approach of adhering to the spatial strategy (i.e. allocating sites according to the residual housing requirement in each settlement) is best exemplified in the categorisation process undertaken to take sites through to Stage 4 for detailed assessment. This is set out in Table 14 (Page 46) of the Sustainability Appraisal.

Sites That Perform Well	These sites perform well individually, and relative to other sites within the same settlement. These sites, collectively, are therefore assessed as being compliant with the District Plan strategy.
Sites That Perform Poorly	These sites don't perform well against the sustainability objectives. There are a number of negative impacts that, it is concluded, would not be outweighed by positive impacts. These sites also don't perform well relative to other sites within the same settlement – i.e. there are more sustainable sites within the same settlement that would meet the residual housing requirement before these sites are required. These sites are therefore rejected at this stage, however they may need to be considered again in the future should circumstances change (e.g. increased housing requirement within the settlement, change in strategy, or withdrawal of other sites from the process).
Marginal	These sites perform well individually (positives generally outweigh negatives); however they are not necessarily the most sustainable sites within the settlement. The residual housing requirement can be met sufficiently by 'Sites That Perform Well'

Table 14 - Housing Appraisal - Categories

- 2.32 The Marginal sites performed well individually, but some were not taken through to allocation because of concerns over exceeding the residual housing requirements for that settlement. Take for example Site 830 'Land to the west of Kings Business Centre, Reeds Lane, Sayers Common' for 100 units. This site performed well individually but because the indicative residual requirement at Sayers Common had already been reached with another site allocation the site was dismissed.
- 2.33 Surely, a more reasonable alternative approach would have been to consider whether or not Sayers Common is able to take further levels of growth because of its location in the Low Weald outside of the AONB. Furthermore, Sayers Common is considered a sustainable settlement with access to business, jobs and a local shop as explained further in Section 4 of this Statement.
- 2.35 The spatial strategy was established "policy off". Now that the policy constraints have been identified and it is clear that there is an unreasonable amount of development taking place in the AONB we question why the Council has not considered reviewing alternative sites outside of the AONB. The fact that the Council has not considered whether settlements outside of the AONB (such as Sayers Common) can accommodate more growth means that the Plan is unjustified and therefore unsound.
- 2.36 The Sustainability Appraisal should therefore be required to have an environmental objective relating to landscape constraints to ensure that development is directed to land outside the

AONB in the first instance. A sequential approach for flood risk is adopted in Objective 6 of the Sustainability Appraisal and so we see no reason why a similar sequential approach cannot be adopted for landscape considerations.

3. Lack of Landscape Led Planning

- 2.37 Decisions on allocating sites within AONBs should be ‘landscape led’. Yet, it was only after the sites were identified for housing in the first draft of the Plan (Regulation 18) that the Council asked individual landowners to prepare individual Landscape and Visual Impact Assessment for the sites.
- 2.38 The Council should have had a robust understanding of the landscape impacts including the key characteristics, history and settlement patterns of the wider landscape at the start of the site selection process, not at the end. Yet in this case, the Council have put “the cart before the horse”. As such the Plan has not been properly prepared and is unjustified. It is our assertion that in order to ensure that the Plan is found sound, Stage 3 of the site selection process needs to start again now that the Council have a better understanding of the landscape constraints affecting the site.

3) Not being Effective

- 2.39 The NPPF states that plans are sound if they are: *“effective – deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground”*.
- 2.40 There should have been early, proportionate and effective engagement with the High Weald AONB unit to inform the decision-making process, yet there is no evidence to suggest that this happened in any meaningful or constructive way. In fact, the High Weald AONB unit were very critical of the Council’s approach to site selection in their comments on the Regulation 18 version of the Plan. A copy of the Unit’s representations on the Regulation 18 document is attached at Appendix 3 for reference. The Unit states:
- “It is not clear from the SHELAA or the Site Selection Paper what evidence has been taken into account when allocating sites within the AONB”*.
- 2.41 Again, the NPPF is clear (Paragraph 26) that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. Yet there is no evidence of any joint working with the AONB Unit.
- 2.42 There are several sweeping statements in the various supporting documents about involvement with the AONB unit yet there is no evidence to back this up. For instance, the Topic Paper ‘Major



Development in the High Weald AONB' (July 2020) sets out at Paragraph 1.6 that "Sites within the High Weald AONB were assessed having high, moderate or low impact based on the advice provided by the High Weald AONB unit". Yet, there is no record of this advice.

- 2.43 In fact, as evidence from the Regulation 18 consultation response from the AONB unit (attached Appendix 3) it is suggested that there has been absolutely no cross-party involvement at all. Similarly, in the Council's Duty to Cooperate Statement (August 2020) the Council have a vague statement about the process of engagement with the AONB unit stating:

"Whilst not a statutory body the officers have worked closely with the AONB unit during the site selection process and the methodology for the assessment of major development in the AONB, alongside Natural England. A 'position statement' is being sought with the AONB unit to set out the liaison that has taken place".

- 2.44 Given the current pressures on the economy and the prevailing uncertainty, it is not acceptable to defer the publication of this document to a later date. In order to provide transparency in the system this should have already been prepared and been made publicly available at this stage in the plan making process. In view of this, it is our assertion therefore that the plan is ineffective and does not pass this test of soundness .



3 Major Development in the AONB

- 3.1 The following Section of this Statement undertakes a review of Site SA25 Land West of Selsfield Road, Ardingly relative to the qualification of major development in the AONB in the context of paragraph 172 and footnote 55 of the NPPF.

Background

- 3.2 At the Regulation 18 consultation, Site Allocation SA25: Land west of Selesfield Road, Ardingly was set for 100 dwellings.
- 3.3 Following feedback from Natural England and the High Weald AONB a decision was then taken by the Council to undertake an assessment to determine whether Site Allocation SA25 along with all the other allocations in the AONB could be defined as 'Major'. The Assessment was published in the "Major Development in the High Weald AONB Topic Paper" (July 2020). The assessment deduced that a 100 unit scheme in Ardingly would constitute major development but, interestingly concluded that 70 units would not.
- 3.4 It is our suggestion that the Council has wrongly judged this site.

Definition of Major Development

- 3.5 Footnote 55 to para. 172 of the NPPF says 'major development' is "*a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.*" As such, it is:
- A matter of judgement for the decision maker;
 - Must have regard to "nature, scale and setting".
 - Must consider "whether it could have a significant adverse impact on the purposes for which the area has been designated or defined".
- 3.6 The policy requires the exercise of planning judgement, but this judgement needs to remember that:



“The ordinary sense of the word ‘major’ is important and the decision maker should take a common sense view as to whether the proposed development could be considered major development. (Paragraph 2.4 of the Major Development in the AONB Topic Paper summarising the legal advice from the Maurici Opinions).

- 3.7 It is acknowledged that there is no threshold of when a scale of development in an AONB may be regarded as major. However, for research purposes, Kember Loudon Williams have undertaken our own assessment of appeal decisions dealing with this issue. The pattern that emerges is that applications for 30 houses or less have not been seen as major development with applications more housing than this seen as “major”. There are exceptions to this rule of thumb, but we have not identified any decisions comparable to the size of the proposed development at Ardingly where an Inspector has found it not to be seen as major.

Site SA25: Land West of Selsfield Road, Ardingly

- 3.8 As explained above, land west of Selsfield Road in Ardingly has a draft allocation for 70 units. In our view, taking into the account the amount of development, comparative to the size of the existing settlement of Ardingly, it is common sense to determine that the scheme is major. By the Council’s own admissions, Ardingly is a relatively small settlement. It is classed as a Category 3 Settlement in the Council’s Settlement Hierarchy and the updated residual housing requirement for the settlement is for only 16 dwelling. Yet, the village which is located in an AONB is faced with an allocation for 70 new dwellings.
- 3.9 The Topic Paper helpfully undertakes an assessment of the proposed allocation in relation to the existing settlement and finds that:
- The land take up represents an increase of 18% in the built-up area of Ardingly; and
 - The site allocation represents an increase of 15% in the number of dwellings in the Village.
- 3.10 Clearly, the scale of this development is considered proportionally significant for the size of the existing village.
- 3.11 Overall, it is considered that the development would have an unacceptable negative impact on the scenic character of the area and result in an intrusion to the landscape that would cause unacceptable harm to the landscape and scenic beauty of the AONB.
- 3.12 It follows that the proposed site allocation is ‘major development’ for the purposes of paragraph 172 of the Framework.
- 3.13 On a separate note, it is incredibly frustrating to see that the Council are supporting the promotion of this site even when there is no requirement for this number of units in the Village.



The Council have dismissed countless other sites because they are not in accordance with the spatial strategy, yet this site, which because of its location in the AONB should be afforded the greatest protection, is still being proposed for development. In our view, this is unjustified and, as such, the Policy is considered to be found unsound.

- 3.14 In order for the plan to be found sound, Site SA:25 Land West of Selsfield Road, Ardingly should be significantly reduced in size and other replacement sites in sustainable settlements outside of the AONB such as Site Number 857 should come forward. This site is examined in further detail in the following Section.



4 Sayers Common and Site 857

- 4.1 Kember Loudon William previously submitted representations on the Site Allocations DPD Regulation 18 which set out that that Sayers Common is one of the only villages in the District that lies outside of the AONB and suggested that growth should be directed to this village. It specifically identified Site 857 Land West of Meadow View at Sayers Common as a site suitable of accommodation growth and set out a credible set of planning arguments supporting the inclusion of the site into the emerging Plan. Our representations also identified errors and inaccuracies with the site selection process, and specifically provided a detailed Landscape and Visual Appraisal for the Council to use as an evidence base to reassess the site.
- 4.2 Disappointingly, however, the site has not been included in the latest Regulation 19 version of the Plan. Nor has it been reassessed or revaluated. It remains as a site that never made it past the Stage 3 site selection process.
- 4.3 It is our view that the site has been unfairly disadvantaged. A number of errors with the site selection process (as set out in Section 2 of this Statement) has led to ill-considered and incorrect conclusions being drawn on the planning merits of this site. The site should have made it through to the Stage 4 evidence testing stage and it should have been considered as a reasonable alternative to avoid large amounts of growth taking place elsewhere in the AONB.
- 4.4 This Section begins by setting out the physical and sustainable credentials of Sayers Common to demonstrate why this settlement is considered entirely suitable to accommodate further growth. It then highlights specific concerns over the way in which Site Number 857 has been assessed as part of the site selection process.

Sayers Common

- 4.5 The settlement of Sayers Common lies within the landscape of the Hickstead Low Weald. Significantly, within the context of its promotion of new housing, the land does not lie within the more valuable and highly protected landscapes of the High Weald Area of Outstanding Natural Beauty (AONB) or the South Downs National Park. The High Weald AONB is located approximately 3.5kms to the north of the site and the South Downs National Park lies approximately 3kms to the south of the site.



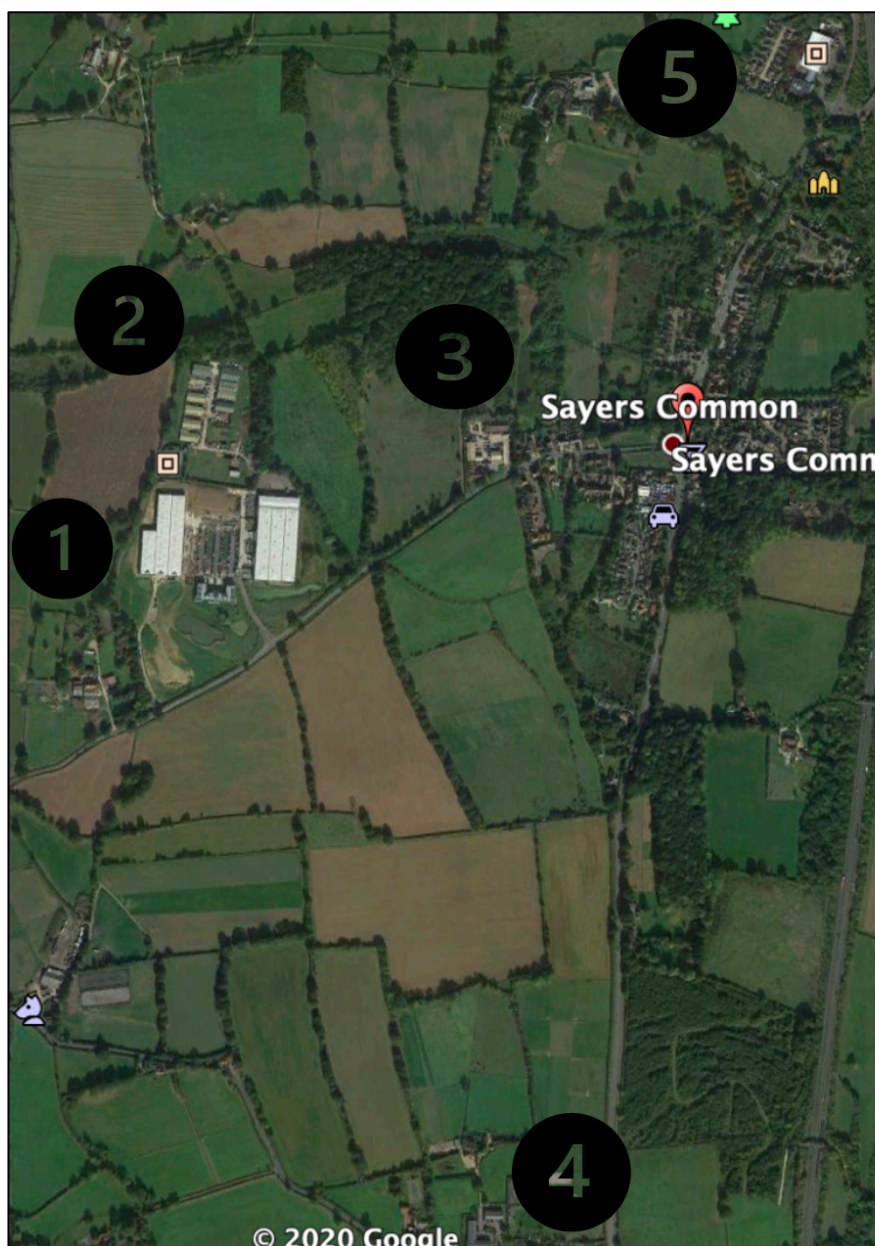
- 4.6 The settlement comprises 300-400 dwellings with a population of 800 – 900 residents. Facilities include a church, parish hall and a community-run shop (open every day). The village has also benefited from a pub, the Duke of York, recently being re-opened (December 2019) after having been boarded up for a number of years. Sayers Common does not have a school but there are schools at Albourne (2km) and Hurstpierpoint (within a 5k radius) which can be reached by means other than the car (foot, bike or public transport).
- 4.7 Sayers Common is well served and integrated with existing public transport infrastructure. Two bus routes run from the B2118. Bus Route 100 provides a local service to Hurstpierpoint, whilst Route 273 provides services to Crawley and Brighton. An additional school bus (331) providing direct access to Hurstpierpoint is provided during term times. These bus routes are demonstrated on the Accessibility Plan provided at **Appendix 5**.
- 4.8 Sayers Common also benefits from being located next to a number of large business parks and places of employment. The largest of which being Avetrade Global Headquarters (image below) which specialises in the sale and lease of aircraft components and is estimated to have between 200 – 250 staff.



- 4.9 Other large business parks in the immediate area include: Valley Farm Business Park, Reeds Lane, BN6 9JQ (estimated to have in the region of up to 45 personnel); Kings Business Centre, Reed Lane, BN6 9LS (estimated to have between 63 and 142 personnel); and Albourne Court, Henfield Road, BN6 9FF (estimated to have in the region of between 155 to 346 personnel). The Friday Media Group Head Office is also located to the north of Sayers Common on London Road. All of these employment locations are shown on the map below.

Key

- 1: Avetrade Global Headquarters
- 2: Valley Farm Business Park
- 3: Kings Business Centre
- 4: Albourne Court
- 5: Friday Media Group



- 4.10 The employment centres shown above are all within a 20-minute walking distance of Sayers Common. The settlement is therefore clearly very well related to the provision of employment services and facilities.
- 4.11 Overall, Sayers Common is a sustainable settlement. It has enough service provision to meet the day to day needs of the local residents. It is accessible and well related to the provision of public transport and provides access to a large number of local employment opportunities. Given that Sayers Common is not constrained by any overriding environmental landscape designations it is therefore considered ideally suited to accommodate more growth. It seems

logical to build more houses at this location to keep in line with the employment opportunities that are available as this would enable more people to walk to work, rather than the traveling by the private car.

- 4.12 It is frustrating that the DPD fails to recognise the suitability of Sayers Common to accommodate more housing and instead supports growth in the AONB. It is our assertion that this would not have happened if a sequential site selection process based on landscape constraints was assessed as a ‘reasonable alternative’ in the Sustainability Appraisal.
- 4.13 The role of a Sustainability Appraisal is to demonstrate that the Plan being prepared is the most sustainable given all realistic alternatives. This section has demonstrated that accommodating more growth in Sayers Common is considered entirely realistic. It should therefore be explored as a reasonable alternative in order to ensure that the Plan is found to be sound.

Site 857: Land West of Meadow View, Sayers Common

- 4.14 Site Selection Paper 3: Housing Sites (February 2020) reveals that Site 857 Land West of Meadow View at Sayers Common was not taken forward because of concerns about the impact any development on this site would have on the landscape. It specifically states that:

“Development of this site has the potential to have an impact on the landscape. There are long distance views from the site to the south, and no strong defensible boundary or substantial screening to the south”.

- 4.15 This contradicts the findings from the Landscape and Visual Appraisal (LVA) prepared by Barton Willmore and submitted as evidence as part of our Regulation 18 representations. A copy of the LVA is attached for reference at Appendix 4. In summary, it finds that:
- The site does not exhibit any particular special or valued characteristics;
 - incursion into the countryside would be very limited,
 - any potential development of the site would be screened by the combination of a mix or mature trees and vegetation and undulating topography,
 - that the site is not conspicuous in any long-distance view from the South Downs National Park or High Weald AONB; and that
 - potential landscape and visual effects arising from residential development of the site would be limited to the immediate locality of the site, with no significant effect on the wider landscape and visual context.

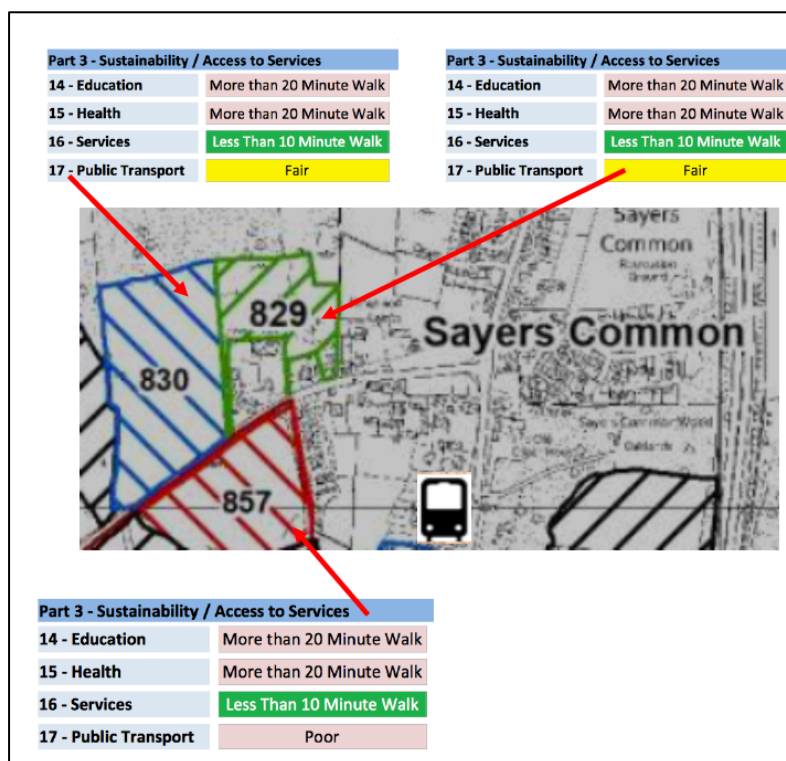
- 4.16 The LVA concludes at Paragraph 6.22 by stating that:



“...considering the highly constrained nature of much of the District of the Mid Sussex, in landscape terms, the site is one of the more suitable sites in Mid Sussex to accommodate residential development, such that it can be considered to have capacity for a small urban extension, being closely related and having regard for, the setting and form of existing settlement; existing features and sensitivities; and the character and sensitivity of adjacent landscape character areas”.

- 4.17 It remains our assertion that the landscape impacts assessment relating to Site 857 Land West of Meadow View, Sayers Common has been over exaggerated. In order to ensure that the Plan is justified and fair, it is crucial that the Council reassess the site based on the detailed and up-to-date landscape information that we have submitted.
- 4.18 Other than the impact on landscape, the only other concern that the Council have with regards to Site 857 Land West of Sayers Common is its location in terms of access to education, health and public transport (Criteria 14, 15 and 17). The individual site assessment proforma sheet (which is attached at Appendix 2) gives a low score to all three of these categories. Yet, the two sites immediately adjacent to the subject site (Site 829 and 830) have, for some reason, scored better when it comes to proximity to public transport and have ultimately fared much better overall in the whole site selection process.
- 4.19 As part of the previous Regulation 18 submission we highlighted this inconsistency. We also provided an Accessibility Plan showing where the bus stops and the footpaths are within the immediate vicinity of the site. The Accessibility Plan (reattached at Appendix 5) demonstrates that the subject site is within a 5-minute walking distance of a bus stop. We specifically made a written request to the Council to update the site proforma so that it more accurately assessed the site in terms of provision to public transport as “fair” as opposed to “poor”. Yet, despite this request, the subject site still scores poorly on the individual site proforma and it is rated worse than the other two adjacent and competing sites. This error must be addressed to ensure that a fair and non-prejudicial site selection process takes place.
- 4.20 The inconsistency in the scoring system is demonstrated in the image below showing the score given in Part 3 of the Site Selection Pro Forms to the subject site compared to Site 829: Land to the north Lyndon, Reeds Lane, Sayers Common and Site 830: Land to the west of Kings Business Centre, Reeds Lane, Sayers Common.





Other Competing Sites in Sayers Common

- 4.21 A total of thirteen sites in Sayers Common were put forward as part of the Strategic Housing Employment Land Availability Assessment (SHELAA) exercise. Only one site has successfully managed to secure an allocation in the draft Plan - Site 829 Land to the north Lyndon, Reeds Lane, Sayers Common (hatched in green above) for up to 35 dwellings (Site Allocation SA30).
- 4.22 For the reasons explained above, it is considered that Sayers Common has the capacity to accommodate much larger levels of growth than simply 35 units.
- 4.23 Site Selection Paper 3: Housing Sites (February 2020) gives an explanation as to why Site 829 was taken through as a site allocation and why the other twelve sites in Sayers Common were not. Interesting, the Paper also shows that Site 830 Land to the west of Kings Business Centre, Reeds Lane (hatched in blue above) is found to have performed well individually but that it was only dismissed because the indicative residual requirement at Sayers Common had already been reached SA 30 (Site 829).
- 4.24 Again, concerns about exceeding residual housing numbers appear to have taken precedent above everything else. This is considered unjustified and unsound (as explained in more detail

of Section 3 of this Statement) and the Council should be looking for more sites in Sayers Common in particular.

- 4.23 It seems particularly unjust that Sites 829 and 830 have done so well in the site selection process and yet the subject site was dismissed at the very early stages of the process, never fully assessed and never considered as a reasonable alternative site. The subject site has clearly been disadvantaged. In order to ensure a robust and fair assessment process is carried out we think it is crucial that Site 857 Land west of Meadow View, is revaluated and taken through to the Stage 4 of the assessment process for further consideration.



5 Conclusions

5.1 This report has outlined our concerns relating to the Site Allocation DPD, the Sustainability Appraisal and the site selection process more generally. In order for the Plan to be found sound we have recommended the following changes:

- In order to ensure that the Plan is consistent with national policy and provides the most appropriate strategy when considered against reasonable alternatives, settlements outside of the AONB (such as Sayers Common) should be examined further to explore whether they are able to accommodate further growth.
- In order to ensure that the Plan is justified and has been based on proportionate evidence, the site selection process should be re-examined. It is important that there is only one landscape category in the assessment process regardless of whether a site is located in the AONB or not to ensure that all sites are assessed on a level playing field.
- In order to ensure that the Plan has been based on proportionate evidence and provides the most appropriate strategy when considered against reasonable alternatives, Site 857 Land West of Meadow View, Sayers Common should be carried through to the Stage 4 testing and be considered as a site suitable for housing.
- In order to ensure that the Plan has been positively prepared and based on effective working it is important that any work that has been undertaken in combination with the AONB Unit is publicly available. If, as we suspect, the involvement with the AONB unit was limited then the whole site selection process should be re-appraised to ensure that the process is 'landscaped led'.
- In order to ensure that the Plan is consistent with national policy the qualification of major development in the AONB should be reassessed and that Site SA 25 Land West of Selsfield Road, Ardingly in particular should be revaluated.

5.2 In order to ensure that the Sustainability Appraisal is found sound we have recommended the following changes:



- Section 5 – The Sustainability Framework is flawed as there should be an environmental objective relating to landscape constraints. This would ensure that development is directed to land outside the AONB in the first instance.
- Section 6 – Accommodating more growth in settlements outside the AONB should be recognised as a ‘realistic alternative’ and assessed accordingly.
- Section 6 – Site 857 Land West of Sayers Common should have been judged to be a reasonable alternative option for the purposes of the Sustainability Appraisal and appraised against the Sustainability Framework.

5.3 It remains our assertion that Site 857, Land West of Sayers Common has been unfairly treated in the site selection process. The site should have made it through the to the Stage 4 evidence testing stage and it should have been considered as a reasonable alternative site to avoid large amounts of growth taking place elsewhere in the AONB. The site is considered entirely suitable to accommodate growth. It is located in a sustainable and accessible settlement and would represent a logical extension to the village. The landscape and visual impacts of the development of this site have been thoroughly assessed and it has been demonstrated the potential effects would be limited to the immediate locality of the site, with not significant effect on the wider landscape and visual context. The site is suitable, available and deliverable and as such it should be released for housing within the Site Allocations DPD.



APPENDIX 1

Site Selection - Housing

10 - Highways		Potential for junction impact at Selsfield Road / Vowells Lane without mitigation
11 - Local Road/Access	Minor - Improve	Safe access is not available but potential exists to easily gain access.
12 - Deliverability	Reasonable prospect developability	Site is being marketed early 2019. Outline application October 2019.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.

Part 3 - Sustainability / Access to Services

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

Part 4 - Other Considerations

Neighbourhood Plan

Site outside the built up area of the village.
Policy ARD2: Spatial Plan for the Parish directs future housing within the parish to within the built up area.
Development outside the built up area will be required to demonstrate how they conserve the AONB.

Minerals

Site is within Building Stone (Cuckfield) MSA

Waste

Development at the site may require reinforcement of the sewerage network

Environmental Health

Potential for contaminated land to be present on site related to past or present land uses within or adjacent to the site.

Sustainability Appraisal

This site performs relatively well against the SA framework. 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. As the District Plan strategy anticipates growth at Ardingly, and there are a number of positive impacts against social and economic criteria, the positive impacts from progressing this site for allocation outweigh the negative impacts.

Notes

Conflict as site is outside the built up area.

Part 5 - Conclusion

Summary The site is within the AONB and has potential for a moderate landscape impact. However, in the context of other site options at Ardingly the site has potential for minimal landscape effects given that is screened to the north by existing planting with potential to enhance further and in light of the fact it is adjacent to the existing built area of the village to the south. The SA supports this view, finding that the site represents the most sustainable option to deliver Ardingly's housing target in light of the site's positive performance in relation to the social and economic SA objectives.

Recommendation Site is proposed for allocation.

APPENDIX 2

Site Selection - Housing

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

Less Than 10 Minute Walk

17 - Public Transport

Poor

Part 4 - Other Considerations

Neighbourhood Plan

Hurstpierpoint & Sayers Common Neighbourhood Plan
Policy C1 - Countryside: Conserving and enhancing
character

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

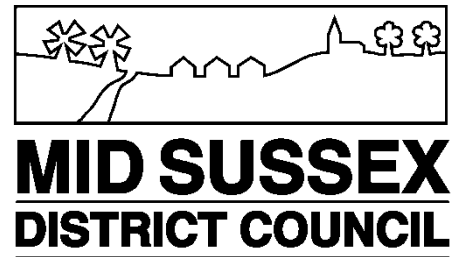
The assessment finds that the site is not suitable for allocation.

Recommendation

Site is not proposed for allocation.

APPENDIX 3

Mid Sussex District Council



Site Allocations DPD – Regulation 18

9th October – 20th November 2019

Consultation Report

did not raise objection to the site access being achieved initially via the adjacent Vicarage Field site, which is allocated in the made Turners Hill Neighbourhood Plan, nor from a northerly access from Turners Hill Lane, subject to further investigation.

Site 852 is potentially a candidate for the approach encouraged under NPPF paragraph 68 (d). The site divides naturally into 3 main component areas as indicated on the Development Principles plan at Appendix B, prepared by Allen Pyke. The southerly parcel would be accessed via the Vicarage Field development and could deliver approximately 46 dwellings. This part of the site should certainly be considered as a means of delivering against the shortfall of 51 units against the minimum residual target for Turners Hill. The larger central parcel has an indicative capacity of 62 dwellings, and the northern area 17 dwellings (a total of 125 units). Allocation of the entire area would address the shortfall in Category 3 villages.

642	Ms C Tester	Organisation:	High Weald AONB Unit	Behalf Of:		Statutory Consultee
Reference:		Reg18/642/1				

It is accepted that part of the consideration of the appropriate level of housing within an AONB will be assessing potential sites for allocation. In considering allocations, para 170 of the NPPF states that planning policies should protect and enhance valued landscapes in a manner commensurate with their statutory status. The NPPF also highlights the need for local planning authorities to differentiate between land of the highest environmental quality and that of lesser quality, and to allocate development accordingly to areas of lesser environmental value (paragraph 171).

Decisions on allocating sites within AONBs should be ‘landscape led’. This requires a robust understanding of landscape including the key characteristics, history and settlement patterns of the wider landscape. The PPG advises that “To help assess the type and scale of development that might be able to be accommodated without compromising landscape character, a Landscape Sensitivity and Capacity Assessment can be completed. To demonstrate the likely effects of a proposed development on the landscape, a Landscape and Visual Impact Assessment can be used” (Paragraph: 037 Reference ID: 8-037- 20190721). These documents need to be supplemented by studies such as historic landscape characterisation. AONB Management Plans are key documents to understanding what makes the area special and therefore what qualities need to be conserved and enhanced when deciding the location, scale and design of new development. Local planning authorities also need to consider the cumulative impact of the proposed sites and such development occurring within multiple Local Plan areas in an AONB. **It is not clear from the SHELAA or the Site Selection Paper what evidence has been taken into account when allocating sites within the AONB. In particular it does not appear that Landscape and Visual Impact assessments have been carried out to inform the allocation or the criteria set.**

In addition to the above there should be a formal consideration of whether proposed allocations constitute ‘major development’ in an AONB in the terms of NPPF paragraph 172. The second part of paragraph 172 says “Planning permission should be refused for major development⁵⁵ 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”.

Footnote 55 says: “For the purposes of paragraphs 172 and 173, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”.

Whilst this part of the paragraph specifically refers to planning permissions, it has also been considered relevant by Local Plan Inspectors to allocations within Local Plans. Legal advice provided to the South Downs National Park Authority by Landmark Chambers also concluded that “it would arguably amount to an error of law to fail to consider paragraph 116 (now 172) at the site allocations stage of plan making for the National Park. The consequence of doing so would be to risk allocating land for major development that was undeliverable because it was incapable of meeting the major development test in the NPPF”.

Recommended Action: as assessment should be carried out of each proposed allocation in the AONB to determine whether it constitutes major development. Where a proposed allocation is so considered it should not be included in the submission document unless it is shown to have exceptional circumstances, is in the public interest and complies with the three tests in paragraph 172.

APPENDIX 4

Land West of Meadow View, Sayers Common: Landscape and Visual Appraisal

Prepared on behalf of Mayfields Market Towns Ltd

November 2019

Land West of Meadow View, Sayers Common: Landscape and Visual Appraisal

Prepared on behalf of Mayfields Market Towns Ltd

Project Ref:	23510/A5/LT
Status:	Final
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- Figure 2: Topography Plan
- Figure 3: Landscape Character Plan
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- Figure 5: Visual Appraisal Plan 1
- Figure 6: Visual appraisal Plan 2
- Site Appraisal Photographs A - E
- Site Context Photographs 1 – 22

1.0 INTRODUCTION

Overview

- 1.1 Barton Willmore Landscape Planning and Design (BWLPD) was commissioned by Mayfields Market Towns Ltd to undertake a Landscape and Visual Appraisal of the Land West of Meadow View, Sayers Common, Mid-Sussex, (the 'Site'), in relation to, and in support of, its suitability for residential development in the context of the review of the Mid Sussex Local Plan (2011-2029) and the Call for Sites for the Site Allocations Development Plan Document (DPD).
- 1.2 The Site is located on the western edge of the settlement of Sayers Common, to the immediate south of Reed's Lane and adjoining existing residential development in Meadow View to the immediate east. Existing substantial office, commercial and industrial development is located to the north of Reed's Lane.
- 1.3 The objectives of this study are to:
 - Assess the landscape characteristics and quality of the Site and its surrounding and their function within the landscape;
 - Assess the visibility of the Site and the nature and quality of the existing views from the surrounding area;
 - Identify opportunities and constraints to development on the Site, from a landscape and visual perspective.
- 1.4 Supporting illustrative information is presented in the following plans and photographs:
 - Figure 1: Site Context Plan;
 - Figure 2: Topography Plan;
 - Figure 3: Landscape Character Plan;
 - Figure 4: Site Appraisal Plan;
 - Figure 5: Visual Appraisal Plan 1;
 - Figure 6: Visual Appraisal Plan 2;
 - Site Appraisal Photographs A - E; and
 - Site Context Photographs 1 – 22.
- 1.5 The Site comprises Site 857: Land West of Meadow View Sayers Common, as identified in the Mid Sussex Site Allocations Development Plan Document. All sites are assessed against 17 criteria, with Criterion 8 covering landscape and Criterion 9 covering trees/Tree Preservation Orders (TPOs).

- 1.6 With regard to Criterion 8 Landscape, the Site is graded as having a Low/Medium constraint to residential development, going on to state that *"the development of this site has the potential to have an impact on the landscape. There are long distance views from the site to the south, and no strong defensible boundary or subsequent screening to the south. Development of the site would represent an incursion into the countryside"*.
- 1.7 The landscape and visual appraisal of the Site aims to identify, contrary to the above, that the potential landscape and visual effects arising from residential development on the Site would be limited to the immediate locality of the Site, with no significant effect on the wider landscape and visual context.

2.0 METHODOLOGY

Landscape and Visual Appraisal

- 2.1 The Landscape and Visual Appraisal has been prepared with reference to the guidelines as set out in the Guidelines for Landscape and Visual Impact Assessment 3rd Edition, prepared by the Landscape Institute and the Institute of Environmental Management and Assessment.
- 2.2 A desktop review of the study area was undertaken, including a review of the published landscape character information, landform, landscape features, relevant landscape and visual policy and landscape designations. This information was used as the initial basis against which to appraise the Site. A visit to the Site and surroundings was subsequently undertaken in November 2019 to verify the desk-based review findings and add further information to the landscape and visual context of the Site.
- 2.3 A description of the existing land use of the Site context is provided and includes reference to existing areas of settlement, transport routes and vegetation cover, as well as local landscape designations. These factors combine to provide an understanding of landscape value and sensitivity and provide an indication of key views and viewpoints that are available to visual receptors.
- 2.4 To determine the extent of visual influence, a visual appraisal was undertaken of the Site to consider the nature of existing views from publicly accessible viewpoints including roads, Public Right(s) of Way (PRoW) and public open spaces. Consideration was given to private views, however access to private properties was not obtained. Views were considered from all directions and from a range of distances. The viewpoints chosen are not intended to be exhaustive, but rather to represent the potential views obtained towards the Site.
- 2.5 The inherent sensitivity of the Site is considered in terms of the following:
 - Landscape Character: i.e. landform, vegetation cover, land use, scale, state of repair of individual elements, representation of typological character, enclosure pattern, form/line and movement;
 - Landscape Value: i.e. national designations, local designations, sense of tranquillity/remoteness, scenic beauty and cultural associations; and
 - Visual Influence: i.e. landform influences, tree and woodland cover, numbers and types of residents, numbers and types of visitors and scope for mitigating potential for visual impacts.

- 2.6 The landscape appraisal of the Site, in combination with the wider visual appraisal, assists in the identification of opportunities and constraints that would assist in successfully integrating new development with the existing landscape and visual context of the Site.

3.0 RELEVANT POLICY

National Policy

National Planning Policy Framework (NPPF), 2019

- 3.1 The National Planning Policy Framework (NPPF), which was first published in March 2012, was updated and published in July 2018 and most recently revised in February 2019. The NPPF promotes a presumption in favour of sustainable development, defined as *"meeting the needs of the present without compromising the ability of future generations to meet their own needs"*. Development proposals must also be in accordance with the relevant up-to-date Local Plan and policies set out in the NPPF, including those identifying restrictions with regard to designated areas, such as National Parks, Areas of Outstanding Natural Beauty (AONB) and Green Belt.
- 3.2 The NPPF states that *"the purpose of the planning system is to contribute to the achievement of sustainable development"*, with Paragraph 8 going on to state that to achieve this the planning system has three overarching objectives: economic, social and environmental. The environmental objective is described as: *"to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy"*.
- 3.3 Paragraph 38 relates to decision making and states:
- "Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."***
- 3.4 Section 11 is concerned with making effective use of land, with Paragraph 117 stating: *"Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions..."*.
- 3.5 Paragraphs 124-132 focus on achieving well-designed places and promote good design of the built environment. This approach is set out in Paragraph 127, which states:

"Planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;***
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;***
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);***
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;***
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and***
- f) Create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."***

3.6 Section 15 of the NPPF relates to the conservation and enhancement of the natural environment, with Paragraph 170 setting out that planning policies and decisions should look to achieve the above by *"protecting and enhancing valued landscapes... (in a manner commensurate with their statutory status or identified quality in the development plan)"* and *"recognising the intrinsic character and beauty of the countryside"*.

3.7 Paragraph 171 goes on to state that:

"Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."

3.8 Paragraph 172 then 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."

4.0 LANDSCAPE AND VISUAL CONTEXT

Site Context

- 4.1 As shown in **Figure 1: Site Context Plan**, the Site is located on the western edge of Sayers Common, to the immediate south of Reed's Lane and adjoining existing residential development in Meadow View to the immediate east. Existing substantial office, commercial and industrial development is located to the north of Reed's Lane, with King Business Park located to the north, immediately opposite the Site, and Valley Farm Business Park located to the west of the Site, off Reeds Lane.
- 4.2 The Site is therefore set on the edge of the existing settlement of Sayers common, within an area largely influenced by both existing residential development, and office, commercial and industrial development.

Topography

- 4.3 The Site is located in the shallow valley created by the River Adur, between the higher ground of the South Downs to the south and the High Weald to the north, as illustrated on **Figure 2: Topography Plan**. The land within the vicinity of the Site is gently undulating, lying predominantly at elevations of between 15 - 40m Above Ordnance Datum (AOD). The Site is broadly flat located at an elevation of 15m AOD. To the south, within the undulating landscape there are areas of slightly more elevated land, at 30 – 40m AOD, such as around Albourne Green and Albourne.
- 4.4 Further to the south, the land rises steeply through the north scarp of the South Downs, to up elevations of 150m + AOD. To the north, the land rises up to the High Weald more gradually, up to elevations of 130m+ AOD.

Water courses and drainage

- 4.5 Cutlers Brook flows through land to the south of the Site and links to a number of ponds. The route of the watercourse is lined in some places by mature vegetation and areas of scrubby land. Other, smaller tributaries of the River Adur cross the land surrounding the Site and generally follow field boundaries.
- 4.6 A drainage ditch runs along, and forms, the southern boundary of the Site. This drainage ditch forms part of a wider drainage network. West Sussex County Council has recently undertaken improvements to this drainage network within the vicinity of the Site, including works along Reeds Lane and the B2116, Henfield Road, to improve the performance of surface water management.

Although the water courses can present a constraint to development, they also present an opportunity to meet the requirements of policies relating to access and recreation, green infrastructure, landscape character, biodiversity and flooding.

Landcover

- 4.7 The landscape pattern of the Site and surrounding area is generally small-scale and enclosed, with an intricate mix of field boundary vegetation that divides the irregular arable land and pasture that is generally devoid of substantial tracts or areas of woodland.

Access and Public Rights of Way (PRoW)

- 4.8 The Site immediately adjoins Reeds Lane, which forms the northern boundary of the Site.
- 4.9 PRoW 1/1A1 runs from Reeds Lane through the Site, predominantly along the eastern boundary of the Site. This connects with PRoW 11 Hu to the south, which in turn connects with the B2118, and a Sustrans route that runs along the B2118, as illustrated on **Figure 1: Site Context Plan**. There is a wider network of PRoWs within the surrounding landscape.

Infrastructure

- 4.10 The linear road corridor of the B2118 and the A23 passes in a north to south direction to the east of the Site, with Reeds Lane, which forms the northern boundary of the Site, connecting with the B2118. The B2116, Henfield Road, passes to the south of the Site, connecting with the B2118 and Reeds Lane.

Designations

- 4.11 The Site is not covered by any national, regional or local landscape designations.
- 4.12 There are no Listed Buildings in the immediate locality of the Site. Two Listed Buildings are located within Sayers Common, to the north of the Site, but separated from the Site by intervening existing residential development. Numerous Listed Buildings are located with Albourne and Hurstpierpoint, to the south; and scattered within the surrounding landscape.
- 4.13 There are no Conservation Areas in the locality of the Site.
- 4.14 No Ancient Woodland is located on, or adjoining, the Site. Several small blocks of Ancient Woodland occur in the surrounding landscape, to the east, along the A23/B2118 road corridor and to the north of Valley Farm Business Park.

Landscape Character

- 4.15 The landscape character assessment approach is a descriptive approach that seeks to identify and define the distinct character of landscapes that make up the country. This approach recognises the intrinsic value of all landscapes, not just 'special' landscapes, as contributing factors in people's quality of life, in accordance with the European Landscape Convention. It also ensures that account is taken of the different roles and character of different areas, in accordance with the NPPF Core Principles.
- 4.16 In order to inform the potential opportunities and constraints relating to the siting and design of new development so that it may be successfully accommodated and assimilated within the existing landscape and visual context, it is necessary to review published landscape character assessments and establish the key landscape characteristics of the Site. This includes the pattern of land cover, the pattern and distribution of existing built form, and the character of any key views, in particular from the South Downs National Park and High Weald.
- 4.17 The description of each landscape is used as a basis for evaluation in order to make judgements to guide, for example, development or landscape management. The extent of published landscape character areas are illustrated on **Figure 3: Landscape Character Plan**.
- 4.18 All of the Landscape Character Assessments at national, county and district levels identify that the Site generally falls within a Low Weald landscape, which then rises up through footslopes to the South Downs south of the Site, and up through Wealden fringes to the High Weald landscape north of the Site. The long views to and from the steep downland scarp of the South Downs National Park south of the Site, and the High Weald fringes of the Area of Outstanding Natural Beauty north of the Site are key features of the local landscape.

National Landscape Character

- 4.19 At a national level, Natural England has produced a Countryside Character Map of England. Volume 7: South East and London, of their Countryside Character describes the different landscape character areas covering Sussex. The Site falls within National Character Area 121: Low Weald, with National Character Area 125: South Downs, to the south and National Character Area 122: High Weald, to the north.

County Landscape Character

- 4.20 As identified by the West Sussex Landscape Character Assessment (2003), the Site falls within Landscape Character Area LW10: Eastern Low Weald.

District Landscape Character

- 4.21 As identified in the Landscape Character Assessment for Mid Sussex, (2005), the Site is falls within Landscape Character Area 4: Hickstead Low Weald.
- 4.22 Landscape Character Area 4: Hickstead Low Weald is summarised as a lowland mixed arable and pastoral landscape with a strong hedgerow pattern, lying over low ridges and clay vales drained by the upper Adur streams. In the east, the area has experienced high levels of development centred on Burgess Hill.
- 4.23 Key characteristics include:
- *Alternating west-east trending low ridges with sandstone beds and clay vales carrying long, sinuous upper Adur streams.*
 - *Views dominated by the steep downland scarp to the south and the High Weald fringes to the north.*
 - *Arable and pastoral rural landscape, a mosaic of small and larger fields, scattered woodlands, shaws and hedgerows with hedgerow trees.*
 - *Quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill.*
 - *Biodiversity in woodland, meadowland, ponds and wetland.*
 - *Mix of farmsteads and hamlets favouring ridgeline locations, strung out along lanes.*
 - *Crossed by north-south roads including the A23 Trunk Road, with a rectilinear network of narrow rural lanes.*
 - *London to Brighton Railway Line crosses the area through Burgess Hill.*
 - *Varied traditional rural buildings built with diverse materials including timberframing, weatherboarding, Horsham Stone roofing and varieties of local brick and tile-hanging.*
 - *Principal visitor attraction is the Hickstead All England Equestrian Showground.*

Landscape Capacity*Mid Sussex District Council Landscape Capacity Study (July 2007)*

- 4.24 Mid Sussex District Council Landscape Capacity Study (July 2007) provides a finer grain of landscape character assessment for Mid Sussex and an assessment of the capacity of the Landscape Character Areas to accommodate development. The Landscape Capacity Study aims to identify where strategic development might be accommodated in the district without unacceptable impact on landscape character or the setting of outstanding assets.

- 4.25 The Landscape Capacity Study is based on the assumption that development would be largely 2 or 3 storeys in height with occasional landmark buildings of 4-5 storeys, and that there would be open space provision and an appropriate scale landscape framework to ensure that the development achieves a good fit in the landscape. The Landscape Capacity Study considers the sensitivity and value of the landscape in order to determine its capacity to accommodate development.
- 4.26 The Landscape Capacity Study identifies that the landscape between the South Downs and High Weald, formed by the Low Weald, High Weald Fringes and Ouse Valley and including the Site, is a more gentle and less dramatic landscape. Whilst these landscapes are not of such a high quality as the National Park and AONB, they are considered to be distinctive landscapes that provide a context for the setting of the National Park and the AONB as well as to settlements within the District.
- 4.27 It is of note, as stated in the Landscape Capacity Study that around 60% of Mid Sussex is under national landscape protection designations, with 50% in the High Weald AONB in the northern part of the District and 10% in the South Downs National Park covering the southern corner of the District.
- 4.28 With regard to the capacity of the Site to accommodate residential development, as identified in the Landscape Capacity Study, the Site is located in the LCA 63: Albourne Low Weald, but on the very northern edge of LCA 63; and immediately adjoins the LCA 62: Hickstead-Sayers Common Low Weald which includes Sayers Common. LCA 63 has a Low/Medium capacity to accommodate residential development, whilst the immediately adjoining LCA 62 has a Medium capacity to accommodate development.
- 4.29 Many of the Landscape Character Areas assessed in the Landscape Capacity Study are considered to have a Negligible, Negligible to Low, or Low capacity with very few areas of the district identified as having a Low to Medium, Medium, Medium to High or High capacity for residential development. Therefore, the Site is relatively well suited to accommodate development when compared with the wider district.
- 4.30 The Landscape Capacity Study recommends that any new development promoted within the district should take account of the inherent character of the LCA it is located within, and consider:
- *Features or characteristics that give an area its special identity and local distinctiveness,*
 - *The need to protect or enhance special or valued characteristics within the local landscape,*

- *The importance of the character of adjacent landscape character areas, particularly highly valued and high quality landscapes, and views to and from these landscapes.*

4.31 In addition, the specific landscape opportunities and constraints of areas promoted for development should be identified and addressed. The Landscape Capacity Study recommends that this is achieved with the preparation of the following:

"A Landscape strategy which is consistent with local landscape character, taking into account identified landscape sensitivities,...

A land use strategy and built form which is characteristic of, and compatible with, the existing settlement pattern, Proposals which avoid landscape and visual impacts on surrounding landscape character areas or the setting to the District's outstanding assets, and Development proposals which have regard for the setting of, and separation between, existing settlements." (p55)

The Capacity of Mid Sussex District to Accommodate Development (June 2014)

- 4.32 The Capacity of Mid Sussex District to Accommodate Development (June 2014) provides an update to the Landscape Capacity Study (2007).
- 4.33 The Site remains within LCA 63, remaining with a Low/Medium capacity to accommodate residential development, whilst the immediately adjoining LCA 62 remains with a Medium capacity to accommodate development.
- 4.34 The majority of areas assessed in the district are considered to have a Low/Medium or Low Landscape Capacity, with only small pockets Medium and Medium/High Landscape Capacity located around the large settlements. The Capacity Study has not identified any areas within the district as having a High capacity. Therefore, the Capacity Study continues to identify the Site as being located within one of the least constrained areas of the district; and in an area considerably less sensitive than much of the rest of the district, a large proportion of which remains is covered by the national level landscape designations for the High Weald AONB and the South Downs National Park.
- 4.35 The Capacity Study states that *"a Low/Medium capacity rating indicates that development is likely to have an adverse effect on most of the character area and while smaller development may be possible in a very few locations within the character area, it will not be suitable for strategic scale development"* and that *"a Medium capacity rating indicates that there is the potential for limited smaller-scale development to be located in some parts of the character area, so long as there is*

regard for existing features and sensitivities within the landscape”, and paragraph 1.15 of the Capacity Study states that “it is possible to mitigate and compensate for the impacts of development in such a way as to ensure that environmental capacity is not breached.”

Mid Sussex Site Allocations Development Plan Document (December 2018)

- 4.36 The Site comprises Site 857: Land West of Meadow View Sayers Common, as identified in the Mid Sussex Site Allocations Development Plan Document. All sites are assessed against 17 criteria, with Criterion 8 covering landscape and Criterion 9 covering trees/Tree Preservation Orders (TPOs).
- 4.37 With regard to Criterion 8 Landscape, the Site is graded as having a Low/Medium constraint to residential development, going on to state that *“the development of this site has the potential to have an impact on the landscape. There are long distance views from the site to the south, and no strong defensible boundary or subsequent screening to the south. Development of the site would represent an incursion into the countryside”*.
- 4.38 With regard to Criterion 9 trees/TPOs, the Site is graded as having a Low/Medium constraint to residential development. The accompanying Methodology for Site Selection notes that this equates to *“parts of sites affected by trees, [which] will limit the developable area of the site”* and that the *“Tree Officer concludes that impacts can be mitigated”*.
- 4.39 The Methodology for Site Selection, accompanying the Site Allocations Development Plan Document, notes that a Low/Medium Landscape Capacity/Suitability for residential development is *“based on landscape evidence, [with] low/medium potential in landscape terms”*, and that the conclusions are drawn for each site dependant on which Landscape Capacity Area they are within (as determined by the landscape capacity studies, based on their assessment methodology) or comments received from specialist advisors.

5.0 LANDSCAPE AND VISUAL APPRAISAL

Overview

- 5.1 The Site and its surroundings were visited in November 2019, with **Site Appraisal Photographs A - E** illustrating the existing character of the Site. The locations from which the Site Appraisal Photographs were taken are shown on **Figure 4: Site Appraisal Plan**. The visual context of the Site is illustrated by **Site Context Photographs 1 - 22**, the locations of which are illustrated on **Figure 5: Visual Appraisal Plan 1** and **Figure 6: Visual Appraisal Plan**.

Landscape Appraisal

- 5.2 A landscape appraisal has been undertaken to ascertain the existing character of the Site. This is accomplished through recording and analysing the existing landscape features and characteristics, the way the landscape is experienced, and the value or importance of the landscape and visual resources in the vicinity of the Site. The elements of the landscape that contribute to landscape character include the built and natural form, the pattern of features, detailing, scale, planting, land use and human perception. In this regard, landscape character is derived as a result of the perception of, and action and interaction of, natural and human factors.
- 5.3 The Site comprises a single field of rough pasture is approximately 3 hectares (ha) in size, as illustrated in **Figure 4: Site Appraisal Plan**. The landform across the Site is relatively flat, as illustrated by **Site Appraisal Photographs A – E**, and is located broadly at an elevation of 15m AOD. The northern boundary adjoins Reeds Lane; the eastern boundary adjoins the rear garden boundaries of existing residential properties in Meadow View; and the southern boundary is delineated by the drainage ditch that runs from the southern corner of the Site of the Site to the western corner of the Site, at Reeds Lane.
- 5.4 PRoW 1/1A1 runs from Reeds Lane along the eastern boundary of the Site, connecting to PRoW Hu 11 to the south, and then the wider PRoW and Sustrans network, as illustrated on **Figure 4: Site Appraisal Plan**.
- 5.5 The Site is largely devoid of vegetation, with vegetation limited to its boundaries and fringes. A trimmed uniform hedge runs along the northern boundary of the Site, on the southern side of Reeds Lane, as illustrated in **Site Appraisal Photograph B**. Scrubby vegetation runs along the eastern boundary of the Site, as illustrated in **Site Appraisal Photographs A, B, C and D**. Vegetation along the drainage ditch delineating the southern boundary is limited to scattered clumps of scrubby vegetation, as illustrated in **Site Appraisal Photographs E**.

- 5.6 The Site is bounded by existing residential development in Meadow View, to the immediate east of the Site, and which is visible in **Site Appraisal Photographs A, B, and E**.
- 5.7 King Business Park is located to the immediate north of Reeds Lane; and the associated office and commercial buildings are visible across the Site, as illustrated in **Site Appraisal Photographs C, D and E**.
- 5.8 Whilst the Site is largely devoid of vegetation, the surrounding landscape has a strong framework of mature treebelts, hedgerows and individual trees; particularly to the north, south and immediate west of the Site, which combined with the undulating topography, provide enclosure to the Site, to the north, south and west, as illustrated in **Site Appraisal Photographs B, C and D**.
- 5.9 The Site is set within an existing edge of settlement context; is subject to the influence of the surrounding existing residential, office, commercial and industrial development; and is, therefore, within a more developed part of **Landscape Character Area 4: Hickstead Low Weald**. The Site's connection with the wider landscape is largely restricted; with the combination of boundary vegetation, and vegetation in the immediate locality of the Site, generally limiting views to the immediately surrounding landscape. The exception is for a short length of the southern boundary, where views out to the landscape to the south are obtained, as illustrated in **Site Appraisal Photographs A, B and C**, and where there are distant glimpses of the South Downs, to the south, seen above the intervening landform and vegetation.

Visual Appraisal

- 5.10 A visual appraisal has been undertaken to determine the relationship of the Site with its surroundings and its approximate extent of visibility within the wider landscape from publicly accessible locations. The visual context of the Site is illustrated by **Site Context Photographs 1 – 22**, the locations of which are illustrated on **Figure 5: Visual Appraisal Plan 1** and **Figure 6: Visual Appraisal Plan 2**.
- 5.11 The potential visibility of the Site is largely determined by the intervening landform, as topographic features such as ridgelines and subtle undulations may block or curtail views towards the Site. In addition, land cover has an important role in determining potential visibility as woodland, tree-belts or built forms may contribute to additional screening, filtering or curtailing of views.
- 5.12 The effectiveness of vegetation as a screen depends to a considerable extent on its scale. A large mature feature will form a substantial screen throughout the year, but a hedgerow or intermittent tree-belt may only be effective during the summer months. Whilst small features, such as hedgerows and individual trees can be very important, particularly when their combined

effect is taken into account, they can be less effective screening features or visual barriers due to the seasonal nature of their effect.

- 5.13 **Site Context Photographs 1 – 9** illustrate views towards the Site from the locality of Sayers Common. **Site Context Photographs 1 – 9** illustrate that views of the Site are limited to the immediate vicinity of the Site. The residential, office, commercial and industrial development immediately adjoining the Site curtails views of the Site from within Sayers Common, as illustrated by **Site Context Photographs 1 and 2**.
- 5.14 **Site Context Photographs 3, 4 and 6** illustrate the views from Reed's Lane, in the immediate locality of the Site. **Site Context Photograph 3**, taken from the entrance to King Business Centre, illustrates the views looking south-west towards the Site, with views of the Site only becoming available on nearing the Site. The existing view is characterised by residential properties and buildings associated with King Business Centre, and potential residential development would be set within this context.
- 5.15 **Site Context Photograph 4**, taken from Reeds Lane immediately adjoining the Site, illustrates the open views of the Site that are only obtained from the short length of Reeds Lane, where it adjoins the northern boundary of the Site. The existing residential development within Sayer Common is visible within the view. Potential residential development would be visible, curtailing views out across the Site, and the replacing the existing views of residential development which forms the backdrop to part of the existing view. This view of potential residential development on the Site would be limited to the immediate length of Reeds Lane immediately adjoining the Site.
- 5.16 **Site Context Photograph 6** illustrates the view from Reeds Lane to the immediate west of the Site, looking east on approach to Sayers Common. This view demonstrates the well vegetated character of the immediate surroundings to the Site, providing screening to the Site, such that views of the Site are, and potential residential development on it would be, limited to its immediate locality.
- 5.17 **Site Context Photograph 5** illustrates the view from PRoW 1A1 to the north of the Site, looking south-east towards the Site. This again demonstrates the well vegetated character of the immediate surroundings of the Site, which combined with the relatively flat topography, result in views of the Site largely screened by intervening hedgerows and mature trees. The existing office and industrial buildings associated with King Business Centre are visible; and there are glimpses of the existing residential development within Meadow View. Potential residential development would be seen within this context, and would set behind, and filtered by, the vegetation along Reeds Lane.

- 5.18 To the further north, the combination of woodland cover, vegetation and relatively gentle topography curtails views of the Site.
- 5.19 In addition, the Site is, and potential residential development on the Site would be, screened in views from the High Weald AONB, through the combination of gently rising topography and increasing woodland cover to the north of the Site.
- 5.20 **Site Context Photograph 7** illustrates the view from PRoW 3/1A1 looking south. The dense treebelt to the west of the Site curtails views of the Site, and any potential development on it. Potential residential development on the Site would be well contained by the dense treebelt, limiting the encroachment of development into the immediate surrounding landscape. **Site Context Photograph 7** also illustrates the open views of the landscape to the south, which would remain unaffected by potential development on the Site.
- 5.21 **Site Context Photographs 8 and 9** illustrate the views from PRoW Hu 11 to the south of the Site. Again, these views illustrate how the combination of woodland cover, vegetation and relatively gentle topography curtails views of the Site, and thus potential residential development on it.
- 5.22 **Site Context Photograph 10**, taken from PRoWs 11A1 and 3/1A1, is representative of the views from more elevated land to the south of the Site in the vicinity of Albourne Green. The view illustrates the pattern of the landscape to the south of the Site, being an intricate mix of field boundary vegetation that divides the irregular arable land and pasture, combined with undulating topography. The buildings within the Valley Farm Business Park, to the west of the Site, are visible in the view; however, the Site is, and proposed development on the Site would be, screened from view by the combination of intervening vegetation and landform.
- 5.23 **Site Context Photographs 11, 12 and 13** illustrate the range of views from PRoWs 15/1A1, from elevated land to the south of Albourne, looking north towards the Site. The views illustrate the undulating character of the topography to the south of the Site, before rising up to the South Downs to the further south, as also illustrated on **Figure 2: Topography Plan**.
- 5.24 **Site Context Photograph 11 and 12** illustrates how the intricate mix of mature trees and vegetation, combined with undulating topography, screen views of the Site, and would screen potential residential development on the Site. The village of Albourne is glimpsed in views, as illustrated by **Site Context Photograph 11**, set within a framework of vegetation, which is characteristic of the pattern of settlement in the landscape.
- 5.25 **Site Context Photographs 14, 15 and 16** illustrate the sequence of views from PRoW 22A1 looking north towards the Site. The views are taken from land rising up to an elevated location where PRoW 22A1 joins 23A1, as illustrated on **Figure 2: Topography Plan**. Again, these

views illustrate how the combination of intervening vegetation and undulating landform prevent views of the Site; and would prevent views of potential residential development on the Site. There are glimpses of settlements, scattered farms and buildings in the landscape; set within the framework of mature vegetation and landform, which is again characteristic of pattern of settlement in the landscape.

- 5.26 **Site Context Photographs 17 – 22** illustrate the expansive views of the Low Weald landscape from elevated vantage points within the South Downs National Park. Scattered settlements, such as Henfield, Albourne, Hurstpierpoint and Hassocks, set within a strong complex landscape framework of mature woodlands, treebelts, trees and hedgerows, form a characteristic component of the panoramic views from the South Downs. The Site is not discernible in these views, and neither would potential residential development on the Site be discernible in these views. However, if potential development on the Site was visible, it would form a very small characteristic component in the views, with no overall change to the character of the views.

6.0 CONCLUSIONS

- 6.1 The Site is located on the western edge of the settlement of Sayers Common, to the immediate south of Reed's Lane and adjoining existing residential development in Meadow View to the immediate east. Existing substantial office, commercial and industrial development is located to the north of Reed's Lane, with King Business Park located to the north, immediately opposite the Site, and Valley Farm Business Park located to the west of the Site, off Reeds Lane.
- 6.2 The Site is located in the shallow valley created by the River Adur, within a Low Weald landscape, which then rises up through footslopes to the South Downs south of the Site, and up through Wealden fringes to the High Weald landscape north of the Site. The Site specifically falls within the Landscape Character Area 4: Hickstead Low Weald, as identified in the Landscape Character Assessment for Mid Sussex (2005), which is summarised as a lowland mixed arable and pastoral landscape, with a mix of scattered farmsteads and hamlets, with a strong hedgerow pattern, lying over low ridges and clay vales drained by the upper Adur streams. Consequently, the landscape pattern of the surrounding area is generally small-scale and enclosed, with an intricate mix of field boundary vegetation that divides the irregular arable land and pasture that is generally devoid of substantial tracts or areas of woodland.
- 6.3 However, the Site comprises a single pastoral field immediately adjoining the settlement of Sayers Common to the north-east and east, and Reed's Lane to the north, with substantial office, commercial and industrial development to the north-west of the Site; and is therefore within a more developed part of the character area.
- 6.4 Furthermore, there are no noteworthy features within the Site, with any vegetation limited to the existing boundaries of the Site; with a scrubby vegetation along the eastern boundary, a trimmed uniform hedgerow along the northern boundary with Reed's Lane, and with some scattered scrub along the southern boundary.
- 6.5 The Site does not exhibit any particular special or valued characteristics; and is located in an area exhibiting a higher degree of existing development than the wider landscape character area. Being located immediately adjacent to, and influenced by its proximity to, the existing settlement of Sayers Common, potential development of the Site would relate well to, and be compatible with the existing characteristic settlement pattern, reflecting the character of the immediate locality of the Site.
- 6.6 The most noteworthy features are the vegetation, hedgerows and trees on the Site, which, being located along the Site boundaries, would be largely retained, protected and enhanced in any event.

- 6.7 The Site's connection with the wider landscape is largely restricted, with the combination of boundary vegetation, and vegetation in the immediate locality of the Site generally limiting views to the immediately surrounding landscape.
- 6.8 Potential residential development on the Site would be well contained by the surrounding existing development and vegetation, limiting the encroachment of development into the immediate surrounding landscape to the east, north and west. The southern boundary is more open; however, with the appropriate landscape strategy, a sensitive transition from settlement edge to the immediate landscape to the south, characteristic of the existing settlement pattern in the landscape, would be created; successfully assimilating development into the immediate and wider landscape, with limited encroachment.
- 6.9 It would, therefore, be possible to accommodate residential development on the Site, retaining, protecting and enhancing the existing vegetation and trees on the eastern and southern boundary of the Site, with loss of any landscape features generally limited to a length of trimmed uniform hedge along Reed's Lane to facilitate access into the Site. The enhancement to the southern boundary would create a robust defined boundary to residential development on the edge of Sayers Common. As trees are limited to the boundaries of the Site, these would not pose a constraint to development within the Site, and would be retained, with any root protection areas accommodated within the proposals. PRoW 1/1A1 would also be accommodated within the proposals along the eastern boundary.
- 6.10 With regard to views from the Site to the south, these can be retained in part through the design of the layout of the development and would still be available from the southern boundary of the Site.
- 6.11 There are no designated Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Park and Gardens or nature conservation sites within, or in close proximity to the Site, and as such, it is relatively unconstrained by landscape, heritage or nature conservation designations.
- 6.12 Furthermore, the Site is not located close to any particularly highly valued or high quality landscapes, such as the High Weald AONB or South Downs National Park. The Site is, and potential residential development on the Site would be, screened in views from the High Weald AONB, through the combination of gently rising topography and increasing woodland cover to the north of the Site.
- 6.13 From elevated vantage points within the South Downs National Park, there are expansive views across the Low Weald landscape. Scattered settlements, such as Henfield, Albourne, Hurstpierpoint and Hassocks, set within a strong complex landscape framework of mature

woodlands, treebelts, trees and hedgerows, form a characteristic component of the panoramic views from the South Downs. The Site is not discernible in these views, and neither would potential residential development on the Site be discernible in these views. However, if potential development on the Site was visible, it would form a very small characteristic component in the views, with no overall change to the character of the views.

- 6.14 Therefore, the Site is not conspicuous in any long distance views from the South Downs National Park or High Weald AONB, and is set in the context of the existing settlement Sayers Common, was would potential residential development on the Site.
- 6.15 Views of the Site, and potential residential development on the Site, would generally be limited to the immediate vicinity of the Site; in particular to the short length of Reeds Lane adjoining the northern boundary of the Site. In the locality of the Site, the well vegetated character of the immediate surroundings of the Site and surrounding existing development, combined with the relatively flat topography, limit views of the Site and would also screen views of potential residential development on the Site.
- 6.16 To the south, whilst the land rises, and there are elevated locations with views out to the north, the intricate mix of mature trees and vegetation, combined with undulating topography, screen views of the Site, and would screen potential residential development on the Site
- 6.17 In considering the landscape capacity of the Site to accommodate residential development, with reference to the Mid Sussex capacity studies, and the Site Allocations Development Plan Document, the Site is located on the very edge of LCA 63: Albourne Low Weald, immediately adjoining LCA 62: Hickstead – Sayers Common Low Weald, the latter of which has a higher capacity to accommodate residential development; the Site adjoins the existing edge of Sayers Common and is set within a more developed context than the wider landscape; such that the Site also has a higher capacity to accommodate residential development than the wider LCA 63.
- 6.18 Furthermore, many of the Landscape Character Areas assessed by the Capacity Study are considered to have a Negligible, Negligible to Low, or Low capacity with very few areas of the district identified as having a Low to Medium, Medium, Medium to High or High capacity for residential development. Therefore, the Site is relatively well suited to accommodate development when compared with the wider district.
- 6.19 With regard to Criterion 8 Landscape, the Site is graded as having a Low/Medium constraint to residential development, going on to state that ***"the development of this site has the potential to have an impact on the landscape. There are long distance views from the site to the south, and no strong defensible boundary or subsequent screening to***

the south. Development of the site would represent an incursion into the countryside”.

- 6.20 However, contrary to the above, the landscape and visual appraisal of the Site and the potential for residential development on the Site has demonstrated that incursion into the countryside will be very limited, and that the Site is, and potential development on the Site would be, screened in elevated views from the south, by the combination of the intricate mix of mature trees and vegetation and undulating topography. Therefore, the potential landscape and visual effects arising from residential development of the Site would be limited to the immediate locality of the Site, with no significant effect on the wider landscape and visual context.
- 6.21 The Site can therefore be considered to have a Medium capacity to accommodate residential development which, as defined in the Capacity of Mid Sussex District to Accommodate Development (June 2014), identifies that the Site would have the ***“potential for limited smaller-scale development to be located in some parts of the character area, so long as there is regard for existing features and sensitivities within the landscape”***, the latter of which can be successfully achieved, such that, on considering the limited extent of any landscape and visual effects, and the opportunities to mitigate them, ***“it is possible to mitigate and compensate for the impacts of development in such a way as to ensure that environmental capacity is not breached.”***
- 6.22 In summary, the Site immediately adjoins the settlement of Sayers Common, in an area of greater development than the wider landscape; and adjoins an area of ‘Medium’ landscape capacity to accommodate residential housing. Potential residential development on the Site would respond positively to the inherent character of its immediate locality, with very limited effects on landscape features or views. Therefore, considering the highly constrained nature of much of the District of the Mid Sussex, in landscape terms, the Site is one of the more suitable sites in Mid Sussex to accommodate residential development, such that it can be considered to have capacity for a small urban extension, being closely related to, and having regard for, the setting and form of existing settlement; existing features and sensitivities; and the character and sensitivity of adjacent landscape character areas.

ILLUSTRATIVE MATERIAL

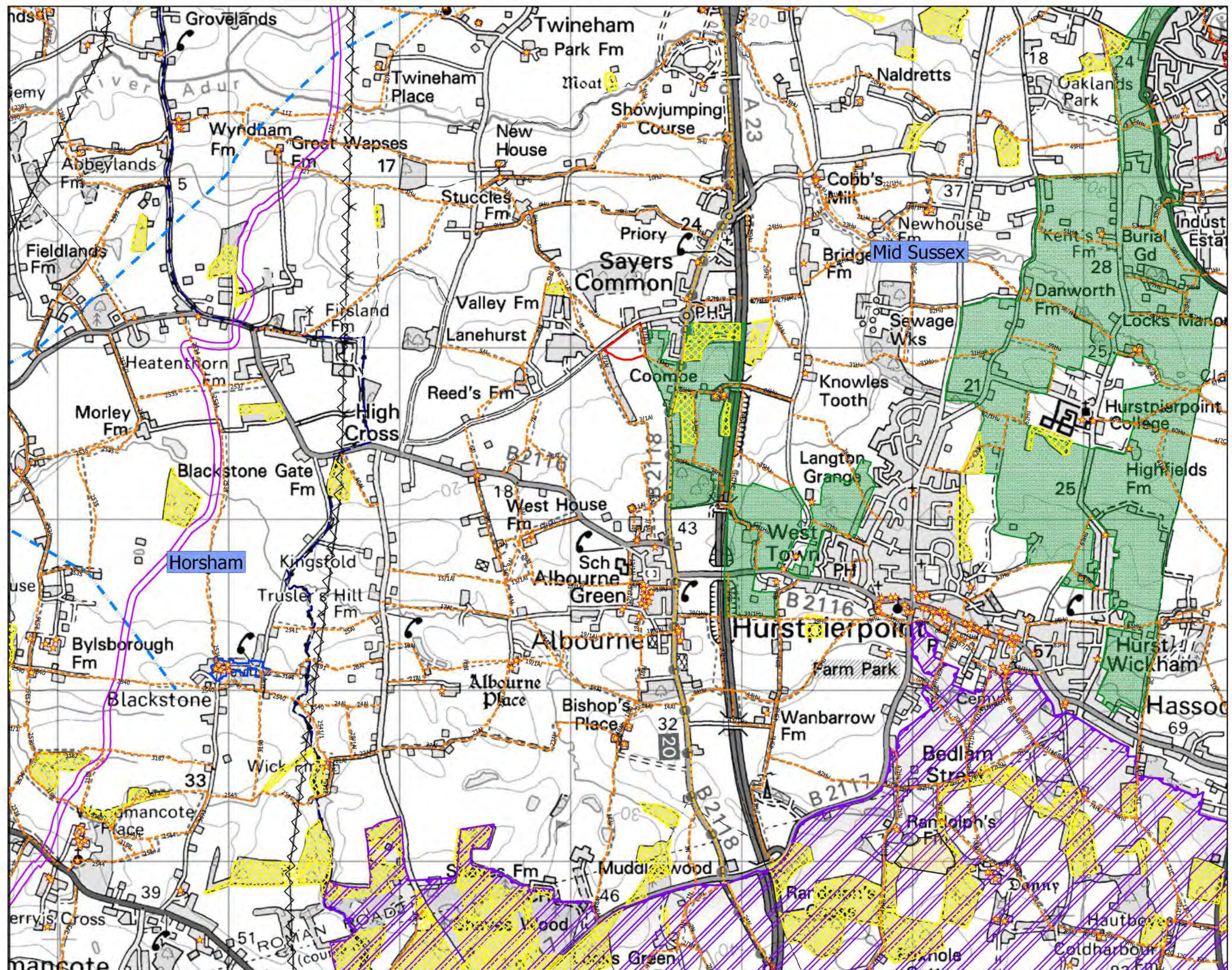


FIGURE 1
Project:
Land West of Meadow View,
Sayers Common
Drawing Title:
Site Context Plan

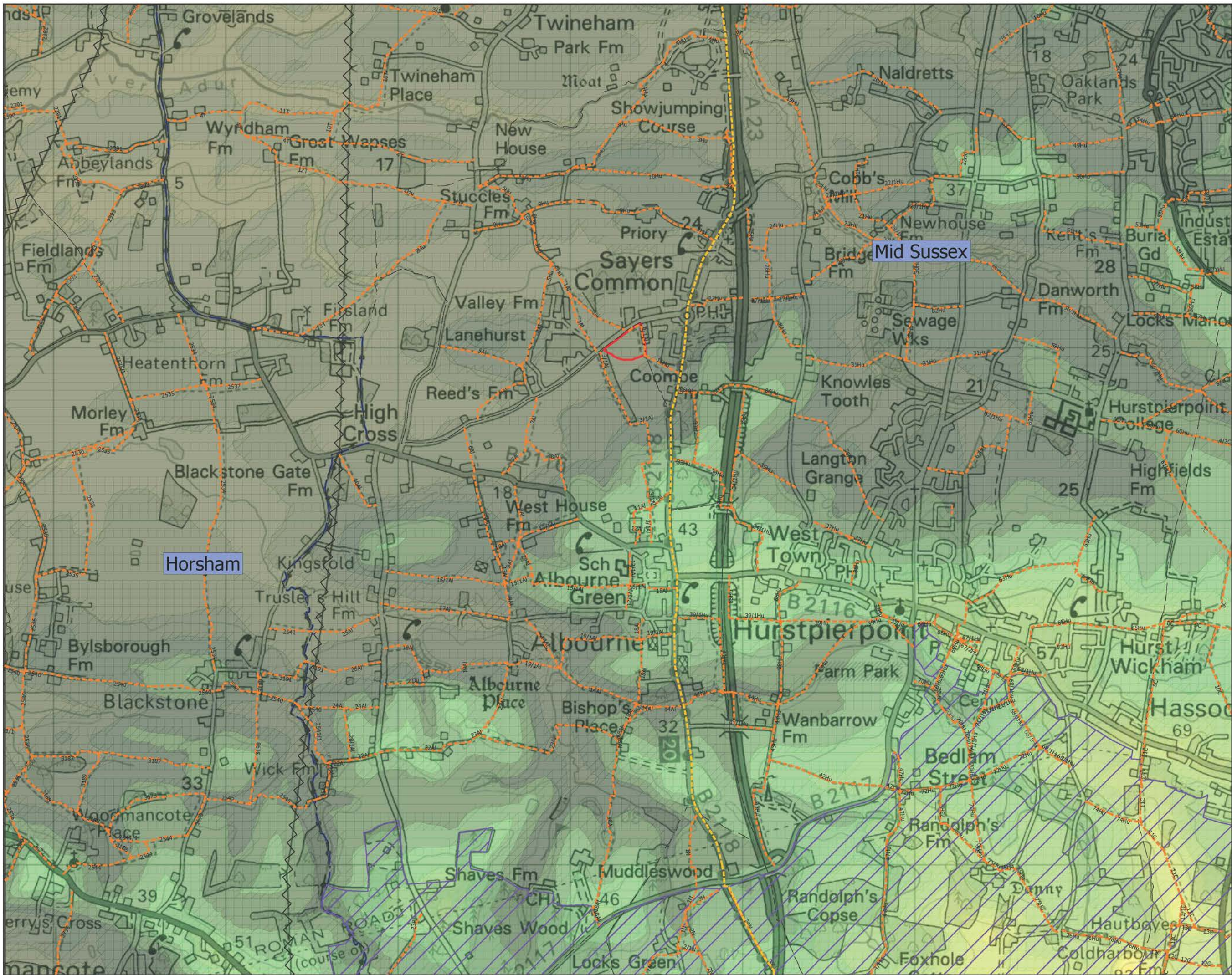
Date:	15.11.2019	Scale:	1:10,000 (B3) 1:20,000 (B4)	Drawn by:	LH	Check by:	LT
Project No:	23510	Drawing No:	RG-LP-101	Revision:			

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The scaling of this drawing cannot be assured

Revision Date Dm Cld

LEGEND

- Site Boundary
- Mid Sussex District Boundary
- Contours/Spot Heights (Metres AOD) ^
- Public Rights of Way *
- Sustrans Cycle Route +
- South Downs National Park #

Elevation (metres aOD)

- 100 to 105
- 095 to 100
- 090 to 095
- 085 to 090
- 080 to 085
- 075 to 080
- 070 to 075
- 065 to 070
- 060 to 065
- 055 to 060
- 050 to 055
- 045 to 050
- 040 to 045
- 035 to 040
- 030 to 035
- 025 to 030
- 020 to 025
- 015 to 020
- 010 to 015
- 005 to 010
- 000 to 005

Sources:
OS Mapping
Natural England GIS Data Set
Historic England National Monument Record GIS Data Set
Basset & West Sussex County Council GIS Data Set
Sustrans National Cycle Network GIS Data
Department for Transport Cycle Network Model
Department for Communities and Local Government GIS Data
Mid Sussex District Plan 2014-2021 - Adopted March 2020

Data collected for contours and analysis mapping is based on publicly available sources at the time of preparation and is not intended to be a definitive statement of fact. It is not a guarantee of accuracy and shall not be liable for the accuracy of data derived from external sources.

FIGURE 2

Project
Land West of Meadow View,
Sayers Common

Drawing Title
Topographic Features Plan

Date	Scale	Drawn by	Check by
19.11.2019	1:10,000 (B1)	LH	LT
Project No	Drawing No	Revision	
23510	RG-LP-105		

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Glasgow Leeds London Manchester Newcastle Reading Southampton



The scaling of this drawing cannot be assured

Revision Date Drn Cld

LEGEND

- Site Boundary
- Mid Sussex District Boundary
- Contours/Spot Heights (Metres AOD) ^
- Public Rights of Way *
- Sustrans Cycle Route +
- Listed Buildings ~
- Ancient Woodland #
- Local Gap Prevention of Coalescence ##
- Rampion Offshore Windfarm Substation and Cable Route Boundary
- Location of Photographic Viewpoints (Site Appraisal Photographs: A-E)

Sources:

- OS Mapping
- Natural England GIS Data Set
- Historic England National Monument Record GIS Data Set
- East & West Sussex County Council GIS Data Set
- Sustrans National Cycle Network GIS Data
- Department for Communities and Local Government GIS Data
- Mid Sussex District Plan 2014-2031 - Adopted March 2020

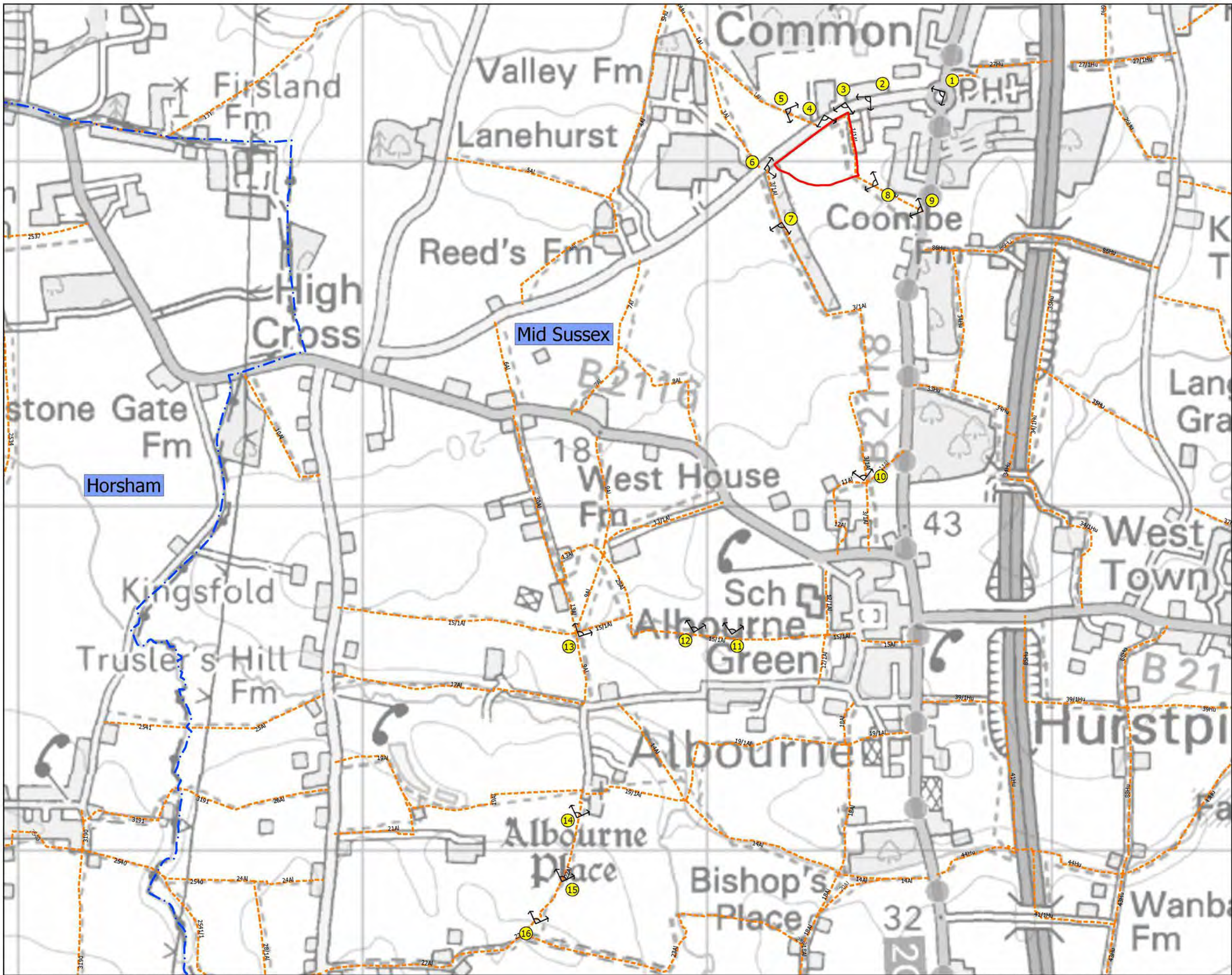
Data collected for constraints and analysis mapping is based on publicly available sources at the time of preparation. Inevitably, the data may not be accurate. Barton Willmore shall not be liable for the accuracy of data derived from external sources.

FIGURE 4

Project:
**Land West of Meadow View,
Sayers Common**

Drawing Title:
Site Appraisal Plan

Date: 11.11.2019	Scale: 1:5,000 (A4) 1:10,000 (A3)	Drawn by: LH	Check by: LT
Project No: 23510	Drawing No: RG-LP-103	Revision: -	



The scaling of this drawing cannot be assured

Revision Date Drn Cld

LEGEND

- Site Boundary
- Mid Sussex District Boundary ^
- Contours/Spot Heights (Metres AOD) ^
- Public Rights of Way *
- National Trails / Long Distance Walks #
- South Downs National Park #
- Area of Outstanding Natural Beauty #
- Location of Photographic Viewpoints (Site Context Photographs: 1-16)

Sources:
- OS Mapping
- Natural England GIS Data Set
- East and West Sussex County Council GIS Data Set
Data collected for context and analysis mapping is based on publicly available sources at the time of preparation and is not intended to be used for legal purposes. Barton Willmore shall not be liable for the accuracy of data derived from external sources.

FIGURE 5

Project:
**Land West of Meadow View,
Sayers Common**

Drawing Title:
Visual Appraisal Plan 1

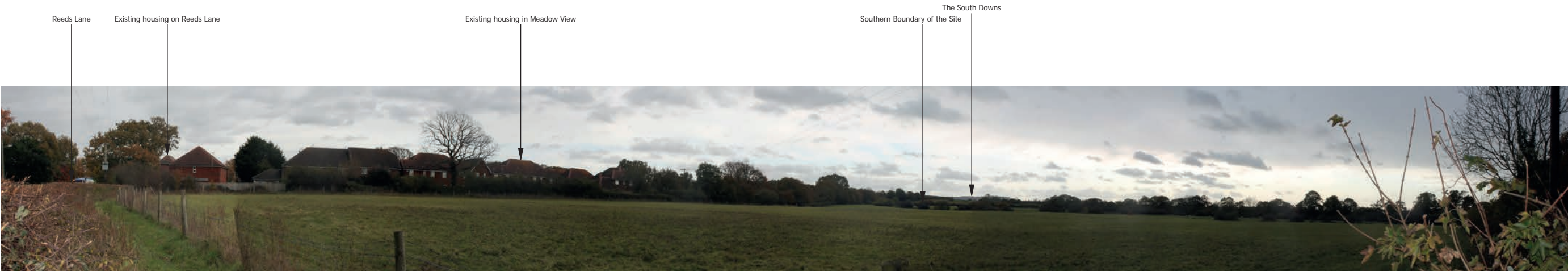
Date: 15.11.2019	Scale: 1:5,000 @A1	Drawn by: LH	Check by: LT
Project No: 23510	Drawing No: RG-LP-104	Revision: -	

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Leeds London Manchester Newcastle Nottingham Southampton



SITE APPRAISAL PHOTOGRAPH A: TAKEN FROM PUBLIC RIGHT OF WAY 1/1AI ON THE NORTHERN BOUNDARY OF THE SITE

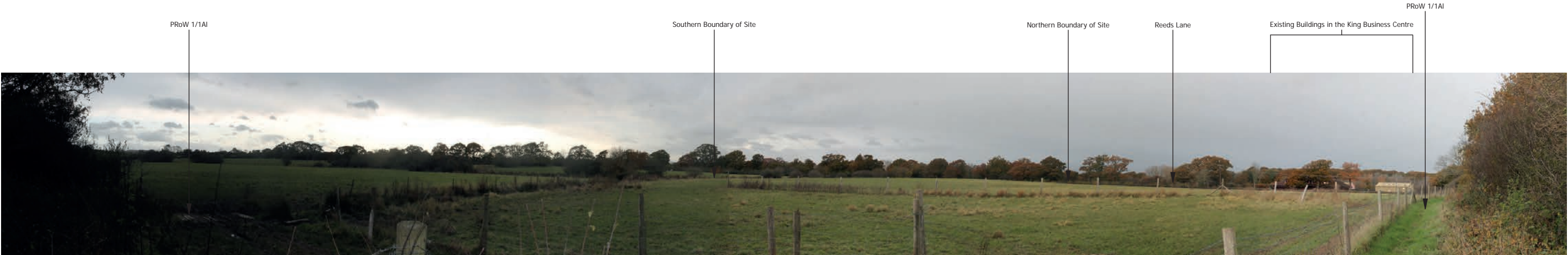


SITE APPRAISAL PHOTOGRAPH B: TAKEN FROM THE NORTH-EASTERN CORNER OF THE SITE LOOKING SOUTH-WEST

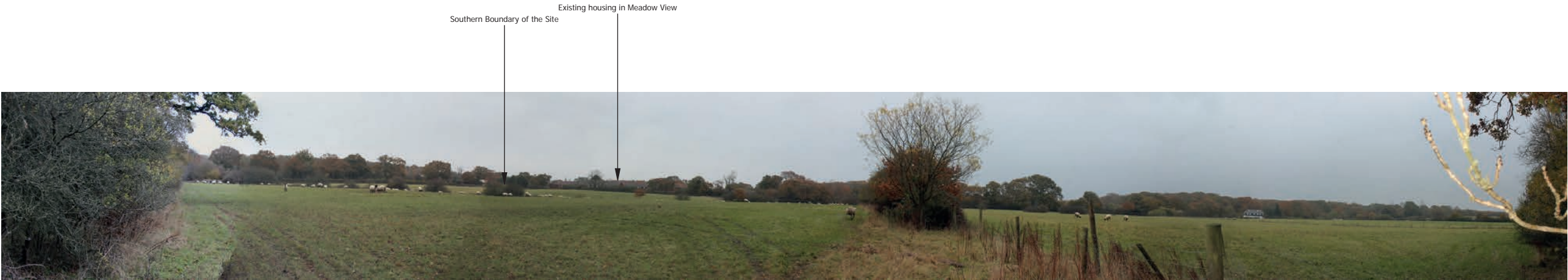


SITE APPRAISAL PHOTOGRAPH C: TAKEN FROM THE EASTERN BOUNDARY OF THE SITE LOOKING WEST

LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE APPRAISAL
PHOTOGRAPHS: A - C
RECOMMENDED VIEWING
DISTANCE: 20CM @A1
DATE TAKEN: NOV 2019
PROJECT NUMBER: 23510



SITE APPRAISAL PHOTOGRAPH D: TAKEN FROM THE SOUTHERN CORNER OF THE SITE LOOKING NORTH-WEST



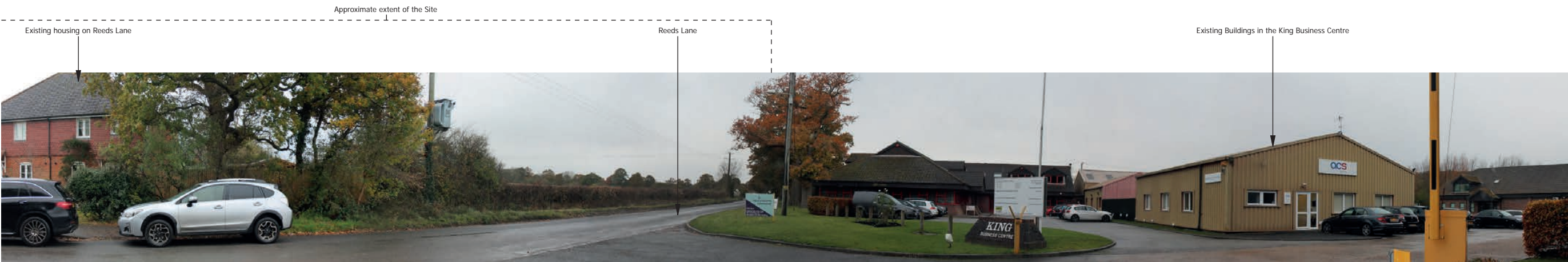
SITE APPRAISAL PHOTOGRAPH E: TAKEN TO THE SOUTH OF THE SOUTHERN BOUNDARY LOOKING NORTH-EAST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 1: TAKEN FROM THE JUNCTION OF REEDS LANE AND THE B2118, LOOKING WEST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 2: TAKEN FROM REEDS LANE LOOKING WEST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 3: TAKEN FROM ENTRANCE TO KING BUSINESS CENTRE LOOKING SOUTH-WEST TOWARDS THE SITE

LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 1 - 3

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: NOV 2019

PROJECT NUMBER: 23510



SITE CONTEXT PHOTOGRAPH 4: TAKEN FROM REEDS LANE LOOKING SOUTH ACROSS THE SITE



SITE CONTEXT PHOTOGRAPH 5: TAKEN FROM 1AI LOOKING SOUTH-EAST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 6: TAKEN FROM REEDS LANE AND PROW 3/1AI LOOKING WEST TOWARDS THE SITE

LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 4 - 6

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: NOV 2019

PROJECT NUMBER: 23510



SITE CONTEXT PHOTOGRAPH 7: TAKEN FROM PROW 3/1AI LOOKING SOUTH



SITE CONTEXT PHOTOGRAPH 8: TAKEN FROM PROW 11 Hu LOOKING NORTH TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 9: TAKEN FROM FOOTWAY ALONG THE B2118 (SUSTRANS ROUTE) AT START OF PROW 11 Hu, LOOKING NORTH-WEST TOWARDS THE SITE

LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 7 - 9

RECOMMENDED VIEWING
DISTANCE: 20CM @A1

DATE TAKEN: NOV 2019

PROJECT NUMBER: 23510



SITE CONTEXT PHOTOGRAPH 10: TAKEN FROM PROWs 11AI AND 3/1AI LOOKING NORTH TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 11: TAKEN FROM PROW 15/1AI LOOKING NORTH TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 12: TAKEN FROM PROW 15/1AI LOOKING NORTH TOWARDS THE SITE

LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 10 - 12
RECOMMENDED VIEWING
DISTANCE: 20CM @A1
DATE TAKEN: NOV 2019
PROJECT NUMBER: 23510



SITE CONTEXT PHOTOGRAPH 13: TAKEN FROM JUNCTION OF PROWs 13A, 9A AND 15/1A LOOKING NORTH-WEST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 14: TAKEN FROM PROW 22AI LOOKING NORTH-EAST TOWARDS THE SITE



SITE CONTEXT PHOTOGRAPH 15: TAKEN FROM PROW 22AI LOOKING NORTH TOWARDS THE SITE

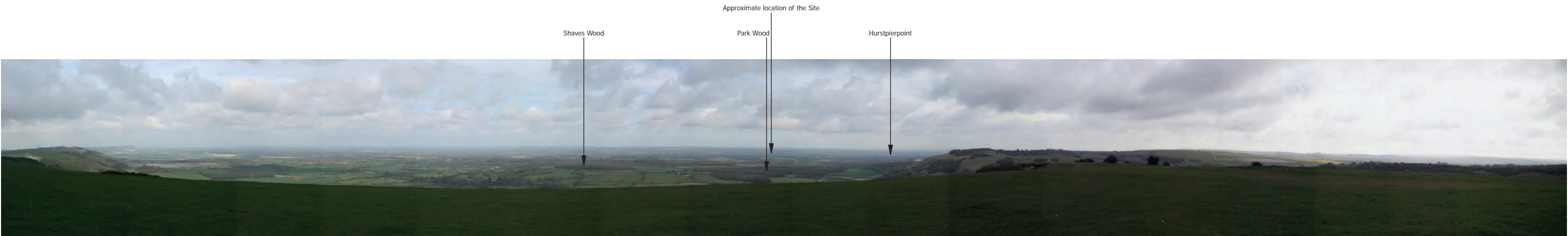
LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 13 - 15
RECOMMENDED VIEWING
DISTANCE: 20CM @A1
DATE TAKEN: NOV 2019
PROJECT NUMBER: 23510



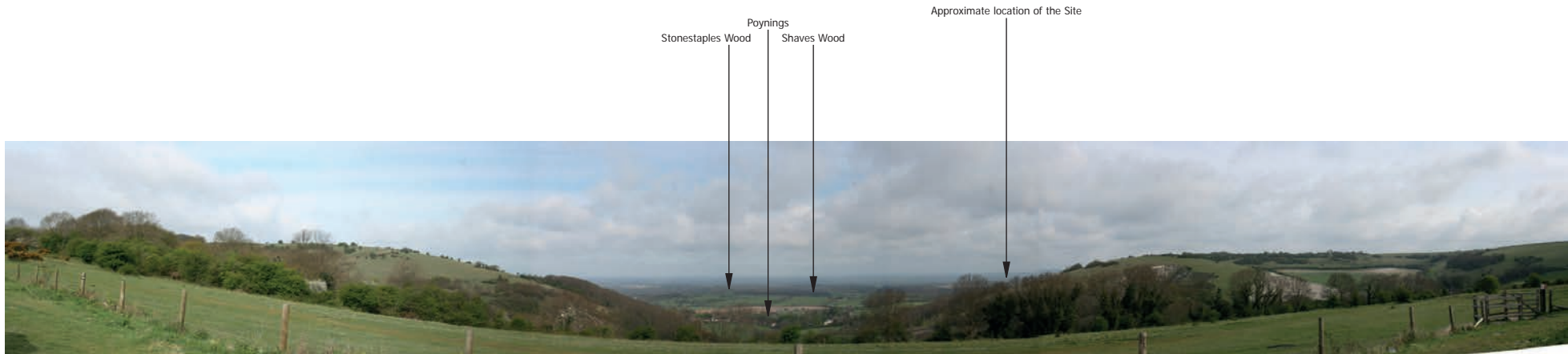
SITE CONTEXT PHOTOGRAPH 16: TAKEN FROM PROW 22AI LOOKING NORTH TOWARDS THE SITE



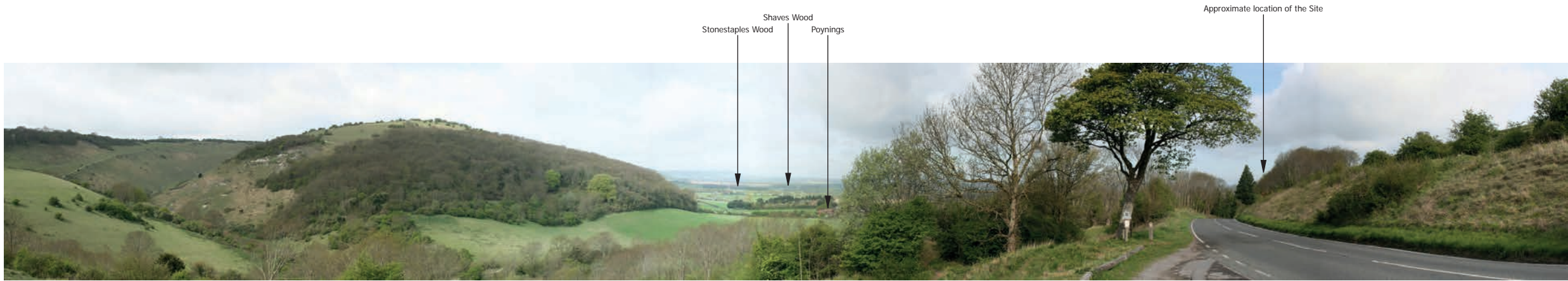
SITE CONTEXT PHOTOGRAPH 17: VIEW FROM DEVIL'S DYKE VIEWPOINT



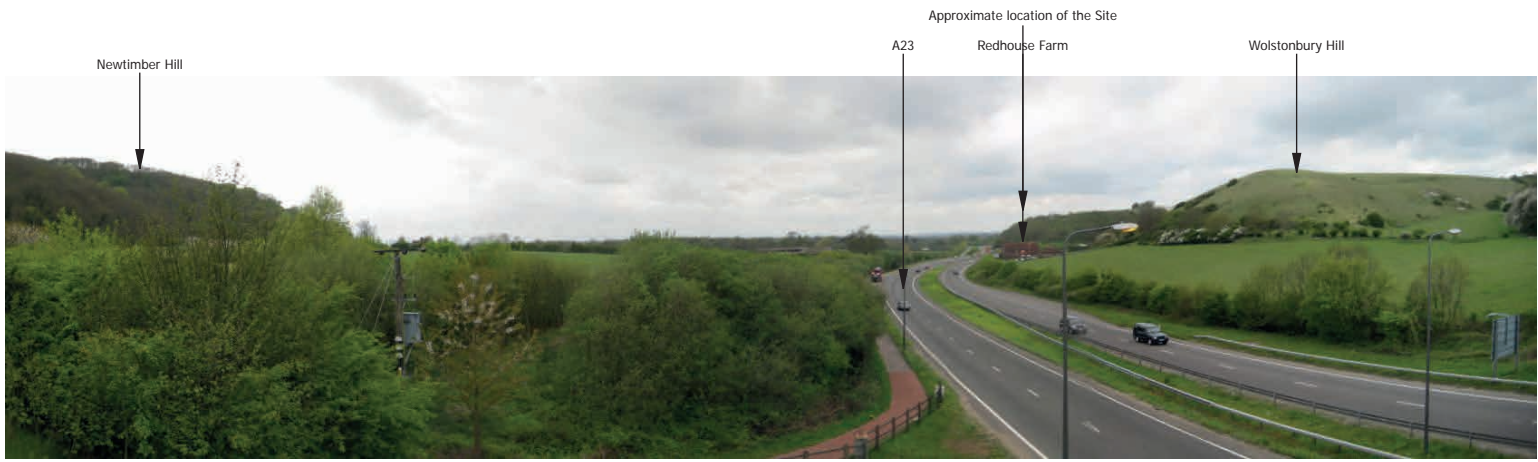
SITE CONTEXT PHOTOGRAPH 18: VIEW FROM DEVIL'S DYKE CAR PARK



SITE CONTEXT PHOTOGRAPH 19: DEVIL'S DYKE, SUMMER DOWN VIEWPOINT



SITE CONTEXT PHOTOGRAPH 20: VIEWPOINT SOUTH OF POYNINGS



SITE CONTEXT PHOTOGRAPH 21: VIEW FROM A23 OVERBRIDGE AT PYECOMBE

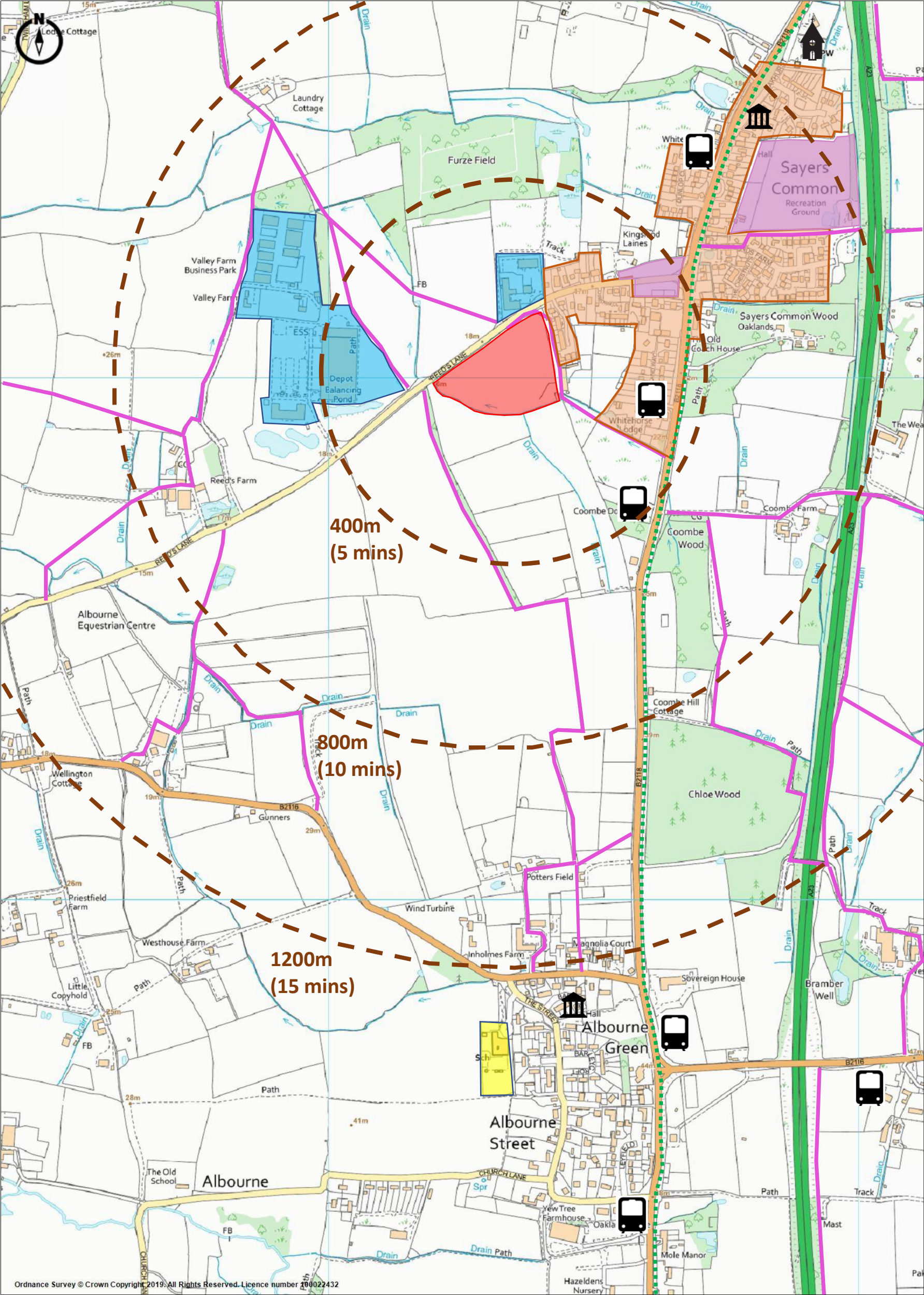
LAND WEST OF MEADOW
VIEW,
SAYERS COMMON
SITE CONTEXT
PHOTOGRAPHS: 19 - 21
RECOMMENDED VIEWING
DISTANCE: 20CM @A1
DATE TAKEN: MAY 2010
PROJECT NUMBER: 23510



SITE CONTEXT PHOTOGRAPH 22: VIEW FROM CLAYTON WINDMILLS

APPENDIX 5

ACCESSIBILITY PLAN



Sayers Common Built Up Area

Land west of Meadow View (Ref. 857)

Employment Land

School

Recreation / Sport Ground

Public Right of Way

Sustrans Cycle Route

400 metre (5 min walk) distance

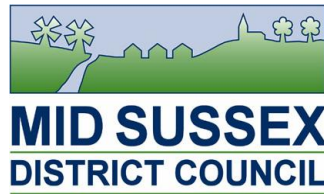
Village Hall

Bus Stop

Bus Route 100 – Hourly service from 0655 to 1820 Monday to Friday and from 7.55 to 18.20 on Saturday

Bus Route 273 – Every 2.5 hours from 0519 to 1323 Monday to Friday, then from 1646 to 18.06, and every 1.5 hours from 0802 to 1759 on Saturday

Site Allocations DPD: Regulation 19 Consultation Response**Policy:** SA11**ID:** 709**Response Ref:** Reg19/709/1**Respondent:** Mrs L Wilford**Organisation:** Barton Willmore**On Behalf Of:** Retirement Villages Developments**Category:** Promoter**Appear at Examination?** ✓



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

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

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

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

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

The Site Allocations DPD is available to view at:

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

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

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

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

How can I respond to this consultation?

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

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

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

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

E-mail: LDFconsultation@midsussex.gov.uk

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

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

1. Personal Details

Title	<input type="text" value="Mrs"/>
First Name	<input type="text" value="Lucy"/>
Last Name	<input type="text" value="Wilford"/>
Job Title (where relevant)	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barton Willmore LLP"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="Retirement Villages Development Ltd & Notcutts Ltd"/>
Address Line 1	<input type="text" value="The Observatory"/>
Line 2	<input type="text" value="Castle Hill Drive"/>
Line 3	<input type="text" value="Castle Hill"/>
Line 4	<input type="text" value="Ebbsfleet Valley"/>
Post Code	<input type="text" value="DA10 1EE"/>
Telephone Number	<input type="text" value="07964912446"/>
E-mail Address	<input type="text" value="Lucy.wilford@bartonwillmore.co.uk"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

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

Part B – Your Comments

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

Name or Organisation:

Retirement Villages Development Ltd & Notcutts Ltd

3a. Does your comment relate to:

Site
Allocations
DPD

☒

Sustainability
Appraisal

☒

Habitats Regulations
Assessment

☐

Community
Involvement
Plan

☐

Equalities
Impact
Assessment

☐

Draft Policies
Maps

☒

3b. To which part does this representation relate?

Paragraph

Policy SA

11

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

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

Yes ☐

No ☒

4b. Sound

Yes ☐

No ☒

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

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

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

Please refer to accompanying submission

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

Please refer to accompanying submission

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

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

Please refer to accompanying submission

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:

Given the nature and extent of the objections, which also relate to a specialist form of accommodation which the respondent specialises in delivering and its recent appeal decision in the District (also referenced in our representations) we consider oral participation in the EiP is essential to ensure the matters raised are thoroughly explored and examined.

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:

Lucy Wilford

Date:

28/09/2020

Thank you for taking time to respond to this consultation



HAZELDENS NURSERY, ALBOURNE

MID SUSSEX DISTRICT COUNCIL SITE ALLOCATIONS DPD
(REGULATION 19) CONSULTATION
CONSULTATION RESPONSE

On Behalf of
Retirement Village Development Ltd & Notcutts Ltd

September 2020

HAZELDENS NURSERY, ALBOURNE

**MID SUSSEX DISTRICT COUNCIL SITE ALLOCATIONS DPD
(REGULATION 19) CONSULTATION**

CONSULTATION RESPONSE

**ON BEHALF OF
RETIREMENT VILLAGES DEVELOPMENT LTD & NOTCUTTS LTD**

SEPTEMBER 2020

Project Ref:	29583/A5
Status:	Final
Issue/Rev:	01
Date:	September 2020
Prepared by:	Lucy Wilford
Checked by:	Huw Edwards
Authorised by:	Huw Edwards

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Ref: 29583/A5/LW/sjo
Date: September 2020

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3.0 PLANNING POLICY CONTEXT	04
i) National Planning Policy Framework (NPPF)	04
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APPENDICES

APPENDIX 1: Site Location Plan

APPENDIX 2: Hazeldens Appeal Decision

APPENDIX 3: Regulation 18 Representations

APPENDIX 4: Need Assessment

APPENDIX 5: Need Assessment Update

APPENDIX 6: Draft Site Allocation Policy

1.0 INTRODUCTION

i) Overview

- 1.1 These representations are prepared by Barton Willmore LLP on behalf of Retirement Villages Developments Ltd (RVD) and Notcutts Ltd, in response to Mid Sussex District Council's (MSDC) Regulation 19 Site Allocations DPD (SA DPD) consultation.
- 1.2 On behalf of our client RVD, we are promoting the comprehensive development of Hazeldens Nursery, Albourne (the Site) for C2 extra care development – see Site Location Plan **(Appendix 1)**. The Site has previously been promoted through the Council's Call for Sites to inform the "Strategic Housing and Economic Land Availability Assessment", site ref 58. The Site has also been subject to recent planning applications for extra care development. The most recent application, (ref DM/19/1001) for 84 units has subsequently been consented at Appeal **(Decision – Appendix 2)**.
- 1.3 These representations are made within the context of this most recent Appeal decision, the Adopted Development Plan, prevailing Government Guidance and should be read alongside our previous representations to the Regulation 18 consultation document **(Appendix 3)**.

ii) Scope and Summary of Representations

- 1.4 These representations are submitted in respect of MSDC's Regulation 19 SA DPD, July 2020 and object to the following:
- Policy SA11: (Additional Housing Allocations), where it fails to include the Site as an allocation for C2 extra care; and
 - The proposals map where it fails to include the Site as an allocation for extra care.
- 1.5 Allied to the above, we seek the inclusion of a new policy to positively address and support the provision of extra care on non-allocated sites to meet the significant identified need, which the Council is currently failing to recognise by making no allocations specifically for this use.
- 1.6 We further object to the Council's evidence base informing the SA DPD, specifically with regards to:

- Sustainability Appraisal (incorporating Strategic Environmental Assessment), Regulation 19, July 2020; and
- Infrastructure Delivery Plan, Regulation 19 Version, March 2020.

1.7 In summary, it is demonstrated that the SA DPD is **“Unsound”** and is not **“Legally Compliant”** because it fails to consider and address the identified need to deliver specialist accommodation, specifically extra care, contrary to Local Plan Policies DP25 and DP30, and National planning policy.

1.8 For the DPD to be found **“Sound”** and **“Legally Compliant”**, the need for specialist accommodation must be re-visited in the DPD, through the allocation of Hazeldens Nursery for extra care housing development, following the grant of permission. In addition, a further policy must be included to aid the delivery of additional extra care units to address the significant residual unmet need.

2.0 HAZELDENS NURSERY, ALBOURNE

2.1 The Site is being promoted for inclusion in the SA DPD for C2 extra care development following the grant of Outline planning permission for extra care housing at Appeal (Decision at **Appendix 2**) comprising apartments and cottages with associated communal facilities. The permitted development comprises the following main elements:

1. extra care units comprising a mixture of apartments and cottages;
2. Club House or also known as the Central Facilities Building including:
 - Local shop including click and collect lockers (accessible to the wider public);
 - 2 no. workshops (available to local artisans and residents);
 - Foyer including offices for staff, administration and care operators;
 - Library;
 - Lounge;
 - Restaurant and bar; and
 - Treatment and function rooms.
3. Publicly accessible electric charging points;
4. Off-Site traffic calming works to the London Road.
5. Residents, staff and visitors will also have access to a site mini-bus serving the development.

2.2 The development is designed to be a community that will operate as a single planning unit, with restrictions on occupation, being both age (at least 1 person per household/unit aged at least 65yrs) and being in need of 'care'. A minimum of two hrs of care is also to be provided per week to that household/ unit.

2.3 As already indicated, planning consent for the development was granted at Appeal on 11 September 2020 (**see Appendix 2**). In granting consent for the proposals, the Inspector critically concluded that:

Need

- There is a significant level of current unmet need now for extra care housing, particularly for leasehold which is of particular importance and the development will contribute to meeting (para 93 and 137);

- The unmet need for extra care will significantly increase over the plan period (para 93);
- The Council has failed to recognise and is not proposing to plan to address an unmet need for extra care which is clearly evident (para 93).

Benefits

- The development is likely to benefit the local housing market by freeing up family housing and contributing more generally to addressing the housing crisis (para 95);
- The proposals will secure public benefits through the provision of the Shop, lockers, workshops, provision of publicly accessible electric charging points and off-site traffic calming works (paras 96-102);
- The proposals will secure social benefits in terms of the health and wellbeing of its elderly residents (paras 103-104);
- Economic benefits will be secured by jobs created by the development (in its construction and operation) and also savings to the NHS through the health and wellbeing benefits provided to its residents (paras 103-104).

- 2.4 The appeal decision has clear and direct implications for the evidence base to the SA DPD on this issue, the same evidence having been fundamental to the Council's evidence to the Appeal. The Inspector found it to be out-of-date and that it failed to grasp the realities of the needs of the growing population of older people or to form a proper basis on which to plan to meet those needs. As set out further in this Statement, following the grant of permission the Site should be included in the SA DPD and an additional policy included which expressly supports the provision of specialist accommodation for the elderly, particularly extra care, to ensure the identified unmet need is met. This is necessary for the SA DPD to be **"Justified", "Effective", "Consistent with National Policy"** and therefore **"Sound"**.

3.0 PLANNING POLICY CONTEXT

3.1 This section provides an overview of the National and Local planning context in relation to the delivery of housing development for older people including Extra Care developments. This provides important context to the SA DPD and whether it is **“Sound”**. Critically it establishes that:

- The need to provide accommodation for older people is critical;
- That the need for older people’s accommodation should be addressed in planning policies, this includes considering allocating sites to provide greater certainty or providing indicative figures;
- Extra care housing is a specialist type of housing for older people; and
- Any unmet need for specialist accommodation should be addressed in the SA DPD.

i) National Planning Policy Framework (NPPF)

Older Persons Housing

3.2 On 19 February 2019, the revised National Planning Policy Framework (NPPF) was published by Central Government, setting out its planning policies for England and how these are expected to be applied, in both plan-making, decision-taking and in achieving sustainable development. This includes supporting the objective of significantly boosting the supply of homes, including the needs of groups with specific housing requirements. To assist in this objective, the NPPF (para 61) requires Local Planning Authorities (LPAs) to consider, inter alia:

“... the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, ...” (Our emphasis)

3.3 The NPPF Annex defines “older people” as:

“People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.”

- 3.4 Local Plans should plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of the Framework. This should be undertaken using robust and up-to-date evidence about the economic, social and environmental characteristics and prospects of the area. This includes meeting the specialist housing needs for older people.

ii) National Planning Practice Guidance (NPPG)

- 3.5 The recently updated (26 June 2019) National Planning Practice Guidance (NPPG) addresses “housing for older people” more specifically. The introduction of such specific guidance only goes to further demonstrate the seriousness of the shortfall in such provision, which needs to be addressed now.

- 3.6 This guidance explains (Para: 001 Ref ID: 63-001-20190626) that:

- The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million [our emphasis]; and
- Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems.

- 3.7 Therefore, an understanding of how the ageing population affects housing needs is something that must be considered from the early stages of plan-making through to decision-taking.

- 3.8 The guidance goes on to explain that:

- Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people [our emphasis].
- These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period [our emphasis]. Paragraph: 006 Reference ID: 63-006-20190626.
- Allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. This may be appropriate where there is an identified unmet need for specialist housing [our emphasis]. The location of housing

is a key consideration for older people who may be considering whether to move (including moving to more suitable forms of accommodation). (Para: 013 Ref ID: 63-013-20190626).

- Recognises that there are different types of specialist accommodation for older people, which includes Extra Care (Para: 010 Reference ID: 63-010-20190626).
- Plan-making authorities will need to count housing provided for older people against their housing requirement. For residential institutions, to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published Census data. (Para: 016 Ref ID: 63-016-20190626).

iii) **Adopted Mid Sussex District Plan 2014-2031**

- 3.9 Policy DP25 (Community Facilities and Local Services) in the Adopted Local Plan sets out that *“community facilities and local services to meet the local needs will be identified through Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council”*. The supporting text confirms that for the purpose of this policy that community facilities and local services includes “specialist accommodation and care homes”. C2 extra care accommodation is a specialist form of accommodation and would fall within the scope of this policy, as also confirmed by the recent Hazeldens Nursery Appeal decision (para 22).
- 3.10 Policy DP30 (Housing Mix) includes similar provisions to ensure the delivery of specialist accommodation and states *“If a shortfall is identified in the supply of specialist accommodation and care homes falling within Use Class C2 to meet demand in the District, the Council will consider allocating sites for such use through a Site Allocation Document, produced by the District Council.”*
- 3.11 The Adopted Local Plan therefore clearly sets out that it is incumbent on MSDC through the preparation of the SA DPD to assess and if necessary address the need for specialist accommodation. As set out further in this Statement, MSDC has fundamentally failed to consider the need for specialist accommodation in the preparation of the SA DPD and therefore fails to address the identified unmet need.

4.0 NEED FOR EXTRA CARE

4.1 Extra care, is just one form of specialist accommodation for the elderly and the following section does not consider the need for all forms of specialist accommodation, which may not just be restricted to the needs of the elderly or to extra care. However, by its nature extra care housing is both a particularly appropriate response to the needs of a growing population of older people and a form of development for which specific site allocations and / or policy recognition is required to help facilitate delivery.

4.2 Paras 80-93 of the Hazeldens Appeal decision (**Appendix 2**), considers in detail the need for extra care and determined that there is a *“significant level of current unmet need, in particular for extra care leasehold housing Furthermore, this will significantly increase over the Local Plan period.”* (para 93) [our emphasis]. The Inspector does not conclude what the level of need is, but gives it (and significantly the leasehold element), the highest weight possible (substantial weight) as a planning consideration in favour of the Appeal proposals. Irrespective, it was determined in evidence that:

- The Council’s assessment of need (HEDNA¹ Addendum, which formed part of the evidence base for the now adopted Local Plan) is out-of-date (para 87);
- The Appellant’s assessment of the tenure split is more credible (para 90); and
- There are no leasehold extra care units in the pipeline to address the identified need (para 91).

4.3 Significantly, the Inspector determined that the situation of the significant unmet need both now and in the future is a direct result of the Council failing to progress swiftly with the SA DPD as well as failing to recognise and therefore address an unmet need. Para 95 states that:

“This situation has not been helped by the slow progress on the SA DPD and the failure to recognise an unmet need that is clearly evident. The Council’s riposte that it is not being inundated by enquiries or application for this type of development does not seem to me to be a very robust or objective yard stick on which to rely. For all these reasons I consider that the provision of extra care units by the Appeal development to be a matter of substantial weight” [our emphasis]

4.4 Consequently it is self-evident that the current Local Plan policy provisions in DP25 and DP30 are inadequate and the unmet need must be further addressed in the SA DPD.

¹ Housing and Economic Development Assessment Addendum, August 2016

- 4.5 At **Appendices 4 and 5** is the most up-to-date assessment of need, as submitted to the Inquiry on behalf of RV, together with the accompanying note updating both our and the Council's supply position and applying a different tenure split to the Council's assessment of need. As above the Council's assessment of need was found to be out-of-date. Table 2 at **Appendix 5** (as replicated below) provides the most up-to-date assessment of need as set out in our evidence.

Table 1: Extra Care Need

Year 2020	Need	Shortfall (need less supply)
Of which 33% And 67%	694 231 for rent 463 leasehold	552 145 for rent 407 leasehold
Year 2030	Need	Shortfall (need less pipeline & supply)
of which 33% And 67%	939 313 for rent 626 leasehold	665 95 rent 570 leasehold

- 4.6 Our assessment of need (above) sets out that there is an unmet need now for at least 552 extra care units, rising to 665 by 2030. Hazeldens will contribute to meeting the leasehold need (the tenure in the most need), reducing need within this tenure to 323 now and 486 in 2030, although this level of need remains significant. In terms of the implications of this assessment of need, it can be seen that with the existing supply and pipeline of extra care for rent around two thirds of needs will be met by 2030. One or two additional extra care schemes for rent would meet the residual need. By contrast, around 5-6 leasehold extra care developments are required over the coming ten years assuming an average size of 85 units per development, though this may be reduced if the average scheme size is increased. Across all tenures a total of around 6-8 significant new developments will be required to meet the need for extra care housing.
- 4.7 Based on this most up-to-date assessment of need (the Council has not provided any further assessment), further policy intervention is essential to ensure this unmet need is addressed, in line with local and National planning policy.

5.0 AMENDMENTS TO SA DPD

5.1 It is clear that there is an identified and unmet need that the SA DPD is failing to address contrary to National and Local Planning policy and without further policy intervention the unmet need will continue to prevail and worsen. To address the issue and to make the SA DPD **"Sound"**, it must be amended to:

1. Include Hazeldens Nursery as a site allocation specifically for extra care and Policy SA11 (Additional Housing Allocations) amended accordingly to reflect the allocation alongside the accompanying proposals map:
2. Include a new policy that expressly identifies the need for extra care accommodation and provides a positive policy basis against which future applications can be assessed, supporting and promoting their provision and therefore providing greater certainty of delivery.

5.2 The inclusion of the Site within the SA DPD is entirely consistent with other allocations in the DPD some of which are already consented but are nonetheless included. The development proposals meet an identified need which MSDC should be planning to meet and the development of the Site for extra care has found to be necessary and acceptable. In accordance with guidance in the NPPG (Para: 013 Ref ID: 63-013-20190626) the allocation of the Site also provides greater certainty over delivery, considering the Site only currently benefits from Outline permission. A draft Site allocation policy is therefore provided at **Appendix 6**.

5.3 Notwithstanding the permission at Hazeldens Nursery, there remains an identified unmet need for extra care that the Council is failing to recognise and address, as set out in the Hazeldens Appeal decision (para 95). Whilst it is recognised that Site Allocation SA20 includes for the provision of a Care Community (C2), whether this will include extra care is currently unknown (what is meant by a care community is undefined and could simply be a care home, which is not the same as extra care) and of itself, can only go some small way towards addressing the identified need which is significant. To address the need further policy intervention is therefore required, in line with National and Local planning policy to support and promote its provision. The following policy is therefore proposed:

There is an identified need for at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 need to be leasehold. The Council will support proposals that will contribute to meeting this need. Such developments will be permitted within towns and villages within the defined built-up-area boundaries, having regard to Local Plan policy DP26:

Character and Design and where the development does not cause harm to the character and function of the settlement.

Outside defined built-up area boundaries, proposals for C2 extra care development will be supported where a site is allocated for that purpose either in the Site Allocations DPD or a Neighbourhood Plan, or it can be demonstrated that:

- **The Site is contiguous with or does not cause significant harm to the existing pattern of development in the settlement;**
- **The development is demonstrated to be sustainable having regard to the accessibility of local services and facilities and any services and facilities that might be provided as part of the proposals.**

5.4 The proposed wording closely aligns with Adopted Local Plan Policy DP6 (Settlement Hierarchy) for consistency. However, in the case of extra care it provides for some additional flexibility recognising the specialist nature of extra care and its sustainability credentials, in terms of the services and facilities it can provide on-site, reducing reliance on the private car. Furthermore, outside settlement boundaries, it does not seek to limit unit numbers to 10 (as Policy DP6 currently does). Extra care developments of this size would simply not be viable, given the level of services and facilities that are provided on Site and as such greater flexibility is essential for the policy to be **“Effective”**. However, the scale of the development proposed should not cause harm to the character of the settlement, providing a safeguard against disproportionate development.

5.5 The inclusion of the policy is considered to be within the remit of the SA DPD, which under Section 3, already includes other “Development Policies”. Furthermore, it does not conflict with Policy SA10 (Housing) which does not take account of the need for C2 development in overall housing numbers, which are in any event expressed as a “minimum”. If this policy is not included (or similar), then other allocations must be made to address the need for the plan to be **“Sound”**.

5.6 In conclusion the above changes are necessary to make the SA DPD **“Legally Compliant”** and **“Sound”** by ensuring that it is:

- **Positively Prepared:** By ensuring the identified unmet need for extra care is met, where current local policy provisions are failing to address the need for extra care.
- **Justified:** Is based on available evidence of need and addresses the provisions of Local Plan policies LP25 and LP30, which looks to the SA DPD to address identified unmet need for specialist accommodation, a need the Council is currently failing to recognise.

- **Effective:** Ensures the need is addressed now and is thus deliverable, rather than deferring the issue when the need will only worsen.
- **Consistent with National Policy and thus Legally Compliant:** National Policy identifies the need to provide accommodation for older people is critical and thus looks to Local Authorities to set clear policies to address this need now.

6.0 ADDITIONAL SUPPORTING EVIDENCE

i) Sustainability Appraisal (Incorporating Strategic Environmental Assessment) Regulation 19, July 2020

- 6.1 The Sustainability Appraisal (SA) does not identify the need for specialist accommodation (beyond residential nursing care, para 4.2) as a sustainability issue or problem to be addressed. It also does not identify the need for specialist accommodation, particularly for the elderly, as an indicator for Social Objective 1, *"to ensure that everyone has the opportunity to live in a home suitable for their needs and which they can afford"* (pg 32), focusing solely on housing completions generally and provision of affordable housing.
- 6.2 Section 6 of the SA does not consider the need for other forms of specialist housing outside C3 housing. Nor does it address the requirements of Policies DP25 or DP30, which looks to the Site Allocations DPD to consider allocating sites for specialist accommodation to meet identified needs where there is a shortfall. As has already been identified, there is a significant unmet need.
- 6.3 The SA fails to address the need for specialist elderly accommodation and is wholly not in accordance National policy. The SA is silent on elderly accommodation and has therefore misdirected the Site Allocation DPD into not considering the need to allocate or address the need for (C2) extra care accommodation or any other specialist forms of accommodation. In doing so it has failed to properly consider the ways in which the Plan can contribute to improving social conditions and failed to consider reasonable alternatives, which is required to ensure that the Plan contributes to the achievement of sustainable development.
- 6.4 In the absence of such considerations the SA DPD cannot be considered to be **"positively prepared"**, **"Justified"**, **"Effective"** or **"Consistent with National Policy"** and is therefore **"Unsound"** and not **"Legally Compliant"**.

ii) Mid Sussex Infrastructure Delivery Plan (IDP), Regulation 19 Version, March 2020

- 6.5 Whilst it is acknowledged that the IDP focuses on the infrastructure and community facilities required to support the proposed site allocations, it fails to acknowledge the need to provide for specialist accommodation, such as extra care accommodation, which the Local Plan (pg 74) specifically lists as a "community facility" and should be planned for in the Site Allocations Document, as set out in Local Plan Policy DP25.

- 6.6 The need to deliver specialist accommodation must therefore also be addressed in the IDP and should have been formative to the SA DPD so that it is **"Justified"** and **"Effective"** and therefore **"Sound"**.
- 6.7 The same objections were raised in response to the Reg 18 SA and IDP and the comments have failed to have been addressed, nor has the Council considered further the need for (C2) extra care or other forms of specialist accommodation for the elderly through the preparation of additional evidence.

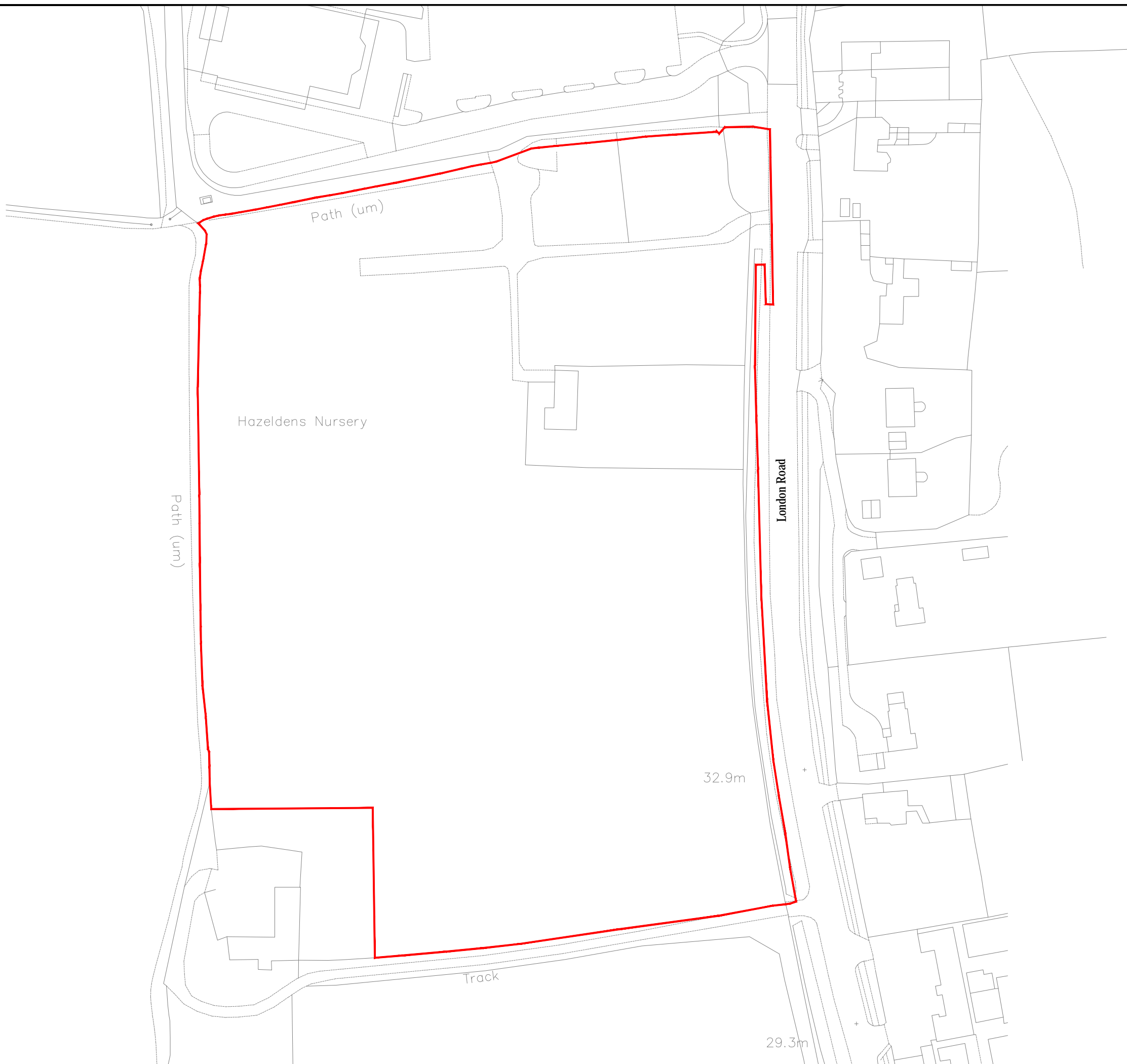
7.0 CONCLUSIONS

- 7.1 It is self-evident from the very recent Hazeldens Nursery Appeal decision (Appendix 2), that there is an identified and unmet need for C2 extra care (which was afforded significant weight in allowing the Appeal), which the Council is failing to address, via existing policies in the currently adopted Local Plan and the Regulation 19 SA DPD. This is a direct result of the Council failing to consider and address this matter through background evidence, misdirecting the SA DPD, which in turn has also failed to address the need by not including sufficient allocations or other policies to support its provision.
- 7.2 Consequently, the SA DPD is contrary to adopted Local Plan Policies DP25 and DP30 which looks to the SA DPD to address the need for specialist accommodation, including extra care. It is further contrary to the NPPF and NPPG which recognises the need to provide accommodation for older people is critical and directs that Local Planning Authorities should set out clear policies to address need.
- 7.3 The SA DPD is therefore **“Unsound”** and not **“Legally Compliant”** and objections are made to the following:
- Policy SA11: (Additional Housing Allocations), where it fails to include Hazeldens Nursery as an allocation for C2 extra care; and
 - The proposals map where it fails to include Hazeldens Nursery as an allocation for extra care.
- 7.4 Allied to the above, we seek the inclusion of a new policy to positively address and support the provision of extra care on non-allocated sites to meet the significant identified need.
- 7.5 We further object to the Council’s evidence base informing the SA DPD, specifically with regards to those listed below, where they do not consider the need for specialist accommodation and no other evidence has been prepared in this regard.
- 7.6 Evidence base documents objected to:
- Sustainability Appraisal (incorporating Strategic Environmental Assessment), Regulation 19, July 2020; and
 - Infrastructure Delivery Plan, Regulation 19 Version, March 2020.

- 7.7 In summary, it is demonstrated that the SA DPD is **“Unsound”** and not **“Legally Compliant”** because it fails to consider and address the identified need to deliver specialist accommodation, specifically extra care, contrary to Local Plan Policies DP25 and DP30, and National planning policy.
- 7.8 For the DPD to be found **“Sound”** and **“Legally Compliant”**, the need for specialist accommodation must be re-visited in the DPD, through the allocation of Hazeldens Nursery for extra care housing development, following the grant of permission. In addition, a further policy must be included to aid the delivery of additional extra care units to address the significant residual unmet need based on out up-to-date assessment.

APPENDIX 1

Site Location Plan



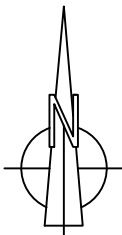
NOTES

This drawing is the copyright of Thrive Ltd © . All rights reserved.
Ordnance Survey Data © Crown Copyright. All rights reserved.
Licence No. 100007359. DO NOT scale from this drawing.
Contractors, Sub Contractors and Suppliers are to check all relevant dimensions and levels of the site and building before commencing any shop drawings or building work. Any discrepancies should be recorded to the Architect.
Where applicable this drawing is to be read in conjunction with the Consultants' drawings.

REV	DESCRIPTION	DATE	AUTH	CHK'D
A	Issued for Planning	07.03.19	MK	

KEY:

 Application Boundary



PLANNING



architects

Romsey Office

Building 300, The Grange, Romsey Road, Michelmersh, SO51 0AE
t: 01794 367703 f: 01794 367276 www.thrivearchitects.co.uk

PROJECT

London Road

Albourne

For: Retirement Villages

DRAWING

Location Plan

SCALE	DATE	AUTHOR	CHK'D
1: 1250 @ A3	Mar 19	MK	
JOB NO.	DRAWING NO.	REV	
RET1150215	LP.01	A	
CLIENT REF.			

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 710

Response Ref: Reg19/710/17

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
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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: SA11

ID: 718

Response Ref: Reg19/718/1

Respondent: Mr S Lambert

Organisation:

On Behalf Of:

Category: Organisation

Appear at Examination? x

Name	Shane Lambert
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD
OR Paragraph	Huntsland Farm
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>Re Huntsland Farm would be an unnecessary development</p> <ol style="list-style-type: none"> 1. Crawley Down has it's own plan where this is not needed. 2. The Entry/Exit point by the bridge on the Turners Hill Road by Vicarage Road is dangerous. Lack of visibility, closeness to the bridge. 3. Covid has destroyed the jobs at Gatwick meaning less houses are required. 4. Turners Hill Road is struggling the traffic it already has and there are often 1/2 mile tail backs to the Dukes Head Roundabout. 5. The land is currently Farmed and there is precious little farming in Crawley Down, Grange Farm farm this land. 6. Southern Water cannot take more sewage and Thames water have had to come into the village to sort excess out. 7. The land soaks up a lot of rain water and the streams could not cope with the excess. 8. Crawley Down school could not take any extra pupils. 9. The Crawley Down Doctors Surgery could not take further patients. 10. A herd of deer use this land with a white stag, where would they go. 11. There are various badger sets on the land.
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.	Don't build the house they are not needed.
If you wish to provide further documentation to support your response, you can upload it here	
If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination	No, I do not wish to participate at the oral examination
Please notify me when-The Plan has been submitted for Examination	yes
Please notify me when-The publication of the recommendations from the Examination	yes

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

yes

Date

27/09/2020

Site Allocations DPD: Regulation 19 Consultation Response

Policy: SA11

ID: 730

Response Ref: Reg19/730/4

Respondent: Mr J Farrelly

Organisation: Genesis

On Behalf Of: Wates - Park Road Handcross

Category: Developer

Appear at Examination? ✓

From: Jeremy Farrelly <Jeremy@genesistp.co.uk>
Sent: 28 September 2020 19:18
To: ldfconsultation
Subject: Site Allocations DPD - Regulation 19 Consultation (Part 1 of 3)
Attachments: Reg 19 SA DPD Representations Statement (Final) .pdf; Reg 19 SA DPD Form (SA10 - Table 2.3 - Windfalls).pdf; Reg 19 SA DPD Form (SA10 - Table 2.4 - Category 3 Settlements).pdf; Reg 19 SA DPD Form (Policy SA27).pdf; Vision Document - Land west of Park Road, Handcross.pdf

Dear Sir/Madam

I write on behalf of my clients, Wates Developments Limited and the Blind Veteran UK Charity, and attach the following representations to the above.

1. Representations Statement (Appendices 1 to 4 to follow separately in Parts 2 and 3)
2. Completed Representations Forms relating to
 - Table 2.3 – Policy SA10 (Windfall Figure)
 - Table 2.4 – Policy SA10 (Category 3 Settlement Deficit)
 - Policy SA27 – Land at St Martin Close (West), Handcross
3. Vision Document for Land West of Park Road, Handcross

Please could you confirm receipt of this e-mail and attachments by return.

Should you require clarification on the representations please do not hesitate to contact me.

Kind regards

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LAND AT PARK ROAD, HANDCROSS

Mid Sussex District Council

Site Allocations

Development Plan Document

Regulation 19 Submission Draft Consultation

Representations on behalf of:

Wates Developments Limited and the
Blind Veterans UK Charity

September 2020



RTPI
Chartered Town Planners



LAND AT PARK ROAD, HANDCROSS

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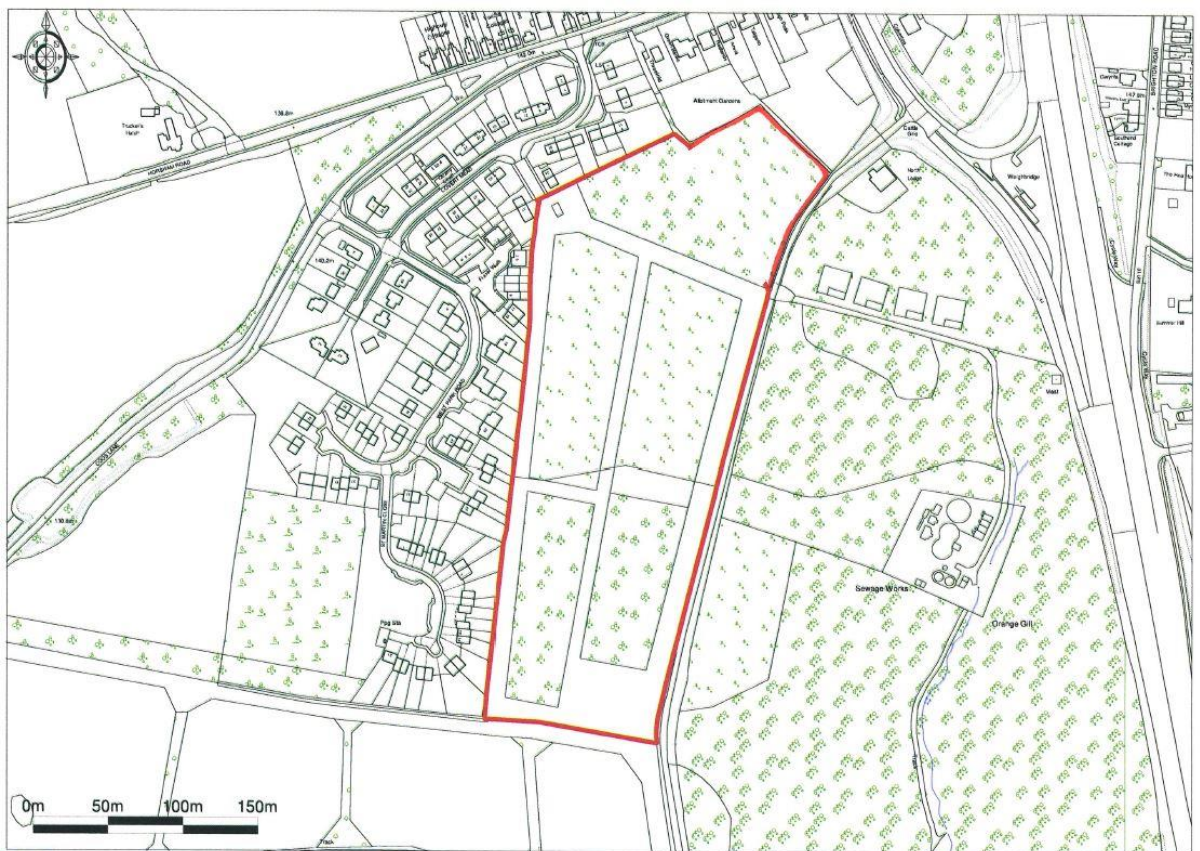
APPENDICES

Appendix 1	Illustrative Concept Layout (Drawing No. 19013(AF)00.01 P07)
Appendix 2	Slaugham Neighbourhood Plan Examiners Report
Appendix 3	Preliminary Tree Survey Schedule and Preliminary Tree Constraints Plan
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1.0 INTRODUCTION AND SCOPE OF REPRESENTATIONS

Introduction

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



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

Scope of Representations

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

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

2.0 PLANNING HISTORY CONTEXT

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

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

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

3.0 COMMENTS ON THE SOUNDNESS OF THE DRAFT PLAN

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

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

Windfall Allowance

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

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

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

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

SA10: Housing (continued)

Table 2.4: Spatial Distribution of Housing Requirement

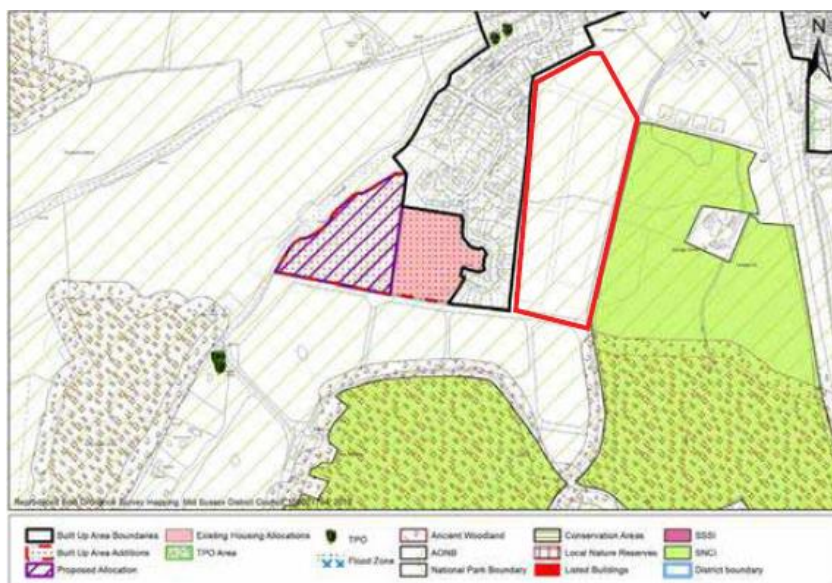
Settlement category	Settlements	Minimum Required over Plan Period	Updated Minimum Residual Housing Figure	Site Allocations – Housing Supply
1 – Town	Burgess Hill East Grinstead Hayward's Heath	10,653	706	1,409
2 – Larger Village (Local Service Centre)	Copthorne Crawley Down Cuckfield Hassocks and Keymer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

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

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

Policy SA27 – Land at St Martin Close (West)

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



Site in context with proposed allocation SA27

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

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

The Site and Surrounding Area

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



Picture of southern part of the Site



Picture of northern part of the Site

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

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

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

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

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

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



View to north from Historic PROW S7

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



View to south east towards Park Road from Public Footpath S3

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

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

Impact on Trees/Tree Preservation Orders

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

Local Road/Access

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

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

Table 1: Local Services and Facilities

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

Source: Consultants Estimates

Notes:

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

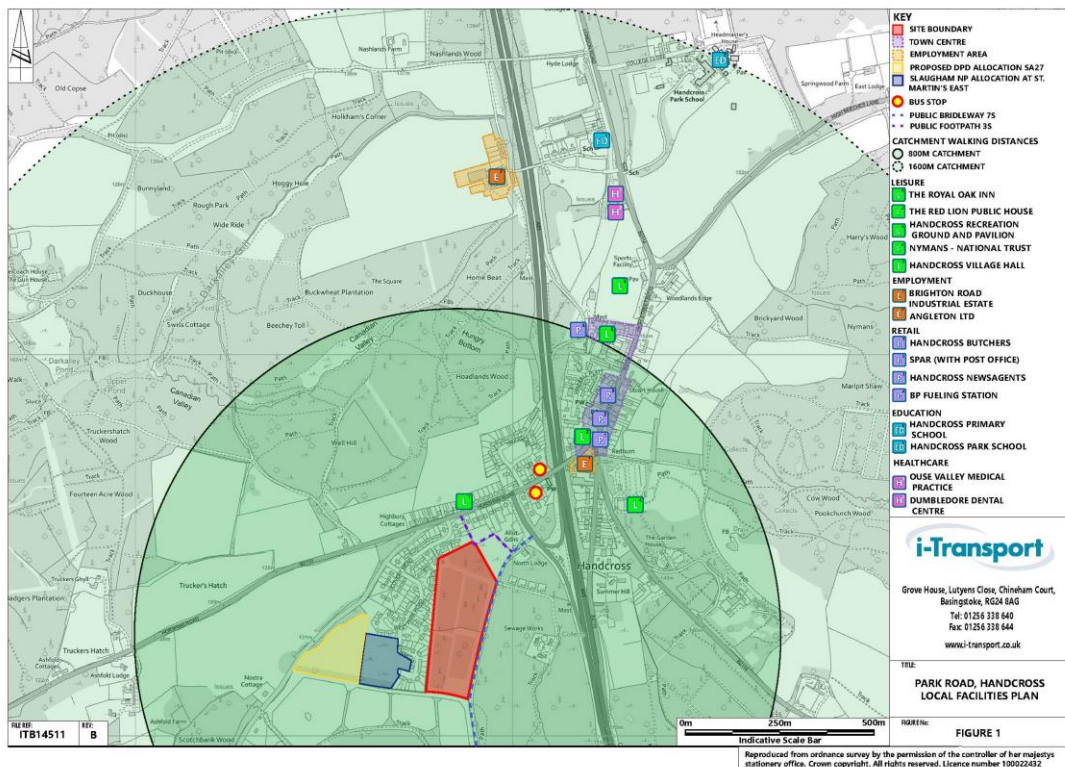


Figure 1: Local Facilities Plan

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

Community Facilities

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

5.0 SUMMARY AND RECOMMENDATION

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

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



Land west of Park Road Handcross

A Vision for the land west of Park Road,
Handcross



CREATING TOMORROW TOGETHER

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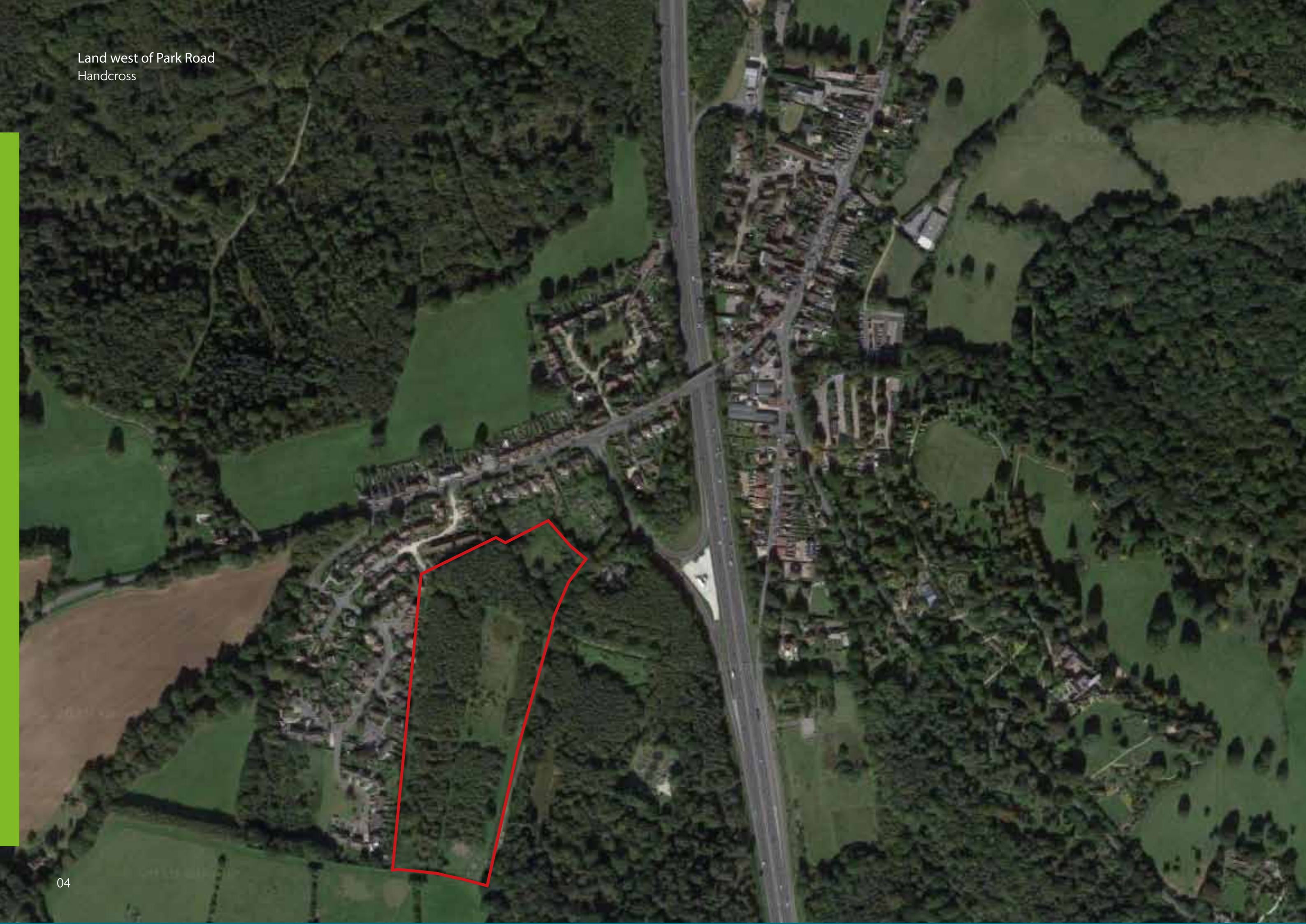
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Land west of Park Road
Handcross





1.0 Introduction

1.1 Wates Developments & the Professional Team

Wates Developments is an expert in land, planning and residential development throughout Southern England. Wates Developments is the primary investment arm of the Wates Group, which was founded in 1897, Wates is now one of the largest construction and development companies in the UK.

As a family owned business Wates shares a deep sense of responsibility to provide outstanding projects for customers which make a long-lasting difference to the communities in which it works. From delivering affordable housing, new schools, through to retail and commercial interiors, heritage sites and residential development jointly with partners, it is in a unique position to make a positive impact for the long-term.



Wates

DEVELOPMENTS

Professional Team



RE-FORMAT
Architects / Masterplanning
Re-Format



SLR
Landscape
SLR



GENESIS
TOWN PLANNING
PLANNING | REGENERATION | ENVIRONMENT
Genesis Town Planning



i-Transport
Highways Consultants
i-transport

1.2 Background

This document has been prepared on behalf of Wates Developments to introduce the opportunity for the delivery of new homes on land west of Park Road, Handcross, (the 'Site').

The Site is located in close proximity to the housing allocations within the Slaugham Neighbourhood Plan and draft MSDC DPD therefore is recognised as being a suitable location for development whilst being closer to the services and amenities of Handcross village.

The Site is considered to be suitable for 65-80 new homes (30% affordable), with capacity for on-site community benefits.



Aerial view of the site from the west

Land west of Park Road
Handcross

Handcross Primary School

High Street

Community Allotments

All Saints Church

Proposed allocation SA27

Existing housing allocation
in SNP

The Site

A23

Water treatment plant

1.3 Site & Context

The Site

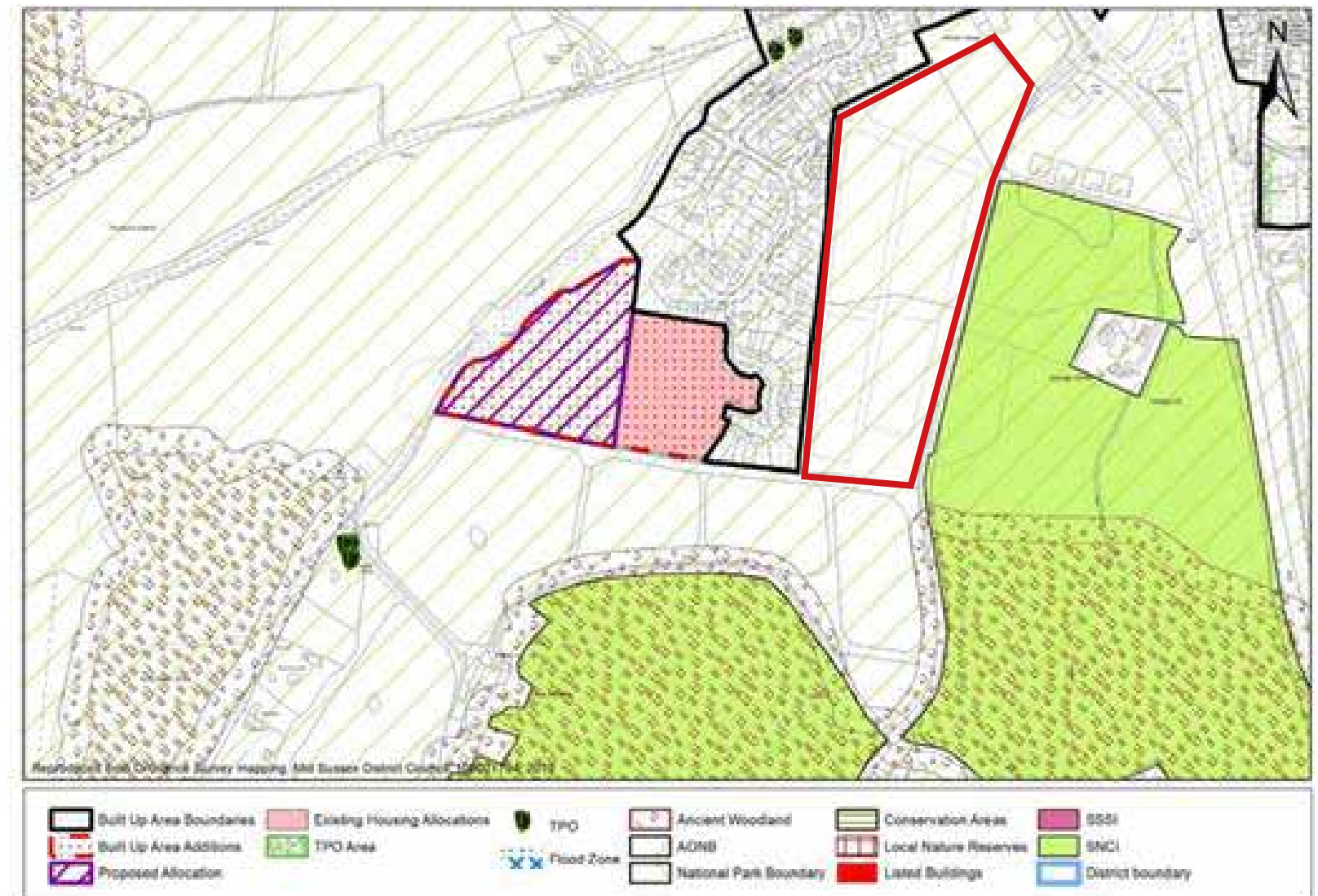
Wates Developments has a controlling interest in the which extends to just under 13 acres comprising areas of grassland and self-seeded saplings.

The Site lies adjacent to the built-up area boundary on two sides, with Council allotments to the north-east and an existing bridleway along the eastern boundary providing access to surrounding villages.

East of Park Road lies the A23 which provides immediate access to further destinations including Gatwick and London to the north.

Benefits

- Provision of between and 65-80 homes including up to 24 affordable homes to meet local need
- Appropriately sized extension to the village
- Well-contained within the landscape with mature tree and hedgerow boundaries
- Within walking distance of the Handcross, its services and amenities via existing, sustainable walking routes
- Capacity for on-site community benefits including play spaces
- Easy access to the A23
- Opportunity to extend/ enhance the adjacent allotments'
- Minimal traffic impact on the village centre



Site in context with proposed allocation SA27

Land west of Park Road
Handcross





2.0 Site Assessment

Wates Developments have carried out a detailed assessment of the key planning and technical influences on the site. The following pages summarise the key considerations and findings of the work carried out to date and how they have influenced the illustrative masterplan.

2.1 Access to local amenities

Access to Amenities

The site is well located to enable walking and cycling to the existing services and facilities within Handcross, which are shown on the figure opposite.

The local public rights of way in the vicinity of the site are illustrated on the plan opposite.

Public bridleway 7S runs along the existing alignment of Park Road and Public Footpath 3S connects the northern boundary of the site with Horsham Road which future residents will be able to use to route towards the village centre.

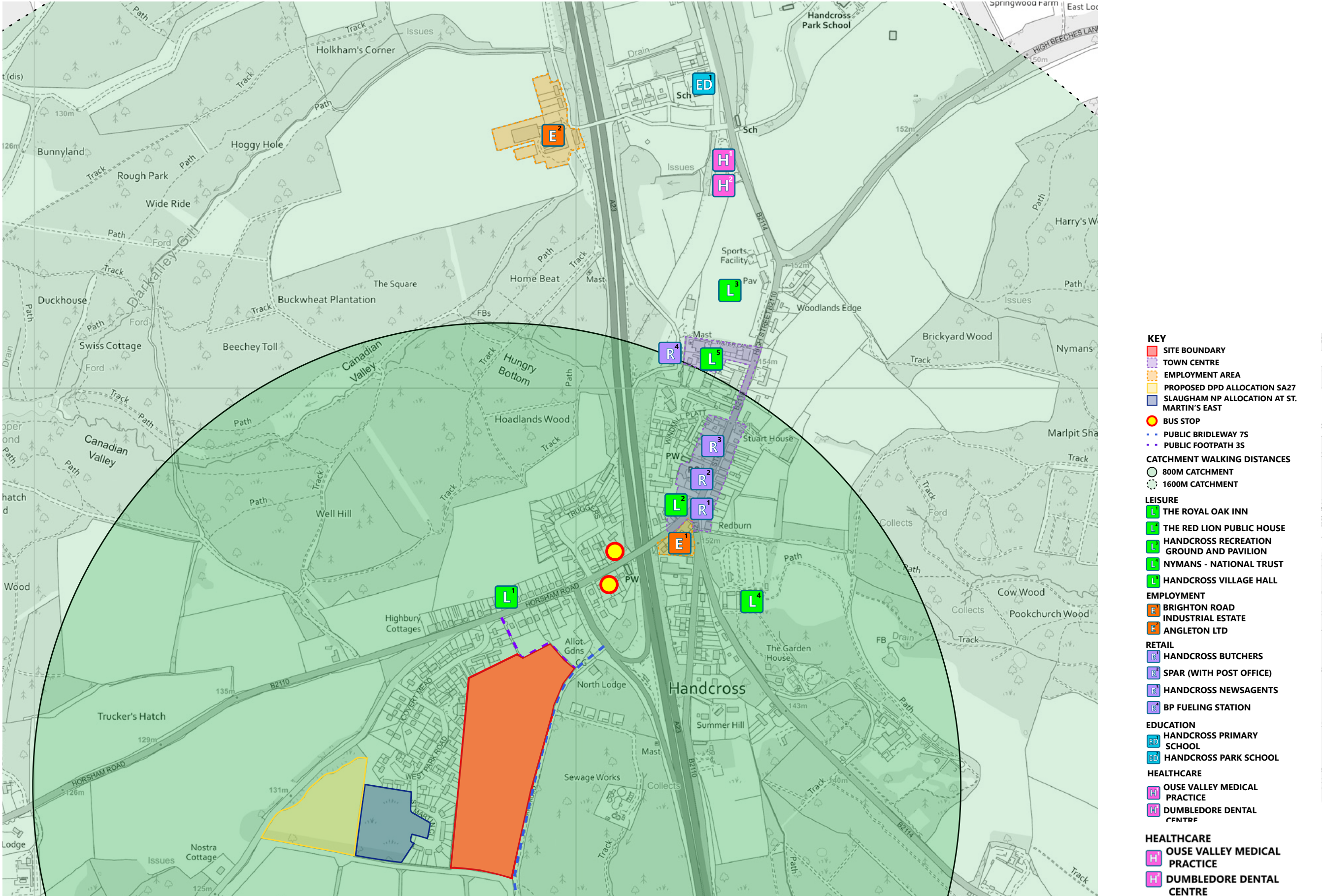
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	Handcross Village Hall	900	11	3
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Source: Consultants Estimates

Notes:

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

Land west of Park Road
Handcross



Local Facilities Plan

Land west of Park Road
Handcross





3.0 Design

This section presents the design development of the illustrative masterplan, taking into account the key considerations from the site assessment.

3.1 Concept Layout

The concept layout seeks to acknowledge its setting by retaining the existing tree line boundaries and incorporating existing trees and green spaces to create attractive interconnected green spaces throughout.

To the north of the Site, public open space is being offered to provide a useable space accessed from the Village via Covert Mead, the existing allotments and Park Road all which abut the site via existing footpaths therefore enhancing the Sites sustainability.

This space will also work to replace the loss of public open space at St.Martin's Close as a result of the proposed housing allocations.



Proposed access drawing

Key:



Tree lined landscape buffer with woodland walk

Pedestrian / cycle ways between development

Indicative housing zone

Public footpath connection

Public Bridleway connection

Site boundary 5.99 Ha

Accommodation - between 65-80 dwellings (13-16 dph)

Proposed allocation SA27

Existing allocation

Pedestrian access from public footpath off Horsham Road

Public open space and retained woodland

Pedestrian access from public footpath off Covert Mead

Pedestrian access from public bridleway off Park Road

Community building

Access road enhanced to suit proposals

Horsham Road

Covert Mead

A 23

2

3

1



Concept proposal plan

3.3 Aerial View

This image shows the contextual relationship the site has with the nearby allocations at St.Martin's Close (east and West) and Handcross village.

It also highlights the Site as a logical extension which would define the limits of the village through natural defensible boundaries which would be enhanced as a result of the proposals.

The verdant green setting will be maintained through retention of large numbers of trees and connected formal and informal green spaces.

Land west of Park Road
Handcross



Aerial view of proposals:

Wates House
Station Approach
Leatherhead
Surrey KT22 7SW

Tel: 01372 861000
www.wates.co.uk



Land west of Park Road
Handcross

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Key:



- Tree lined landscape buffer with woodland walk
- Pedestrian / cycle ways between development
- Indicative housing zone
- Public footpath connection
- Public Bridleway connection
- Site boundary 5.99 Ha

Accommodation - between 65-80 dwellings (13-16 dph)



Revisions
P01 / 11.01.19 / Initial issue
P02 / 14.01.19 / Public ROW added
P03 / 14.01.19 / Scale changed to show context
P04 / 06.12.19 / Community Hall shown / Access road layout updated.
P05 / 09.12.19 / Scale increased to 1:2500
P06 / 13.02.20 / Additional parcel added
P07 / 28.09.20 / Siteplan adjusted to suit tree constraints

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Drawn by	Date	Project Title	Status	Stage
RM	11.01.19	Land to Park Road, Handcross	Preliminary	Feasibility
Scale at A3 1:2500	Document Title	Drawing Number	Revision	
	Concept layout	19013(AF)00.01		P07

APPENDIX 2

Slaugham Neighbourhood Development Plan 2014-2031

**A report to Mid Sussex District Council on the
Slaugham Neighbourhood Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Mid Sussex District Council in November 2018 to carry out the independent examination of the Slaugham Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 17 January 2019.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and community facilities. It identifies allocations for new residential development.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Slaugham Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
7 May 2019

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Slaugham Neighbourhood Development Plan 2014-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Mid Sussex District Council (MSDC) by Slaugham Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and 2018 and in the latest revision in February 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a range of environmental and community issues and proposes the allocation of two residential developments.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by MSDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both MSDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not be likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.12 of this report.

- 2.6 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7 In order to comply with this requirement, the Parish Council commissioned the preparation of a Sustainability Appraisal incorporating Strategic Environmental Assessment (SEA). The report is thorough and well-constructed. It appraises the policy options against the sustainability framework.
- 2.8 The Appraisal has two detailed appendices. Appendix 1 appraises different policy options. Appendix 2 is a Housing Sites Options Appraisal. Where appropriate I comment on the technical details in the Sustainability Appraisal in the policy specific section of this report (Section 7).
- 2.9 MSDC also prepared its own Habitats Regulations Assessment (HRA) of the Plan in November 2018. It assessed the policies in the Plan against the Ashdown Forest SPA and SAC. It concludes that the Plan is not likely to have significant environmental effects on this important European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 2.10 Having reviewed the information provided to me as part of the examination, including the most recent HRA assessment, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.11 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

- 2.12 In examining the Plan I am also required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and

- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.13 Having addressed the matters identified in paragraph 2.12 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Sustainability Appraisal and the associated Non-Technical Summary;
- the MSDC HRA report;
- the Parish Council's responses to my Clarification Note;
- the District Council's responses to my Clarification Note
- the representations made to the Plan;
- the adopted Mid Sussex District Plan 2014-2031;
- the National Planning Policy Framework (March 2012, July 2018 and February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I carried out an unaccompanied visit to the Plan area on 17 January 2019. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised MSDC of this decision early in the examination process.

3.4 On 24 July 2018 a revised version of the NPPF was published. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. The further updates to the NPPF in 2019 did not affect these transitional arrangements. I have proceeded with the examination on this basis. All references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has commissioned the preparation of a Consultation Statement. This Statement is proportionate to the Plan and its policies. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (November 2017 to January 2018).
- 4.3 The Statement sets out details of the range of consultation events that were carried out in relation to the initial stages of the Plan. It provides details about:
 - the organisation of dedicated meetings and discussions with key statutory local organisations, local residents and organised groups;
 - the distribution of leaflets and updates;
 - the use of banners and adverts to publicise key events; and
 - the public event on the proposed site allocations in April 2017.
- 4.4 The Statement itself is very comprehensive. It is supported by a series of technical appendices. Some of the appendices reproduce the consultation material used. This gives a degree of depth and interest to the Statement.
- 4.5 The Statement also provides specific details on the comments received as part of the consultation process that took place on the pre-submission version of the Plan (Table 1). It identifies the principal changes that worked their way through into the submission version (Table 2). They help to describe the evolution of the Plan.
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. I note that several of the local residents who have made representations to the Plan consider that their earlier views have not been taken into account. I address the specific issues around the proposed housing sites later in this report. Nevertheless, for the purposes of this part of the report I am satisfied that proper engagement has been undertaken.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process.

Representations Received

4.8 Consultation on the submitted plan was undertaken by the District Council for a six-week period that ended on 14 January 2019. This exercise generated comments from a range of organisations as follows:

- Thames Water
- Sport England
- Trustees of Ashfold Estate
- Environment Agency
- Thakenham Homes
- Welbeck Land
- Millwood Designer Homes
- West Sussex County Council
- Historic England
- Gladman Developments Limited
- High Weald AONB
- Highways England
- A2 Dominion
- Natural England
- Hallam Land
- Wates Homes
- Freechase and Lyndhurst Estates

4.9 In addition 33 representations were made to the Plan by local residents. The overwhelming majority of these comments expressed overlapping objections to the housing allocation and the reserve site proposed in the Plan.

4.10 In examining the Plan I have taken account of all the representations made. Where appropriate I make specific reference to the representation concerned on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Slaugham. Its population in 2011 was 2769 persons living in 1131 houses. It was designated as a neighbourhood area in July 2012. It is of an irregular shape bisected by the A23 as it runs in a north-south direction from Crawley to Brighton. It has four principal settlements – Pease Pottage in the north, Handcross and Slaugham and Warninglid to the south. The majority of the neighbourhood area falls within the High Weald Area of Outstanding Natural Beauty.
- 5.2 The villages of Handcross and Pease Pottage are the two major concentrations of residential and business activity in the neighbourhood area. Handcross is located at the junction of the B2110 and the B2114. It has a vibrant village centre. The National Trust property of Nymans Gardens is located to the immediate south of the village. Pease Pottage is located to the immediate west of the A23 and to the south of Crawley. A service centre is located to the immediate east of the A23.
- 5.3 The majority of the neighbourhood area falls within the High Weald Area of Outstanding Natural Beauty. The High Weald is a historic countryside of rolling hills with small irregular fields, woodlands and hedges. Its attractiveness is immediately apparent. In many cases the settlements in the neighbourhood area have taken account of their natural landscape setting. Slaugham itself is particularly attractive and is located on a ridge (Park Road) between two watercourses. Warninglid has a similarly attractive setting and makes good use of vernacular materials. The villages of Warninglid, Slaugham and Handcross each contain a designated conservation area.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Mid Sussex District Plan 2014-2031. It was adopted in March 2018. The Plan sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period. It is this development plan context against which I am required to examine the submitted Neighbourhood Plan
- 5.5 Policy DP1 Sustainable Economic Development, DP4 Housing and DP6 Settlement Hierarchy of the District Plan provide key elements of the strategic approach of the District Plan. New growth is largely based around the settlement hierarchy. In District terms Burgess Hill, East Grinstead and Haywards Heath are category 1 settlements. Within the neighbourhood area Handcross and Pease Pottage are identified as category 3 settlements (medium size villages), and Slaugham and Warninglid are identified as category 4 settlements (small villages).

- 5.6 The principal new development proposed within the neighbourhood area is that of a strategic allocation to the east of Pease Pottage (Policy DP10). It incorporates 600 new dwellings and a range of associated community facilities.
- 5.7 In addition to this strategic approach the following policies in the District Plan are particularly relevant to the Slaugham Neighbourhood Plan:

DP12 Protection and Enhancement of the Countryside
 DP13 Preventing Coalescence
 DP14 Sustainable Rural Development and the Rural Economy
 DP15 New Homes in the Countryside
 DP16 High Weald Area of Outstanding Natural Beauty
 DP25 Community Facilities and Local Services
 DP31 Affordable Housing
 DP35 Conservation Areas

In this context the Basic Conditions Statement usefully highlights key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.

- 5.8 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the District Plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I carried out an unaccompanied visit to the neighbourhood area on 17 January 2019. The day was cold but sunny. It showed off the neighbourhood area at its Winter best.
- 5.10 I drove into the area from the M23/A23 to the north. I stopped initially at the Pease Pottage service station. This gave me an initial impression of the setting and the character of the neighbourhood area and its relationship with the A23. I saw the emerging development of the strategic housing allocation in Pease Pottage as identified in the District Plan.
- 5.11 I looked at the settlement of Pease Pottage to the west of the A23. I saw the new houses off Horsham Road and off Old Brighton Road (Haynes Way). I also looked at the two housing sites promoted by representors.
- 5.12 I then drove to Handcross. I saw the School to the north of the village. I then walked around the village centre. I saw its range of shop and commercial uses and its wider importance to the sustainability of the neighbourhood area. I saw some of the parking and congestion issues that are addressed in the Aims of the Plan. In most cases they

related to delivery vehicles. Plainly things have moved on since their predecessors filled up with petrol at the iconic Esso petrol pump outside The Old Garage.

- 5.13 I then looked at the two proposed housing sites in St Martin Close. I looked particularly at the way in which they would occupy land currently used as open grassland and as woodland. I saw that they were located at the end of a series of roads which created a long cul-de-sac. Whilst I was in Handcross I also took the opportunity to look at the three proposed housing sites promoted by developers in their representations to the Plan.
- 5.14 I took the opportunity to view the access and parking arrangements associated with Nymans Gardens (National Trust) to the immediate south of the village centre. This helped me to understand better the relationship between the village and the Gardens and one of the Aims in the Plan relating to car parking.
- 5.15 I drove to Slaugham via Staplefield. In Slaugham I saw the idyllic relationship between the church to the south of Staplefield Road and the main village to the north in Park Road. I saw several very fine vernacular houses and the pathway up to Slaugham Park. I also saw its iconic white telephone box.
- 5.16 I then drove to Warninglid. I saw the many pleasant cottages off The Street. I drove back to Handcross along Coos lane. In doing so I saw Furnace Pond.

6 The Neighbourhood Plan as a whole

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is an informative and professional document.
- 6.2 The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the five basic conditions. Paragraphs 2.6 to 2.11 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.
- 6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Slaughton Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan, the adopted Mid Sussex District Plan 2014-2031;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.

- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its position in the settlement hierarchy. In particular it positively allocates a site for residential development and proposes another as a reserve site. It includes a series of policies that seek to safeguard the quality and nature of its natural environment and the High Weald AONB in particular. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing and employment development (Policies 11/12 and 14-16 respectively). In the social role, it includes policies on open space (Policy 7), community facilities (Policy 8), and on utility infrastructure (Policy 10). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the AONB (Policy 1) and on conservation areas (Policy 6). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in the wider District in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modification in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in

the development plan. Indeed, it positively seeks to deliver the ambitions of the District Plan in the neighbourhood area.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It includes a series of Aims which the Plan recognises cannot be delivered directly through the planning process. These Aims are identified in a different colour to the land use policies. They sit within the appropriate topic-based parts of the Plan.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. The Aims are addressed after the policies.
- 7.6 For clarity this section of the report comments on all the policies and the Aims whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-3)

- 7.8 These introductory sections of the Plan set the scene for the range of policies. They do so in a concise and proportionate way. The Plan is presented in a professional way. It is colourful and makes a very effective use of tables and maps. A very clear distinction is made between its policies and the supporting text. It also draws a very clear connection between the Plan's objectives and its resultant policies.
- 7.9 The initial elements of the Plan set the scene for the policies. They are commendable to the extent that they are proportionate to the Plan area and the subsequent policies.

- 7.10 Section 1 provides a very clear context to the neighbourhood area and when it was designated. It identifies how the Plan was prepared, how it will fit into the wider planning system in the event that it is 'made' and what the Plan sets out to achieve.
- 7.11 It also sets out how the community was engaged in the plan-making process. Whilst this overlaps with the Consultation Statement it provides a useful context to this matter in the main body of the Plan.
- 7.12 Section 2 provides commentary on the neighbourhood area. It sets out useful information on the social and economic context of the neighbourhood area. This information feeds into some of the policies in the Plan.
- 7.13 Section 3 provides a Vision for the neighbourhood area together with a series of Strategic Objectives. The objectives are both thorough and comprehensive.
- 7.14 The remaining parts of the Plan incorporate policies on a topic basis. They include related supporting text and background information. The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1: Protecting the Area of Outstanding Natural Beauty

- 7.15 The majority of the neighbourhood area falls within the High Weald AONB. This policy provides a context within which development proposals can be assessed and determined. I sought clarity from the Parish Council on the actual extent of the AONB and whether it should be included on a map base within the Plan. The Parish Council has provided the relevant information. I recommend accordingly.
- 7.16 The form and structure of the policy is very similar to that of Policy DP16 of the MSDP. National policy is clear that there is no need for a neighbourhood plan to repeat policies that are already contained within a local plan. However, in circumstances where the AONB extends largely throughout the neighbourhood area and has had a significant influence on other elements on the plan-making process, I am satisfied that the policy should remain in the Plan. I recommend two modifications to ensure that the policy has the clarity required by the NPPF. The first signposts the extent of the AONB within the neighbourhood area within the policy itself. The second inserts the relevant details from MSDP Policy DP16 into the first part of the policy. As submitted Policy 1 has excluded important parts of the corresponding MSDP policy. I also recommend a modification to the third part of the policy to correct a grammatical error.

At the beginning of the policy add:

'The extent of the High Weald Area of Outstanding Natural Beauty is shown on [insert details]'

In the first part of the policy insert 'only' between 'will' and 'be'.

At the end of the first part of the policy add:

‘in particular;

- **the identified landscape features or components of landscape beauty and to their setting;**
- **the traditional interaction of people with nature and appropriate landscape management;**
- **character and local distinctiveness, settlement pattern, sense of place and setting of the AONB; and**
- **the conservation of wildlife and cultural heritage.’**

In the third part of the policy replace ‘it’s’ with ‘its’.

Policy 2: Protection of the Landscape

- 7.17 This policy refers specifically to the part of the neighbourhood area which is outside the AONB. In specific terms it is the built-up area of Pease Pottage and two adjoining modern developments.
- 7.18 The policy indicates that development which has an unacceptable detrimental effect on the landscape in this area will not be supported other than in exceptional circumstances where the use relates to essential infrastructure. The policy has attracted several representations.
- 7.19 I have considered the purpose of this policy very carefully. I can see that the Parish Council wishes to apply a policy approach to the landscape in that part of the neighbourhood area outside the AONB. However, the evidence for the policy is not well-developed. Paragraph 4.6 comments that its principal purpose is to protect this part of the neighbourhood area from unacceptable development based on public feedback about its local importance. Plainly this is an important part of the neighbourhood planning process. However, in this case the resultant policy is not dissimilar to Policy 1 which addresses the AONB. In particular Policy 2 would only support development in ‘exceptional circumstances’. Such an approach is reserved only for designated landscapes in paragraphs 115 and 116 of the NPPF. Plainly in the case of the AONB that part of the neighbourhood area is such a designated landscape.
- 7.20 In addition the matter of fact approach taken in the policy is not in general conformity with Policies DP12 (Protection and Enhancement of the Countryside), DP14 (Sustainable Rural Development) and DP15 (New Homes in the Countryside) of the adopted District Plan. In their different ways these policies offer a degree of flexibility for appropriate development to come forward. On this basis I recommend the deletion of this policy from the Plan. It does not have regard to national policy and is not in general conformity with strategic policies of the development plan.

Delete the policy.

Delete paragraph 4.6

Policy 3: Protection of the Open Countryside

- 7.21 This policy raises similar issues to those addressed above in respect of Policy 2. In this case there is a specific issue of the consistency between the submitted policy and Policy DP12 (Protection and Enhancement of the Countryside) in the adopted District Plan.
- 7.22 The submitted policy takes a negative approach to development proposals in the countryside except for the purposes of agriculture or other uses which have to be located in the countryside. In contrast Policy DP12 of the District Plan takes a positive approach to new development in the countryside. The policy initially comments that the countryside will be protected in recognition of its intrinsic character and beauty. It then continues to comment that development will be permitted where it maintains or possibly enhances the quality of the rural and landscape character of the District.
- 7.23 Considering all of the issues I conclude that the submitted policy is not in general conformity with Policy DP12 of the District Plan. Indeed, in many respects the two policies run in different directions. In any event the submitted policy fails to add any local value or distinctiveness to the strategic context for development in the District. In these circumstances I recommend the deletion of the policy and the supporting text. I am satisfied that the general policy objective that is sought by the policy will be satisfactorily achieved by the implementation of District Plan Policy DP12 through the development management process.

Delete the policy.

Delete paragraph 4.12

Policy 4: Sustainable Development Measures

- 7.24 The policy supports sustainable development measures and associated proposals. It specifically highlights photovoltaic panels, solar thermal insulation and biomass and heat pumps.
- 7.25 The policy meets the basic conditions.

Policy 5: Green Infrastructure

- 7.26 The policy addresses green infrastructure. It has three related parts. The first supports proposals which would conserve, maintain and enhance existing green infrastructure. The second part supports proposals that would improve access for pedestrians and cyclists into the parcels of green infrastructure in the neighbourhood area. The third resists proposals that would involve the loss of green infrastructure unless mitigation or compensation measures are associated with the proposal.

- 7.27 The supporting text provides a context to the existing green infrastructure in the neighbourhood area (paragraph 4.17). It also identifies the social and community benefits of well-managed green infrastructure (paragraph 4.16).
- 7.28 I recommend a series of detailed modifications to the wording of the policy as follows:
- in the first part of the policy replace ‘and’ with ‘or’. As submitted the policy would require proposals to ‘conserve, maintain and enhance the existing green infrastructure network’. In some case this may well be possible. In most cases to achieve all three ambitions in the policy would be unrealistic or impracticable;
 - in the second part of the policy insert the missing words at the end; and
 - in the third part of the policy replace ‘be resisted’ with ‘not be supported’
- 7.29 Otherwise the policy meets the basic conditions.

In the first part of the policy replace ‘and’ with ‘or’

In the second part of the policy add at the end ‘will be particularly supported’

In the third part of the policy replace ‘be resisted’ with ‘not be supported’

Policy 6: Conservation Areas

- 7.30 This policy celebrates the rich historic built environment of the neighbourhood area. It contains three conservation areas – Slaugham, Warninglid and Handcross.
- 7.31 I recommend that the supporting text and map information shows the extent of the conservation areas. This would be best achieved by including an A4 plan for each of the three conservation areas in an appendix of the Plan. In the absence of this information the reader of the Plan has to go elsewhere to find the relevant information.
- 7.32 The policy itself has two related parts. The first provides general policy guidance on the need for new development to conserve or enhance the three conservation areas. The second part of the policy identifies five specific locations within the three conservation areas. I sought clarity from the Parish Council on the role and purpose of this part of the policy. I was advised that the intention of this part of the policy was to identify particularly sensitive locations within the conservation areas. The Parish Council also considers that they are of local significance and should be conserved in an appropriate fashion. I recommend modifications to this part of the policy, and to the supporting text, to bring clarity to the policy and to achieve the ambitions which the Parish Council had in mind in formulating its approach in the Plan.
- 7.33 The initial part of the policy is more general in its approach. The corresponding policy in the adopted District Plan is Policy DP35. Plainly its coverage is District-wide. Nevertheless, it is commendably detailed in the way in which it requires development in conservation areas to conserve or enhance the character or appearance of the District’s conservation areas. In comparison Policy 6 in the submitted Plan does not include the same level of general detail and guidance. As such it is not in general

conformity with the District Plan policy. In addition, it does not provide any refined or granular details which would apply to the three conservation areas in the neighbourhood area.

- 7.34 In these circumstances I recommend that the policy is modified so that it consolidates and reinforces the strategic District Plan policy in a more local context. In recommending this modification I have also considered the need for the retention or otherwise of the supporting text associated with the policy (paragraphs 4.18-4.23). Given the importance of the conservation areas within the neighbourhood area and the quality and robustness of the supporting text I am satisfied that it should remain in the Plan. I recommend modifications to the existing text so that it makes a direct reference to District Plan Policy DP35 and its role in determining development proposals in the three conservation areas.

Replace the opening part of the policy with the following:

‘Development proposals within the Handcross, Slaugham and Warninglid conservation areas will be supported where they conserve or enhance the character or appearance of the conservation area concerned and comply with the requirements in Policy DP35 (Conservation Areas) of the District Local Plan.

In the second part of the policy add the following after ‘will be supported’:

‘where such proposals would conserve or enhance the specific part of the conservation area and its immediate setting’

At the end of paragraph 4.18 add:

‘The three conservation areas are shown on [insert details]’

At the end of paragraph 4.22 add:

‘Development proposals within the three conservation areas will be assessed and determined against national policy and Policy DP35 of the Mid Sussex District Plan 2014-2013. Policy 6 of this Plan has been designed to be complementary to this national and local policy context and to provide specific detail relevant to the neighbourhood area.’

At the end of paragraph 4.23 add:

‘Policy 6 has two related parts. The first has a general effect. It makes a reference to the key principles contained in Policy DP35 of the adopted District Plan. The second makes a specific reference to five identified locations within the three conservation areas. They are particularly sensitive locations which have been identified as part of the plan-making process. The Parish Council also considers that they are of local significance and should be conserved in an appropriate fashion.’

Policy 7: Open Space

- 7.35 The policy seeks to recognise the importance of good well-planned open spaces in the neighbourhood area. It has four related parts. The first offers support to

development proposals which provide a mix of formal and informal open space. The second requires open spaces to be high quality and to serve a local need. The third resists proposals that would result in the loss of open spaces. The fourth part supports proposals for the replacement of open space where two criteria are met.

- 7.36 I recommend that the first and second parts of the policy are combined. This will bring the clarity required by the NPPF. I also recommend that the initial part of the policy should be realigned so that it requires the provision of open space to standards set out in the Mid Sussex Development infrastructure and Contributions Supplementary Planning Document in developments promoted within the neighbourhood area in either the neighbourhood plan or the District Plan. Whilst policies in a neighbourhood plan need to be considered in the round the language used in the first part of the policy could be interpreted as offering support to a proposed development which conflicted with the wider development plan but which provided open space to meet local need.
- 7.37 Otherwise the policy meets the basic conditions. Its implementation through the development management process will make a significant contribution towards the achievement of the social and the environmental dimensions of sustainable development in the neighbourhood area.

Replace the first and second parts of the policy with:

‘Development proposals which are otherwise in accordance with the development plan should provide a mix of formal and informal open space to standards set out in the Mid Sussex Development infrastructure and Contributions Supplementary Planning Document to meet local need as appropriate to the site concerned. The resulting open space should be designed and arranged within the site in a high-quality fashion’

Policy 8: Community Facilities

- 7.38 This policy celebrates the extensive range of community facilities to be found in the neighbourhood area. They are primarily focused in the four main settlements. Paragraph 5.6 provides an indication of their scope. During my visit to the neighbourhood area I saw their importance to the local community.
- 7.39 The policy has two related parts. The first resists proposals that would result in the net loss of community facilities. The second offers support for the alteration and/or replacement of community facilities where a series of factors are met.
- 7.40 The policy has attracted two representations. One suggests that the policy would be improved if it provided a context for the provision of new community facilities. The other suggests that the policy has not fully explored the scenario where alternative sites would unlock the potential to provide new facilities to meet the immediate needs of residents of Handcross. Plainly both of these potential dimensions to a policy of this nature would improve its role and applicability. However, my role is to examine the policy against the basic conditions. It is not within my remit to improve a policy.

As such I am satisfied that the policy has regard to national policy and is in general conformity with strategic policies in the development plan. It meets the basic conditions.

Policy 9: Superfast Broadband

- 7.41 The policy has a sharp focus on supporting proposals that would improve access to high speed broadband services. It has regard to national policy in the NPPF.
- 7.42 The policy has two related elements. The first offers support to proposals which would provide access to super-fast broadband. The second offers support to schemes which sympathetically locate and design the associated above-ground network installations. I recommend modifications to both elements of the policy. They will bring clarity and simplicity to the intentions of the policy. They will also ensure that the two parts of the policy follow a similar format to other policies in the submitted Plan.

Replace the first part of the policy with:

‘Proposals which would provide access to a super-fast broadband network will be supported’.

Replace the second part of the policy with:

‘Proposals for above ground network installations which would provide access to a super-fast broadband network will be supported where their location is sympathetically chosen and designed to reflect the character of the local area’.

Policy 10: Utility Infrastructure

- 7.43 The policy offers support to new and/or improved community infrastructures where it meets the identified needs of the community.
- 7.44 The principle of the approach taken meets the basic conditions. Nonetheless I recommend the deletion of ‘encouraged’ in the policy wording. It is both unclear and unnecessary. I also recommend other detailed modifications to the wording of the policy so that it has the clarity required by the NPPF.

Delete ‘encouraged and’.

Replace ‘in order to meet’ with ‘where it meets’.

Housing Allocations

- 7.45 Policies 11 and 12 are at the very heart of the Plan. They propose a housing allocation and a reserve housing allocation respectively. They are located on adjacent parcels of land off St Martin Close in Handcross. I comment on each in turn later in this report. However, in the interests of consistency and to avoid repetition I

address a series of general issues at this point. Whilst they overlap one with another the following points have a particular bearing on the two housing sites:

- the strategic need or otherwise for the two proposed housing sites (paragraphs 7.46 to 7.54);
- the location of the two proposed sites with the High Weald AONB (paragraphs 7.55 to 7.69);
- the concentration of the proposed new housing development in the Plan in Handcross (paragraphs 7.70 to 7.71); and
- the site-selection process (paragraphs 7.72 to 7.82).

The strategic need or otherwise for the two proposed housing sites

- 7.46 The supporting text in Section 6 of the Plan provides a context against which it has proposed the two housing allocations. It outlines the strategic housing targets contained in the MSDP and the way in which they step from 876 dwellings per annum up to 2023/24 to 1090 dwellings from 2024/25. It also explains the context within which MSDC has commenced work on its own Site Allocations Development Plan Document.
- 7.47 The most significant residential development in the neighbourhood area during the Plan period will be that of the strategic site to the east of Pease Pottage. It is allocated in Policy DP10 of the MSDP. I saw that development had already commenced on this important site started when I visited the neighbourhood area.
- 7.48 Policy DP6 Settlement Hierarchy of the MSDP identifies the extent of the unidentified additional housing provision that remains to be provided within the District. It emphasises the role that will be played by neighbourhood plans as part of this process. The table at the end of the policy identifies the minimum residual housing delivery figure from 2017 onwards for the various settlements in the District. Footnote 6 to the table is particularly informative for the Slaugham Plan. It identifies that ‘the required minimum provision at Pease Pottage (Slaugham Parish) is significantly greater than other settlements within Category 3 due to the allocation and subsequent permission granted for 600 homes within this settlement. Due to this, the other settlements within Slaugham Parish (Handcross, Slaugham and Warninglid) will not be required to identify further growth through the Plan process on top of windfall growth although may wish to do so to boost supply’.
- 7.49 The Parish Council undertook a Housing Needs Consideration in late 2016 as the MSDP was in preparation. The results of that study indicate that the housing need in the neighbourhood area over the Plan period could be accommodated by the completions and commitments and that the housing need would be met without the need for allocations in the emerging neighbourhood plan.
- 7.50 Nevertheless the Parish Council resolved to consider whether further modest growth should be facilitated through the preparation of the emerging neighbourhood plan. As paragraphs 6.12 and 6.13 of the Plan comment this decision took account of the pro-

growth national growth agenda, the pressure for new dwellings in the District and MSDC's decision to proceed with work on a Site Allocations DPD.

- 7.51 The decision of the Parish Council to promote additional residential development in the submitted Plan beyond that already committed at Pease Pottage strategic allocation features in many of the local residents' representations made to the Plan (see paragraph 4.8 of this report). The representations contend that the proposed new housing in St Martin Close Handcross is simply not required.
- 7.52 Such comments from local residents are understandable. Indeed, they take account of footnote 6 of Policy DP6 of the MSDP. Nevertheless, I am satisfied that the principle of the approach taken by the Parish Council is both appropriate and meets the basic conditions. I have come to this conclusion for the following reasons:
- footnote 6 to Policy DP6 of the MSDP is clear that through the neighbourhood plan process the Parish Council may wish to identify further growth to boost supply;
 - it recognises the emerging work being carried out by MSDC on the preparation of a Sites Allocations DPD;
 - paragraph 47 of the NPPF highlights the importance and the role of the plan-making process in boosting significantly the supply of housing;
 - PPG (41-044-20160519) advises that neighbourhood plans can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan; and
 - in any event the purpose of neighbourhood planning is to give communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of the local area (PPG 41-001-20140306).
- 7.53 Whilst local residents have contended that the two sites in St Martin Close are not needed the development industry has made a different set of representations on the Plan. Some suggest that the level of development should be higher both in general terms and to future-proof the Plan. Others promote potential development sites either in addition to or as alternatives to the St Martin Close package. Clearly different proposals would bring forward different levels of additional housing. In some case they would include community benefits. However, based on the evidence available to me I am satisfied that the proposals in the plan for a modest allocated site and a modest reserve site are appropriate to the circumstances that exist in the neighbourhood area on strategic housing allocation and delivery.
- 7.54 I address the site selection process shortly. Nevertheless, at this point in the report I highlight a later recommended modification which refers to the potential need for a review of any made neighbourhood plan based on the monitoring of the delivery of new housing development within the Plan period. The current situation may change within the Plan period.

The location of the two proposed sites within the High Weald AONB

- 7.55 Both of the proposed sites fall within the High Weald AONB. On this basis their proposed allocations have attracted objections from the High Weald AONB Unit and
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Natural England. The comments from the AONB Unit draw my attention to paragraphs 115 and 116 of the NPPF. The former indicates that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty. The latter indicates that planning permission should be refused for major development in these designated areas except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Three factors are identified for the consideration of any such applications.

- 7.56 Plainly the issue of the appropriate location of additional housing allocations is heavily influenced by the extensive nature of the AONB within the neighbourhood area. This matter was addressed in detail within the examination and the eventual adoption of the MSDP. In paragraph 49 of his report on the MSDP the Planning Inspector comments:

'Meeting the housing needs of an area is a core planning principle in the NPPF, and in Mid Sussex this will entail development on greenfield land. Mid Sussex District is endowed with sites and areas of natural and historic interest; it has part of the South Downs National Park, the High Weald Area of Outstanding Natural Beauty (AONB) and various heritage designations. Moreover, many of the undesignated rural areas of the District are attractive countryside. Together, these assets are a central part of the character of the District.'

- 7.57 It is within this context that the two housing sites in the submitted Plan have been promoted. They are a proposed housing allocation and a proposed reserve site in an emerging neighbourhood plan which has had to grapple with the inherent tensions of promoting new housing growth on the one hand and safeguarding a high-quality landscape on the other hand. The Planning Inspector's report on the Local Plan anticipates the challenges which the Parish Council has addressed. Paragraph 53 of his report comments that:

'Further allocations are likely to be needed in the future Site Allocations DPD to meet the housing requirement. There are locations within the District of lesser landscape value, in relatively sustainable locations near to settlements and close to main transport routes. Some settlements lie within the AONB and may be appropriate for modest housing schemes, but there is no evidence that meeting the housing requirement will necessitate major development in the AONB other than that already permitted by the Council at Pease Pottage, or that it would harm the National Park.'

- 7.58 I sought comments from both MSDC and the Parish Council on this important matter as part of the clarification note process. I summarise the responses below.
- 7.59 MSDC helpfully commented on the process which it is following with regards to its work on the emerging Site Allocations Development Plan Document (DPD). The site selection criteria are based around three key factors: planning constraints, development considerations and sustainability/access to services. The work is drawing on the distribution requirements identified in Policy DP6 of the adopted District Plan.

- 7.60 I was also advised that approximately half of the wider District is within the High Weald AONB. On this basis the High Weald AONB Unit is providing an assessment of the potential impact of the development of sites within the AONB. Plainly this is good practice. As an outcome of this process sites with a medium or low impact will be taken forward for further assessment taking into account any necessary mitigation. Sites with a high impact are not being considered further.
- 7.61 The site assessment process was ongoing at the time that the responses to the clarification note were received. The package of sites in St Martin Close is one of eight sites in the wider parish, and one of four in Handcross that are being considered as part of this process
- 7.62 The Parish Council raises similar and overlapping commentary in its response to this issue to those raised by MSDC. In a local context it advises that 99% of the neighbourhood areas lies within the AONB. It goes on to comment that in this context there is little practical alternative to identifying land for new residential development in sustainable locations outside the built-up areas that would not be within the AONB. It then comments that not all land within the neighbourhood area is of equal landscape character, quality or sensitivity and that its site selection process has taken these matters and inevitable variations into account.
- 7.63 The Parish Council concludes that its detailed assessment of the various site options (as set out in the SA) indicates that the two sites promoted in the Plan are of a lesser landscape importance and sensitivity to other sites considered both in both absolute and relative terms. It also comments that the two sites are visually well-contained and relate well to the existing built up area of Handcross.
- 7.64 I have considered the extent to which the development of either the proposed allocated site or the combination of the allocated site and the reserve site would constitute major development in the AONB. In doing so I have considered national policy in paragraphs 115 and 116 of the NPPF.
- 7.65 Within its general approach paragraph 116 of the NPPF specifically advises that any applications for major development in an AONB should include an assessment of three factors as follows:
- the need for the development;
 - the cost of and scope for developing elsewhere outside the designated area or meeting the need in some other way; and
 - any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated
- 7.66 In this context the High Weald AONB Unit has raised an objection to the identification of the allocated and the reserve site in the Plan. In particular the Unit comments that the proposals represent unwarranted major development in the AONB and that insufficient information has been included in the submitted documents to support such development.

- 7.67 I have also considered the allocation of the two sites that are located within the AONB very carefully. Plainly the submitted Plan needs to have regard to national policy to meet the basic conditions. Having considered all the evidence and information I am satisfied that the Plan has regards to national policy on AONBs. Firstly, the language used in paragraph 116 of the NPPF has a clear focus on how local planning authorities should consider planning applications for major development in AONBs. Plainly this may well arise in the event that the Plan is made. However, the neighbourhood plan is being promoted as part of the development plan process. In addition, the two sites, in their different ways are being promoted by a qualifying body for inclusion within a development plan document. In this capacity the process involved is very different from that which would properly arise if, in this case, MSDC was to receive an application for major development in the AONB.
- 7.68 Secondly the Plan itself, and the responses to the clarification note, comment on the way in which the identification of an allocated site and a reserve site would address a similar set of issues to the three criteria identified in paragraph 116 of the NPPF. In particular the Parish Council has come to a reasonable judgement that it wishes to promote additional housing development over and above the strategic development site at Pease Pottage and that there is no realistic prospect of accommodating that need in a sustainable location outside the AONB.
- 7.69 Thirdly I am satisfied that the development of either the proposed allocated site or the allocated site and the reserve site would not constitute major development in the AONB. Given that the NPPF does not define major development any assessment of this matter is inevitably subjective in nature. However, I have concluded that the development of the allocated site would be modest in scale and well-related to the existing built up area of the village. I have also separately recommended modifications to the proposed reserve site so that the policy reflects this approach and that clear release mechanisms are identified in the Plan. Nevertheless, if it came forward, I am also satisfied that the in-combination effect would not represent major development given the proximity of the two sites and the similarities of their effects on the natural beauty of the overall AONB.

The concentration of the proposed new housing development in the Plan in Handcross

- 7.70 The Plan provides commentary about the neighbourhood area and the relative sustainability of its various settlements. On the basis of this information and my own observations when I visited the neighbourhood area, it is unsurprising that several of the sites assessed for future development are around the edges of Handcross village. It is the most sustainable settlement within the neighbourhood area. In particular it has a critical mass of community services and an attractive and vibrant village centre.
- 7.71 As such I am satisfied that the Plan has sought to concentrate additional housing development in Handcross. Whilst some developers have argued that their sites are in more sustainable locations within or on the edge of the village than those included in the Plan off St Martin Close there is general agreement that Handcross is an appropriate location for new residential development in principle.

The site-selection process

- 7.72 The site-selection process has generated a considerable degree of commentary both from the development industry and from local residents. This reflects the importance of the relationship between the delivery of new housing and safeguarding the environment in the District in general and within the neighbourhood area in particular.
- 7.73 The site selection process is addressed both within the submitted Plan (paragraphs 6.2 to 6.15) and within the submitted Sustainability Appraisal (SA). The former sets out the way in which the process considered wider housing needs and has sought to take into account that a Site Allocations DPD is being prepared. The latter assesses a range of potential housing sites considered against a series of environmental and other factors. In combination these parallel sets of information inform the site-selection process captured in the Plan.
- 7.74 The Parish Council commissioned the preparation of the Sustainability Appraisal. The resulting document is both thorough and detailed. The Appraisal has been prepared in accordance with the CLG Plan Making Manual and the SEA guidance from the Office of the Deputy Prime Minister 'A Practical Guidance to the Strategic Environmental Assessment Directive' 2005.
- 7.75 The Appraisal identifies a range of sustainability issues and options to be considered in formulating the proposals for the emerging Plan. It has ensured that a range of potential social, economic and environmental effects have been properly considered. Its ambition has been to enable the most sustainable policy options to be identified for inclusion with the submitted Plan.
- 7.76 The SA assesses seventeen sites for their ability to provide additional housing within the neighbourhood area. Three of the sites had received planning permission at the time that the plan was submitted (SL04/05/14). SL05 is the strategic site at Pease Pottage as allocated in the MSDP. All of the other fourteen sites are within the AONB. In addition, the five sites promoted as alternative/additional sites through the representation process were also within the AONB. There are overlaps between the two sets of sites.
- 7.77 The details of the sites assessed are captured in Appendix 2 of the SA. Each site was assessed against a common set of criteria. They include the effect of the sites on rural character, highways safety, the delivery of affordable housing and their ability to maintain or enhance community infrastructure. The assessment highlighted that all sites will positively contribute to the delivery of housing. The majority would be likely to include some provision of affordable housing. The assessment process also highlighted that sites which are close to existing services and facilities score more favourably against the objectives which seek to enhance non-car modes of travel. The assessment also indicates that the majority of sites would have a negative impact on the environmental objectives of the Plan. Plainly the extent of the impact is dependent on the location of the site, and in particular with reference to the High Weald AONB. The results confirm that the neighbourhood area is relatively constrained in environmental terms.

7.78 The SA draws the following conclusions on this important matter:

'In order to seek to facilitate the delivery of housing need in the parish, it is considered inevitable there will be some harm, particularly against environmental objectives. Undertaking the requisite balancing exercise, it is considered sites off St. Martins Close score more favourably and the potential to limit and mitigate the adverse impacts are greater.'

'Having assessed all reasonable alternative sites, the Parish Council elected to allocate St. Martins Close (east), and St. Martins Close (west) which the Assessment has demonstrated will overall, and on balance, positively meet the Sustainability Objectives of the Plan. It is considered the proposed allocation of the identified sites presents the most sustainable option for the Parish as the sites with the least environmental effects have been allocated.'

7.79 Several representations have been made by the development industry on both the SA process followed and its conclusions. In most cases the developer concerned suggests either an alternative site to the St Martin Close package or its own site in addition to those proposed in the submitted Plan. In summary they raise the following matters:

- the Plan does not go far enough in contributing towards national and local housing needs;
- it fails to future-proof the Plan; and
- the comparison between the various sites assessed is insufficiently-detailed.

7.80 In several cases the various representations raise the following concerns about the appropriateness of the selection of the sites in St Martin Close and/or their sustainability as follows:

- the sites are rural and tranquil;
- they have relatively poor access to local services;
- their development would impact negatively on the informal recreational use of the open area in St Martin Close;
- the access to the sites and the capacity of the highways network; and
- the impact on the AONB from their development.

7.81 Plainly there will be a range of views about the scale of new development that should be delivered within the Plan and the best sites that would achieve the required amount. However, my role is to examine the Plan as submitted rather than a potential alternative to the submitted Plan. In this capacity I am satisfied that the site-selection has been robust and that it has been carried out to an appropriate standard. The SA takes a professional approach to the matter which is proportionate to the task concerned. In particular its conclusion is understandable and derived from its evidence base. In addition, the site selection has been undertaken within the wider context of the SA process which has addressed a series of environmental objectives and their relationship to the policies within the Plan itself.

- 7.82 I address site specific considerations for the St Martin Close sites in my commentary on the two sites concerned (Policies 11 and 12). However, in a broader sense I am satisfied that their development can be satisfactorily accommodated within the landscape/AONB context. I am also satisfied that the sites can be satisfactorily accommodated within the local highway network. In reaching this view I have taken account of the lack of any representation on this issue either from West Sussex County Council (in its capacity as the highways authority) or from MSDC (in its capacity as the local planning authority).

Summary of the section on housing allocations

- 7.83 I have given very careful consideration to these various matters and the overlaps between them. I have concluded that the Parish Council has taken a responsible and a thorough approach to this important aspect of the plan-making process. In particular it has addressed the matter of future housing development in a positive fashion and has responded to the opportunity provided by the Local Plan Inspector to consider further residential development in the Parish beyond the strategic allocation at Pease Pottage. In doing so it has sought to dovetail the preparation of the neighbourhood plan into the emerging Site Allocations DPD work.
- 7.84 I am also satisfied that the identification of a housing allocation and a reserve site in the AONB is both distinctive to the neighbourhood area and meets the basic conditions. In simple terms there is no practical option other than to allocate sites for any new residential development within the AONB. However, within this context I am satisfied that the Parish Council have chosen the correct package of sites and that it has done so on the basis of an appropriate evidence base within the SA. In my judgement either the separate development of the allocated site or the development of both sites would have a limited impact on the wider integrity and attractiveness of the High Weald AONB. In particular the sites concerned would be seen within the wider landscape as a logical and natural rounding off the existing village. This approach is in contrast with some of the other sites considered both within the neighbourhood area and around Handcross where the impact would be much greater.
- 7.85 The following sections of this report comment in detail on the two St Martin Close sites. Where necessary I recommended specific modifications to the policies.

Policy 11: St Martin Close (East)

- 7.86 This policy proposes the allocation of land adjacent to St Martin Close Handcross for residential development. The policy and the supporting text indicate that the site would yield 30 houses in the early part of the Plan period (2017-2022). As the Plan comments the character of the site is influenced by the adjacent modern residential development in St Martin Close which lies to the north of the site.
- 7.87 The proposed housing allocation is located at the southern end of West Park Road. In effect Covert Mead and West Park Road have been developed over the years to the south and have created a discrete group of houses to the south of Handcross. There are two separate vehicular access points into the wider area. The first via

Covert Mead is off Horsham Road. The second via West Park Road is off Coos Lane. I looked at the traffic conditions and the capacity of the network when I visited the neighbourhood area. I saw several cars parked on street in the area in general, and on Covert Mead in particular. This restricted vehicular speeds. Both of the junctions with Coos Lane and Horsham Road were functioning safely and effectively. Plainly the development of additional dwellings at the southern end of St Martin Close will add further traffic onto the local network. Nevertheless, there is no evidence to the effect that the additional traffic and vehicle movements will impact on highway safety. In this respect I note that West Sussex County Council has raised no objection to the potential development of the site in its representation.

- 7.88 The Plan comments that the site is a greenfield site. My observations when I visited the neighbourhood area were that the site was a combination of informal open space (to the immediate west of St Martin Close) and a wooded area (to the south of the western part of West Park Road). I sought clarity from MSDC on this matter. I was advised that the planning history indicates that the planning application that granted consent for the construction of 20 low cost dwellings at St Martin Close, identified land at St Martin Close East as open space associated with the development (planning application SV/038/96). The land was transferred to the Parish Council via a Section 106 Agreement. Clause 5 of that agreement refers to the open space. I was also advised that the open space has neither been formally identified as open space on the Policies Map in the adopted District Plan nor on the Council's mapping system. In addition, it is not included in any of the published District Council open space surveys.
- 7.89 The Parish Council has also advised that the S106 agreement comments that the open space shall not be used for any purpose other than as public open space and no buildings or other structures or erections shall be constructed or placed thereon without the Council's prior written approval.
- 7.90 The Parish Council has advised further about how it has sought to address this restriction. It has engaged with the transferor, whose retained land benefits from this covenant, to keep them abreast of the preparation of the Plan and the Parish Council's aspiration to develop the site for residential uses. The transferor has been invited to attend public consultation events and to make representations at the pre-submission consultation stage. I was also advised about an informal understanding between the Parish Council and the transferor, that where the site is allocated for residential development as part of the emerging Plan, the transferor will agree to have the covenant removed from the land.
- 7.91 Since the grant of planning permission, the land has been left as grassland/scrubland. As a gesture of good will, for the benefit of existing residents, the Parish Council currently informally manage the area immediately fronting St. Martin Close (East).
- 7.92 Plainly the circumstances around the future development of the site are not straightforward. Nevertheless, this scenario is not unusual. On the basis of the information available to me I am satisfied that the site is capable of being developed

within the Plan period in general terms, and within its earlier part as anticipated in the Plan in particular. Plainly it cannot be guaranteed. It is for this and other reasons that I have separately recommended that the Plan is monitored, and, if necessary, reviewed.

- 7.93 The issue of the potential development of the 'open space' within the existing Martin Close development raises several related issues. The issues overlap with the representations made by several local residents. The first is its status. The planning history indicates that it was transferred to the Parish Council as part of the Section 106 agreement. Evidence from the Parish Council identifies that the land has been left as grassland/scrubland and that the area is informally managed.
- 7.94 The second is the use of the area. Its informal management and layout arrangements are unlikely to generate any formal use of the space. Evidence submitted by the development industry indicates that there are informal but established footpaths within the 'open space'. I saw these footpaths when I visited the neighbourhood area. Local residents have also advised about their use of the 'open space'.
- 7.95 The third is the opportunity for local residents, including children, to secure safe and convenient outdoor recreation in the event that the St Martin Close East site is developed for housing. The Parish Council draws my attention to the existing open recreational area at the western end of West Park Road. It is located approximately 75 metres away from the existing houses in St Martin Close.
- 7.96 In its response to the clarification note the Parish Council has also addressed the general issue of the provision of open space in the wider locality of St Martin Close/West Park Road in the event that the development of the proposed allocation proceeds. It considers that the proposed allocation can positively accommodate open space which would benefit future users of the site. It is envisaged that new open space could be provided which connects with existing open space(s) in the surrounding area. It is considered such connected provision could provide health and recreation benefits for existing and future users of the site. In addition, the Parish Council considers open space could provide community-focused and social benefits. It considers that the provision of such high-quality open space would be an important element in achieving sustainable development. In this context the wider issue of the provision of open space on new housing developments in the District is addressed in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document (SPD). It was adopted in July 2018. It operates within the context of the adopted District Plan. Paragraph 3.53 of the SPD comments that the District Council requires that the leisure and recreation needs generated by residential development are provided for by the developer as an integral part of the development. These needs will include outdoor playing space, a contribution towards sporting infrastructure, and, in the case of larger developments may include indoor facilities. If this is not feasible, the District Council will require developers to make financial contributions which will be used to provide appropriate facilities in the District. In terms of the details of doing so paragraph A2.9 of the SPD comments that it is not always practicable or appropriate to provide all the categories of outdoor playing space, sport and recreation within every development. In particular it

comments that it is only appropriate on larger developments to provide playing pitches on site and that the provision of children's playing space on site for developments of 50 homes or more.

- 7.97 I have considered these various matters very carefully. On the one hand the proposed development of the site will involve the loss of the existing informal open space off St Martin Close. Plainly the existing space adds to the openness of this part of Handcross in general terms, and the West Park Road/St Martin Close part of the village in particular. On the other hand, the existing 'open space' appears to be used only on an informal basis. At the same time the development of the site offers an opportunity to incorporate a re-worked open space.
- 7.99 Taking all the various factors into account I am satisfied that the approach which has been taken in the plan-making process takes account of the evidence on this matter. Nevertheless, I recommend that the development of St Martin Close East provides for its own open space which would be provided and maintained to the standards set out in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document. Given the circumstances of the site as described in paragraph 7.88 to 7.91 of this report I recommend that the open space is provided as an integral part of its development. I also recommend modifications both to the policy and to the supporting text on this matter.
- 7.100 Finally the policy requires access into the site from St Martin Close. It also requires that the development of this site provides access into the proposed site to the west – St Martin Close (west) and as detailed in Policy 12. I am satisfied that these matters are appropriate to the policy and the circumstances of the proposed development of the site. I comment on Policy 12 (St Martin Close West) in the next part of this report. I have already commented on the wider capacity of the highways network earlier in this report (paragraph 7.82).

Insert an additional criterion in the policy (between 3 and 4) to read: 'the development provides open space at least to the standards set out in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document'

In paragraph 6.16 replace 'a greenfield site bound' with 'informal open space associated with the original development of St Martin Close and is bounded'

At the end of paragraph 6.16 add: 'Criterion 4 of Policy 11 requires the provision of open space as part of the development of the site. This should be to the standards in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document as a minimum. The development of the site brings an opportunity to provide community and social benefits through the provision of revised open spaces facilities in this part of Handcross. The provision of high-quality well-designed open space would be an important element in securing the sustainable development of the site.'

Policy 12: St Martin Close (West)

- 7.101 The policy refers to a parcel of land which is located to the immediate west of the St Martin Close (east) site as addressed in Policy 11. My observations when I visited the neighbourhood area were that the site was open grassland and shrubland.
- 7.102 The policy comments that the site could deliver 35 houses. It also comments that access should be achieved through the development of the adjacent allocated site (as set out in Policy 11).
- 7.103 Paragraph 6.24 comments that the site is allocated as a reserve site. This reflects advice in national policy to the extent that such allocations can help to ensure that emerging evidence of housing need is addressed in the plan-making process. This is summarised in paragraph 6.22 of the Plan. However, the concept of a reserve site is not translated into the policy itself. It simply comments that development of the St Martin Close West site will be supported following the commencement of the St Martin Close East site. In these circumstances the reserve mechanism (effectively holding the development of such a site until a strategic need was identified) would not apply. Instead the development of the site would simply be linked to that of St Martin Close East. In its response to the clarification note the Parish Council acknowledges this inconsistency and confirms its view that the site should function as a reserve site. In this respect the commentary in paragraph 6.24 that the site could come forward in the second part of the plan period...if required to ensure the longer-term housing need of the Parish is fully met.
- 7.104 The site has developer interest (Millwood Designer Homes). In its representation to the Plan Millwood Designer Homes suggests that the site is immediately available and could come forward in the earlier part of the Plan. It also comments about the restrictions on its development in relation to the development of the St Martin Close east site. Finally, it draws my attention to the point above about the tension between the supporting text and the policy on when and in what circumstances its potential development could proceed.
- 7.105 I have considered the tension between the policy and the supporting text. In doing so I have taken careful consideration of the representation made by Millwood Designer Homes and by the Parish Council in its response to my clarification note. I am satisfied that the St Martin Close West site should be considered as a reserve site. There is no compelling evidence to suggest that there is a strategic need at this stage for the development of both the St Martin Close East and West sites. Nevertheless, the potential for this site to be developed in conjunction with that of St Martin Close East is appropriate in general terms in the event that the evidence justifies the need for its release for housing purposes.
- 7.106 The concept of a reserve site within a neighbourhood plan has regard to national policy (PPG 41-009-20160211). It also takes account of the potential uncertainty about future housing delivery needs within the neighbourhood area during the Plan period. Given the inconsistency between the policy and the supporting text on this site in the Plan I recommend modifications to the policy so that properly achieves the ambitions as captured in the text. In doing so I have considered the following matters:

- the likely commencement of development on the St Martin Close East site;
- the likely build out of that site;
- the timetable for the eventual adoption of the emerging Mid Sussex Site Allocations DPD;
- the recommended modification in this report that the neighbourhood plan is monitored and reviewed as appropriate in the event that it is 'made';
- the need for a stepped trajectory in the delivery of housing in the District as a whole (from 876 dwellings per annum from 2015/15-2023/24 to 1090 per annum from 2024/5); and
- the planned trajectory for the Pease Pottage strategic site.

7.107 Taking account of these matters I recommend that the supporting text identifies a series of key trigger points at which the potential release of the reserve site would be considered by the Parish Council. In the circumstances I recommend that this consideration involves MSDC given its broader access to information on the delivery of housing in the wider District. At this stage it is impractical to identify the way in which various process will unfold over the next few years. As such I recommend that the trigger point for the consideration of the release of the site should be whichever of the following four events occurs first:

- The review of neighbourhood plan itself – this review process is already recommended elsewhere in this report;
- The adoption of the emerging Mid Sussex Allocations DPD – this process will determine whether or not the site is required to meet the residual District housing requirement;
- The adoption of any review of the District Plan – this process would have a similar effect to that of the adoption of the DPD;
- A material delay in delivery of the Pease Pottage strategic delivery site in the adopted District Plan – the allocation of this site and its development trajectory has been an important factor in underpinning the development of the adopted District Plan and the emerging neighbourhood plan.

7.108 As submitted both the policy and the supporting text are based on the principle that the development of the St Martin Close West site follows the development of the St Martin Close East site. Within the context of the former site operating as a reserve site I am satisfied that it would be appropriate for it to be developed following the development of the St Martin Close East site. In particular this takes account of the access arrangements proposed in both policies.

7.109 In the event that the development of the St Martins Close East site does not proceed for whatever reason and evidence supports the need to release the development of the St Martin Close West site the issue could be addressed in a review of the neighbourhood plan at that time.

7.110 I have commented in paragraph 7.99 of this report about the need for an appropriate amount of open space to be provided as part of the residential development of the St Slaugham Neighbourhood Plan – Examiner's Report

Martin Close East site. The same principles should also apply to the development of this reserve site. I recommend accordingly. I also recommend consequential additional supporting text. In particular the additional text highlights the opportunity that would exist for the open spaces on the St Martin Close East and West sites to be provided on adjacent sites and to a complementary design and layout in the event that they were provided either in full or in part on the site concerned. This would enhance the usability of the spaces and may assist with maintenance costs and liabilities.

Replace the first part of the policy with:

‘Land at St Martin Close West Handcross is identified as a housing reserve site. Where the need for its release is identified at the relevant trigger point in paragraph 6.27 of this Plan development proposals for up to 35 houses will be supported subject to the following criteria:’

Insert an additional criterion in the policy (between 2 and 3) to read: ‘the development provides open space at least to the standards set out in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document’

In paragraph 6.24 replace ‘in the second part of’ with ‘later within’

Replace paragraph 6.27 with:

‘The potential trigger point at which the need or otherwise for the release of this reserve site will be considered will be an important matter for the Parish Council. At this stage it is impractical to identify the way in which various process will unfold over the next few years. These include progress on the Mid Sussex Allocations DPD, the development of the St Martin Close East site and wider housing delivery in both the District and the neighbourhood area. As such the trigger point for the consideration of the release of the site should be whichever of the following events occurs first -the review of neighbourhood plan itself; the adoption of the emerging Mid Sussex Allocations DPD; the adoption of any review of the District Plan and a material delay in delivery of the Pease Pottage strategic delivery site in the adopted District Plan. The Parish Council will involve the District Council in this exercise given the overlaps with strategic housing delivery.’

At the end of paragraph 6.28 add:

‘Criterion 3 of Policy 12 requires the provision of open space as part of the development of the site. This should be to the standards in the Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document as a minimum. The development of the site brings an opportunity to provide community and social benefits through the provision of enhanced open spaces facilities in this part of Handcross. The provision of high-quality well-designed open space would be an important element in securing the sustainable development of the site. In the event that both St Martin Close East and West sites are developed for housing purposes and that some or all of that open space is provided on site there would be an opportunity for the open spaces on the two sites to be provided on adjacent

parcels of land and to a complementary design and layout. There may also be the opportunity to consolidate the provision of open space on St Martin Close West with the existing open space off West Park Road. These options would enhance the usability of the spaces and may assist with maintenance costs and liabilities.'

Policy 13: Residential Development within and adjoining the settlement boundaries

- 7.111 This policy offers support for residential development within the built-up areas of Handcross, Pease Pottage and Warninglid subject to the proposals concerned meeting five environmental and design criteria. Its second part identifies the circumstances in which proposals for residential development outside the defined built up areas will be supported.
- 7.112 The policy takes on a similar format to that in Policy DP6 of the District Plan. In addition, the Parish Council advised me through the clarification note process that the definition of the built-up areas has adopted the boundaries as included in the Policies Maps of the District Plan.
- 7.113 On the one hand the submitted policy seeks to add local value to the District Plan policy by defining five specific environmental and design matters that are distinctive to the neighbourhood area. The policy in the District Plan is more general in its reference to its Policy DP26. This matter would in general terms add weight to the ability of the policy to meet the basic conditions and its retention of the policy in the Plan.
- 7.114 On the other hand the submitted policy either repeats key elements of District Plan Policy DP6, or in other places omits key elements of that policy. In particular the final part of Policy DP6 is excluded.
- 7.115 In all the circumstances I am not satisfied that the policy meets the basic conditions. In the first instance it does not have regard to national policy to the extent that it largely repeats a local plan policy without adding any local value. In the second instance the submitted policy is not in general conformity with Policy DP6 of the District Plan. In the event that I was to recommend modifications to ensure that it was in general conformity the policy would then replicate Policy DP6.
- 7.116 In recommending this modification I have also considered the need for the retention or otherwise of the supporting text associated with the policy (paragraphs 6.29-6.32). Given the importance of the built-up areas within the neighbourhood area and the quality and robustness of the supporting text I am satisfied that it should remain in the Plan. In any event the supporting text comments that the Parish has had a strong record of windfall development. There is no reason to suppose that this will not continue throughout the Plan period. I recommend modifications to the existing text so that it makes a direct reference to the role of District Plan Policy DP6 in determining residential development proposals in the three built up areas and their definition in the District Plan policies maps.

Delete the policy.

At the end of paragraph 6.31 add:

'The three built up areas are shown on the Mid Sussex District Plan Policies Map Pease Pottage (18a), Handcross (18b) and Warninglid (18d).'

At the end of paragraph 6.32 add:

'Development proposals within the three built-up areas will be assessed and determined against national policy and Policy DP6 of the Mid Sussex District Plan 2014-2031'

Policy 14: Local Employment

- 7.117 This policy is the first of two policies which addresses economy and employment matters. Its focus is on restricting the loss of land in business or other employment use unless the business use is no longer viable.
- 7.118 The policy refers to the need for the marketing of the premises for business purposes for a period of six months and the levels of interest shown. Plainly this is an important factor. However, it is a process matter rather than a policy requirement. I recommend accordingly. The issue can be satisfactorily captured in the supporting text.

Delete 'and the site.....being shown'

At the end of paragraph 7.5 add:

'Policy 14 provides an opportunity for land owners to demonstrate that the site or premises concerned is no longer viable for business purposes. In these circumstances any resulting planning application should demonstrate that the site has been professionally marketed for business use at a realistic market price for at least six months and with no interest being shown.'

Policy 15: Economic Development

- 7.119 This is the second policy on the matter of economic development in the neighbourhood area. It offers support to proposals which would enable the development of business uses subject to four locational and environmental issues.
- 7.120 I sought advice from the Parish Council on its definition of 'a sustainable location' as set out in the first of the four criteria. I was advised that as part of its consideration of this matter it had concluded that a sustainable location would be either one within Handcross or Pease Pottage or within 800 metres of the settlement boundaries of those settlements and/or readily accessible to non-car forms of transport. It also commented that it recognised that other locations may have the ability to meet this test.
- 7.121 These comments are both helpful and highlight the inherent tension in attempting to define a matter which may vary from site to site. Nonetheless I consider that on

balance the retention of this matter within the policy meets the basic conditions and serves a useful purpose within the wider context of the policy. I recommend a modification to the supporting text to clarify this matter for the decision-maker. Otherwise the policy meets the basic conditions.

At the end of paragraph 7.6 add:

'Policy 15 provides a supporting context within which such proposals would be considered in the development management process. Plainly the definition of a sustainable location will be a matter of local judgement. However, the Parish Council considers that a sustainable location would be either one within Handcross or Pease Pottage or within 800 metres of the settlement boundaries of those settlements and/or readily accessible to non-car forms of transport.'

Policy 16: Protection of Handcross High Street

- 7.122 The policy seeks to protect the vitality of Handcross High Street. The approach taken has been underpinned by community consultation feedback. I saw its various retail and commercial facilities first-hand when I visited the neighbourhood area. It sits at the heart of the neighbourhood area and contributes significantly to its sustainability.
- 7.123 The focus of the policy is safeguarding A1(shops) and A4 (drinking establishments) uses. Proposals for the change of use of existing A1/A4 uses to other uses will not be supported. Within this context however the policy recognises the potential implications of permitted development rights and commercial viability issues.
- 7.124 The thrust of the policy meets the basic conditions. However, I recommend a series of modifications to ensure that it has the clarity required by the NPPF. In particular I recommend modifications to transfer text currently included in the policy into the supporting text and to clarify the wording of the principal element of the policy itself. The first paragraph of the policy is more of a statement of intent rather than a policy and is already addressed in the supporting text

Delete the first and third paragraphs

In the second paragraph of the policy replace 'Where planning permission is required for' with 'Insofar as planning permission is required'

At the end of paragraph 7.10 add:

In these circumstances [then include the deleted third paragraph]

Plan Aims

Aim 1: Preventing Coalescence: Pease Pottage Gap

- 7.125 This Aim indicates that development will not be supported within the Pease Pottage Gap unless the proposal concerned meets three criteria. They are primarily focused

on agricultural development or where they would otherwise make a valuable contribution to the landscape and amenity of the Gap.

- 7.126 Like other neighbourhood plans the submitted Plan has sought to include a suite of non-land use aims which do not meet the tests to be included as a land-use policy. The submitted Plan has properly followed this approach in the majority of the Aims in the submitted Plan.
- 7.127 However this approach does not extend to this specific Aim. By simple definition it is worded as a land use policy. In addition, the Gap is clearly defined on the Proposals Map. I sought clarity from the Parish Council on this point. The response is very thorough. It identifies the way in which the approach in the submitted Plan evolved during the Plan-making process. In summary the Aim was originally a planning policy in the pre-submission version of the Plan. The need for such an approach has now been overtaken by the adoption of the District Plan. Unlike the previous Local Plan, the District Local Plan does not include a Gap policy. Following detailed discussions with MSDC the Parish Council decided to proceed with an Aim in the submitted Plan recognising that it was not supported by a background paper as suggested by MSDC.
- 7.128 Plainly this matter has presented several challenges for the Parish Council. Whatever the background to this matter the Aim is worded as a planning policy. This is inherently contrary to the expected approach for a non-land use policy. I recommend modifications to the Aim so that it adopts an appropriate approach. In this case I recommend that the Aim indicates that the Parish Council will work with affected landowners to safeguard the existing gap between Crawley and Pease Pottage.
- 7.129 The Aim in the submitted Plan defines the Gap on the Proposals Map. Whilst I understand the intended clarity of that approach, I recommend that the Gap is removed from the Proposals Map. By definition an Aim in a neighbourhood plan is not a land use policy and cannot be shown on the Proposals Map.
- 7.130 Within this context I also recommend consequential modifications to the supporting text.

Replace the Aim with:

‘The Parish Council considers the area to the north of Pease Pottage should be kept free from development. In this context it will work with landowners and other agencies to secure appropriate management regimes to safeguard the openness of the parcels of land between Pease Pottage and Crawley.’

Remove the Pease Pottage Gap from the Proposals Map

Replace paragraphs 4.7-4.9 as follows:

4.7

‘This Aim refers to the existing open land between Pease Pottage and Crawley. The southern part of this wider area falls within the neighbourhood area.’

4.8

'The adopted District Plan includes a policy to prevent coalescence between settlements (DP13). This approach replaces the inclusion of specific Strategic Gaps in the former Local Plan.'

4.9

Retain the first sentence in the submitted Plan.

Replace the second sentence with:

'Aim 1 sets out the Plan's approach to this matter. It identifies the way in which the Parish Council will work with landowners and other agencies to secure appropriate management regimes to safeguard the openness of the parcels of land between Pease Pottage and Crawley.'

Aim 2: Preserving Settlement Identity

- 7.131 This Aim raises similar issues to those raised with regard to Aim 1. In this case it effectively produces a planning policy which would not support development proposals which would individually or cumulatively result in the loss of the separate identity of the four villages in the neighbourhood area.
- 7.132 The Aim largely repeats the approach taken in Policy DP13 of the adopted District Plan. Indeed, the supporting text in paragraph 4.10 largely repeats the first part of Policy DP13. The approach in that policy is to ensure that new development does not result in the coalescence of existing settlements.
- 7.133 I have considered all the information available to me on this element of the Plan, including the Parish Council's response to my clarification note. I recommend that the Aim is deleted. I have come to this view for two principal reasons. The first is that it adds no distinctive local value to Policy DP13 of the District Plan. The second is that the geography of the neighbourhood area is such that the coalescence of any two of the four villages would be a remote possibility given the distances between them and their location within the AONB.

Delete the Aim

Delete the supporting text (paragraph 4.10 and 4.11)

Aim 3: Pease Pottage Community Facilities

- 7.134 The Aim has two related parts. The first supports development that would bring community benefits in Pease Pottage. The second supports the creation of new community facilities in Pease Pottage.
- 7.135 I am satisfied that it is both appropriate and distinctive to the neighbourhood area.

Aim 4: Community Infrastructure Levy (CIL)

- 7.136 The Aim sets out the Parish Council's priorities for the local use of CIL funding.

- 7.137 MSDC has yet to decide to operate a CIL charging levy. Nonetheless the Aim seeks to establish priorities if this work is adopted. In this context I am satisfied that it is both appropriate and distinctive to the neighbourhood area.

Aim 5: Handcross Village Centre

- 7.138 The Aim reflects the importance of Handcross village centre in the neighbourhood area. In effect the Aim identifies the Parish Council's approach towards co-ordinating the retail approach and marketing of the existing operators.
- 7.139 I am satisfied that it is both appropriate and distinctive to the neighbourhood area. I saw the vibrancy of the village centre first-hand. The Aim has the ability to contribute significantly to the delivery of the economic dimension of sustainable development in the neighbourhood area.

Aim 6: Quiet Lanes and Public Rights of Way

- 7.140 The Aim reflects the importance of the use and the recreational opportunities offered by quiet lanes and footpaths. The Aim supports three related matters - the Quiet Lane initiative in the wider county, the upgrading of existing rights of way and supporting proposals for new footpaths. Six are specifically highlighted.
- 7.141 I am satisfied that the Aim is both appropriate and distinctive to the neighbourhood area. In particular I can see that the package of measures set out to develop a footpath between Warninglid and the primary school. I saw the isolated nature of the school when I visited the neighbourhood area.

Aim 7: Handcross Parking and Improvements to the Pedestrian Environment

- 7.142 The Aim reflects the importance of the use and vitality of the village centre of Handcross and the pressures placed on its parking facilities by visitors to the adjacent Nymans Gardens National Trust facility. The Aim supports three related matters - the identification of a site for off-street parking; the facilitation of additional parking for visitors to Nymans and the High Street and the improvement of the wider pedestrian environment.
- 7.143 I am satisfied that the Aim is both appropriate and distinctive to the neighbourhood area. In particular I can see that the package of measures set out to address a particular area of concentrated activity in the neighbourhood area.

Aim 8: Traffic Management and Access

- 7.144 This Aim supports proposals for traffic management and proposals that would improve access to community facilities. Plainly the two may overlap.

7.145 I am satisfied that it is both appropriate and distinctive to the neighbourhood area.

Aim 9: Parking

7.146 This Aim supports development which provides parking facilities at or beyond County Council parking standards

7.147 I am satisfied that it is both appropriate and distinctive to the neighbourhood area.

Other Matters – Monitoring the Plan

7.148 In paragraph 7.54 I recommended that measures be taken to monitor the effectiveness of the Plan and, as appropriate, to undertake a review of certain elements of the Plan. This is important both in its right and to take account of any potential implications which may arise from the adoption of the emerging Allocations Plan DPD or the review of the adopted District Plan.

7.149 In this context I recommend the inclusion of an additional section within the Plan on this important matter.

Include the following at the end of the Plan.

'Section 9

Monitoring and Review

9.1. The preparation of this Plan has taken place within the strategic context provided by the Mid Sussex District Plan which was adopted in March 2018. It has also sought to take account of the emerging Mid Sussex Allocations Plan DPD.

9.2. The Parish Council recognises that the plan-making process is dynamic and that development does not always proceed at the pace that was originally intended. In other cases, development may come forward which was not predicted at the time that development plans were adopted or made as appropriate. In this context the Parish Council will monitor the effectiveness or otherwise of the implementation of the policies in the neighbourhood plan on an annual basis.

9.3. Where monitoring of the Plan indicates that development is not proceeding as anticipated the Parish Council will consider undertaking a review of the wider neighbourhood plan or specific parts of the plan as appropriate.

9.4. Within the context of the monitoring and review process the Parish Council will specifically take account of the potential implications of the adoption of the Mid Sussex Allocations Plan DPD. At the end of the year in which the DPD is adopted the Parish Council will assess the need or otherwise for a review of the neighbourhood plan with regard to the delivery of new housing in the neighbourhood area.

9.5. The Parish Council will monitor the delivery of the allocated housing site at St Martin Close East (Policy 11). It will also monitor the strategic circumstances with regard to the delivery of housing in the neighbourhood area so that it can work collaboratively with the District Council to reach a decision on the extent to which the trigger mechanisms have been met in order to release the reserve site identified in the Plan (Policy 12 St Martin's Close West).'

Other Matters - General

- 7.150 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for MSDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other Matters – Factual Errors

- 7.151 Paragraph 1.2 of the Plan comments that the neighbourhood area was designated in September 2012. However, the designation took place in July 2012. I recommend that the supporting text is modified accordingly.

In paragraph 1.2 replace 'September' with 'July'

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Slaugham Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

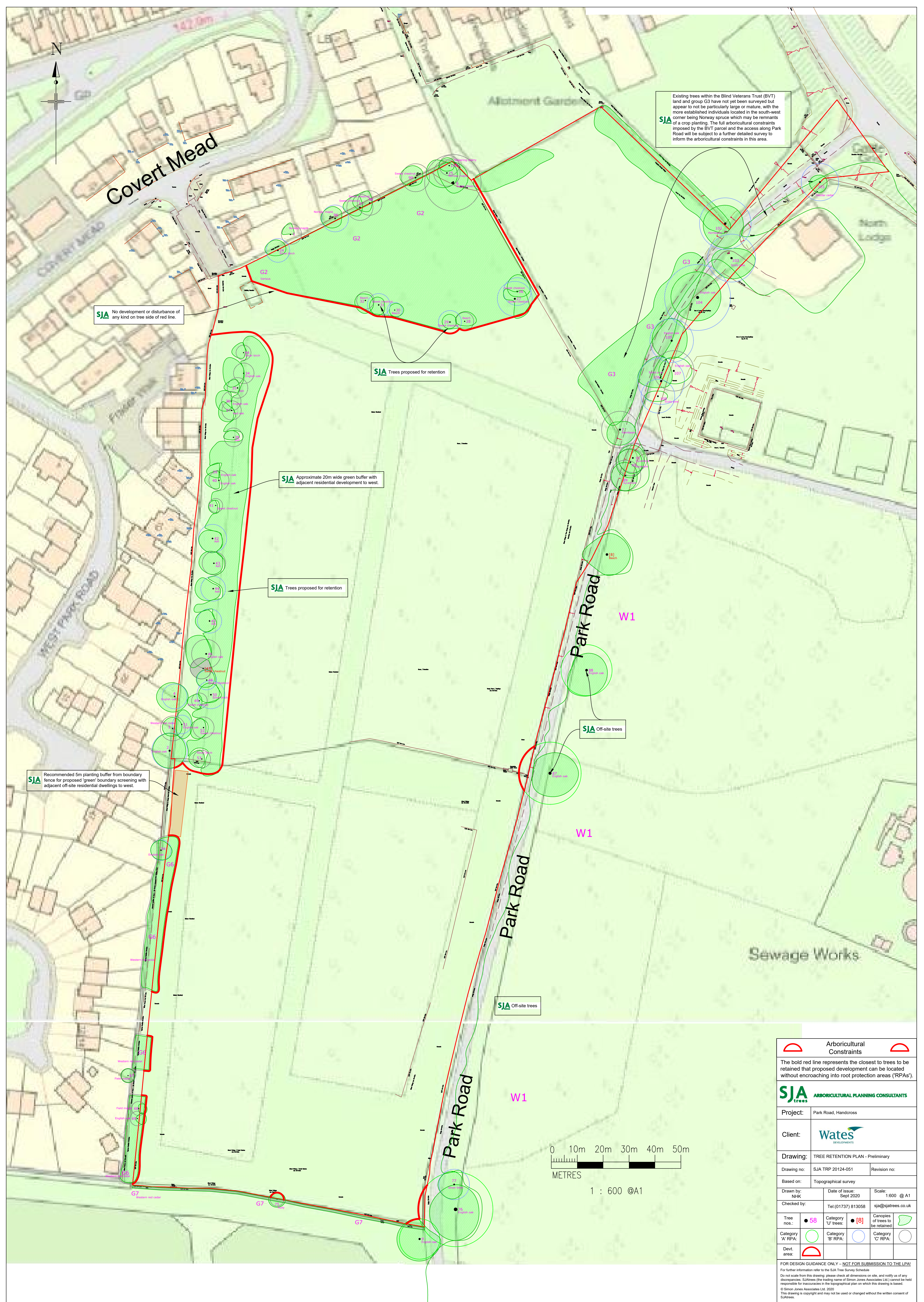
- 8.3 On the basis of the findings in this report I recommend to Mid Sussex District Council that subject to the incorporation of the modifications set out in this report that the Slaugham Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council in July 2012.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The responses to my Clarification Note were very thorough. They helped significantly in the preparation of this report.

Andrew Ashcroft
Independent Examiner
7 May 2019

APPENDIX 3



Existing trees within the Blind Veterans Trust (BVT) land and group G3 have not yet been surveyed but appear to not be particularly large or mature, with the more established individuals located in the south-west corner being Norway spruce which may be remnants of a crop planting. The full arboricultural constraints imposed by the BVT parcel and the access along Park Road will be subject to a further detailed survey to inform the arboricultural constraints in this area.

SJA No development or disturbance of any kind on tree side of red line.

SJA Trees proposed for retention

SJA Approximate 20m wide green buffer with adjacent residential development to west.

SJA Trees proposed for retention

SJA Off-site trees

SJA Off-site trees

SJA Recommended 5m planting buffer from boundary fence for proposed 'green' boundary screening with adjacent off-site residential dwellings to west.

Arboricultural Constraints	
The bold red line represents the closest to trees to be retained that proposed development can be located without encroaching into root protection areas ('RPAs').	
SJA ARBORICULTURAL PLANNING CONSULTANTS	
Project:	Park Road, Handcross
Client:	Wates DEVELOPMENTS
Drawing:	TREE RETENTION PLAN - Preliminary
Drawing no:	SJA TRP 20124-051
Revision no:	
Based on:	Topographical survey
Drawn by:	NHK
Date of issue:	Sept 2020
Scale:	1:600 @ A1
Checked by:	Tel: (01737) 813058
	sja@sjatrees.co.uk
Tree nos.:	● 58
Category 'U' trees:	● [8]
Canopies of trees to be retained:	
Category 'A' RPA:	
Category 'B' RPA:	
Category 'C' RPA:	
Dev. area:	

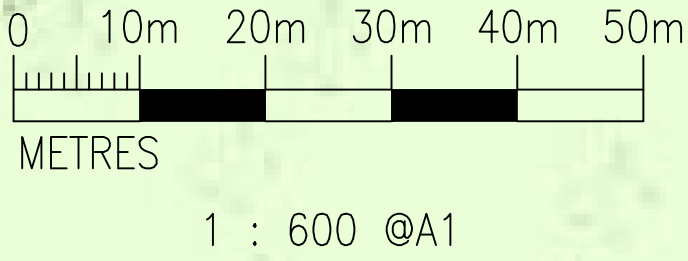
FOR DESIGN GUIDANCE ONLY - NOT FOR SUBMISSION TO THE LPA!

For further information refer to the SJA Tree Survey Schedule

Do not scale from this drawing: please check all dimensions on site, and notify us of any discrepancies. SJA trees (the trading name of Simon Jones Associates Ltd) cannot be held responsible for inaccuracies in the topographical plan on which this drawing is based.

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ARBORICULTURAL PLANNING CONSULTANTS

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Directors: Simon R. M. Jones Dip. Arb. (RFS), FArborA.,
RCArborA. (Managing)
Frank P. S. Spooner BSc (Hons), MArborA, TechCert (ArborA)

Preliminary Tree Survey Schedule

Park Road, Handcross

August 2020

Tree Survey Schedule: Explanatory Notes

Park Road, Handcross

This schedule is based on a tree inspection undertaken by Nigel Kirby of SJATrees (the trading name of Simon Jones Associates Ltd.), on Wednesday 26th August 2020. Weather conditions at the time were clear, dry and bright. Deciduous trees were in full leaf.

The information contained in this schedule covers only those trees that were examined, and reflects the condition of these specimens at the time of inspection. We did not have access to the trees from any adjacent properties; observations are thus confined to what was visible from within the site and from surrounding public areas.

The trees were inspected from the ground only and were not climbed, and no samples of wood, roots or fungi were taken. A full hazard or risk assessment of the trees was not undertaken, and therefore no guarantee, either expressed or implied, of their safety or stability can be given.

Trees are dynamic organisms and are subject to continual growth and change; therefore the dimensions and assessments presented in this schedule should not be relied upon in relation to any development of the site for more than twelve months from the survey date.

1. Tree no.

Given in sequential order, commencing at "1".

2. Species.

'Common names' are given, taken from MITCHELL, A. (1978) A Field Guide to the Trees of Britain and Northern Europe.

3. Height.

Estimated with the aid of a hypsometer, given in metres.

4. Trunk diameter.

Trunk diameter measured at approx. 1.5m above ground level; or where the trunk forks into separate stems between ground level and 1.5m, measured at the narrowest point beneath the fork. Given in millimetres.

5. Radial crown spread.

The linear extent of branches from the base of the trunk to the main cardinal points, rounded up to the closest half metre, unless shown otherwise. For small trees with reasonably symmetrical crowns, a single averaged figure is quoted.

6. Crown break.

Height above ground and direction of growth of first significant live branch.

7. Crown clearance.

Distance from adjacent ground level to lowest part of lowest branch, in metres.

8. Age class.

Young: Seedling, sapling or recently planted tree; not yet producing flowers or seeds; strong apical dominance.

Semi-mature: Trunk often still smooth-barked; producing flowers and/or seeds; strong apical dominance, not yet achieved ultimate height.

Mature: Apical dominance lost, tree close to ultimate height.

Over-mature: Mature, but in decline, no crown retrenchment

Veteran: Mature, with a large trunk diameter for species; but showing signs of veteranisation, irrespective of actual age, with decay or hollowing, and a crown showing retrenchment and a structure characteristic of the latter stages of life.

Ancient: Beyond the typical age range and with a very large trunk diameter for species; with extensive decay or hollowing; and a crown that has undergone retrenchment and has a structure characteristic of the latter stages of life.

9. Physiology.

Health, condition and function of the tree, in comparison to a normal specimen of its species and age.

10. Structure.

Structural condition of the tree – based on both the structure of its roots, trunk and major stems and branches, and on the presence of any structural defects or decay.

Good: No significant morphological or structural defects, and an upright and reasonably symmetrical structure.

Moderate: No significant pathological defects, but a slightly impaired morphological structure; however, not to the extent that the tree is at immediate or early risk of collapse.

Indifferent: Significant morphological or pathological defects; but these are either remediable or do not put the tree at immediate or early risk of collapse.

Poor: Significant and irreparable morphological or pathological defects, such that there may be a risk of failure or collapse.

Hazardous: Significant and irreparable morphological or pathological defects, with a risk of imminent collapse.

11. Comments.

Where appropriate comments have been made relating to:

- Health and condition
- Safety, particularly close to areas of public access
- Structure and form
- Estimated life expectancy or potential
- Visibility and impact in the local landscape

12. Category.

Based on the British Standard "Trees in relation to design, demolition and construction - Recommendations", BS 5837: 2012, Table 1, adjusted to give a greater weighting to trees that contribute to the character and appearance of the local landscape, to amenity, or to biodiversity.

Category U: Trees in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

(1) Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category 'U' trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning).

(2) Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline.

(3) Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality.

Category A: Trees of high quality with an estimated remaining life expectancy of at least 40 years.

(1) Trees that are particularly good examples of their species, especially if rare or unusual.

(2) Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.

(3) Trees, groups or woodlands of significant conservation, historical, commemorative or other value.

Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.

(1) Trees that might be included in category 'A', but are downgraded because of impaired condition (e.g. presence of significant though remediable defects including unsympathetic past management and minor storm damage) such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category 'A' designation.

(2) Trees present in numbers, usually growing as groups or woodlands, such that they form distinct landscape features, thereby attracting a higher collective rating than they might as individuals; or trees present in numbers but situated so as to make little visual contribution to the wider locality.

(3) Trees with material conservation or other cultural value.

Category C: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

(1) Unremarkable trees of very limited merit or of such impaired condition that they do not qualify in higher categories.

(2) Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value, and/or trees offering low or only temporary landscape benefits.

TREE SURVEY SCHEDULE

Park Road, Handcross

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
1	Norway maple	19.5m	635mm	N 5.5m E 5.25m S 6.5m W 7.5m	3.5m	1.5m	Mature	Average	Indifferent	Prominent buttress roots; single trunk; forks into multiple codominant stems at 5m; large dia. approx. 250mm - 300mm lateral scaffold limbs emanating from trunk at 5m and 7m; asymmetrical crown to W as suppressed by adjacent specimens; upper canopy glimpsed above roof lines and between dwellings of St Martin Close; hidden in all other long direct public views; contributes to boundary screening; significant component of group in which it stands.	B (1)
2	English oak	17m	570mm	N 6.75m NE 6.5m E 6.25m S 6.75m W 6.5m	3m	S 3m	Mature	Average	Indifferent	Off-site tree; prominent buttress roots; mechanical wounding on trunk; internal heartwood exposed; contributes to boundary screening.	B (1)
3	Western red cedar	12m	2 stems @ 240mm 210mm	N 4.25m E 3.5m S 3m W 4m	2m	E 0.5m	Semi-mature	Average	Poor	Off-site tree; multi-stemmed from base; tight compression forks with evidence of included bark.	C (12)
4	English oak	20m	400mm est.	N 5.25m NE 5m E 5.25m SE 5.5m S 6m W 7m	4m	NE 3m	Mature	Average	Indifferent	Off-site tree; prominent buttress roots; twin-stemmed from 1m; tight compression fork with evidence of included bark from 1m to 2m above ground; union obscured by child's tree house; union appears 'fused' and tensile; asymmetrical crown to W as suppressed by adjacent specimens; upper canopy readily visible from rear amenity gardens to N, upper canopy glimpsed above roof line from West Park Road; hidden in all other long direct public views.	B (12)
5	Norway maple	17m	2 stems @ 230mm	N 4m E 1m S 0m W 3.5m	2m	4m	Semi-mature	Average	Poor	Off-site tree; prominent, shallow buttress roots; twin-stemmed from base; acute branch unions; one-sided crown as suppressed by adjacent specimens; unremarkable tree of very limited merit.	C (12)
6	Sweet chestnut	20m	500mm 2 stems @ 535mm est.	N 8m NE 7m E 5.5m S 4m W 4.25m NW 8m	4m	S 5m	Mature	Average	Poor	Prominent buttress roots, with mechanical wounding; internal heartwood exposed; multi-stemmed from base; tight compression forks with evidence of included bark; asymmetrical crown to N as suppressed by adjacent specimens; readily visible from allotments to N; contributes to boundary screening.	C (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
7	Hornbeam	14m	400mm 3 stems @ 250mm	N 3m E 6m S 6m SW 6m W 4.75m	2m	1.5m	Mature	Average	Poor	Off-site tree; evidence of historic root plate movement; mechanical wounding at base; internal heartwood exposed; asymmetrical crown as suppressed by adjacent specimens; readily visible from bridleway.	C (12)
8	Beech	22m	795mm	N 8m E 9m S 8m SW 7m W 9.5m NW 7.25m	5.5m	W 6m	Mature	Average	Hazardous	Off-site tree; prominent buttress roots; large mechanical wounding on E side of trunk from ground level up to 8m; significant differences in tone when eastern buttress roots and lower trunk, from ground level up to 3m, around entire trunk tapped with acoustic hammer suggest internal defects; notable reaction wood and 'Gate Posts' on either side of wound; contractor warning: evidence of 'Hornets' nest within cavity beginning at 8m at apical extent of wound; evidence of decay extending further up into trunk above this; single trunk; asymmetrical weighted crown to W as suppressed by adjacent specimens; storm damage in crown; significant component of group in which it stands; in keeping with the character of the local area; readily visible from bridleway; hidden in all other long direct public views.	U
9	English oak	21m	650mm	N 7.25m NE 5m E 8m S 8.5m W 8.75m NW 8.25m	4m	N 2m	Mature	Average	Good	Off-site tree; prominent buttress roots; single trunk; field boundary indicator; good example of species; large boundary tree; individual at northern extent of row of trees lining the east boundary of the adjacent southern field; forming an external feature of the site; readily visible from bridleway and Park Road.	A (12)
10	English oak	19m	475mm	N 2m E 7.25m S 4m W 4m	2m	E 1m	Semi-mature	Average	Indifferent	Many surface roots, damaged on upper sides, probably by cattle; prominent buttress roots; evidence of historic root plate movement; swept stem to E for approx. 2m before correction to vertical; asymmetrical crown to E as suppressed by adjacent specimens; fastigate crown demonstrating acute unions; however no evidence of tight compression forks with included bark; aerodynamic group with meshing crowns providing companion shelter; readily visible from bridleway; hidden in all other long direct public views from NE anti-clockwise to SE.	B (2)
11	English oak	21m	510mm	N 5.5m NE 5m E 7m SE 4m S 4m SW 5m W 3m NW 6m	4m	E 1.5m	Mature	Average	Moderate	Many surface roots, damaged on upper sides, probably by cattle; prominent, shallow buttress roots; single trunk; drawn-up and suppressed on S side; dominant individual within aerodynamic group with meshing crowns providing companion shelter; readily visible from bridleway; hidden in all other long direct public views from NE clockwise to SE.	B (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
12	Red oak	18m	350mm	N 2.5m E 3m S 5.75m SW 6m W 3.5m	2m	2m	Semi-mature	Average	Moderate	Prominent, shallow buttress roots; single trunk; twin-stemmed from 9m with tensile union; asymmetrical crown as suppressed by adjacent specimens; significant component of group in which it stands.	B (1)
13	Beech	15m	340mm	N 3.25m E 3.25m S 6.75m SW 7m W 5.5m	2m	S 0.5m	Semi-mature	Average	Poor	Prominent, shallow buttress roots; tight compression forks with evidence of included bark; asymmetrical crown as suppressed by adjacent specimens; woodland copse boundary tree; inessential component of group in which it stands; hidden in all long direct public views.	C (1)
14	Beech	18m	475mm	N 5.5m E 4.5m S 8.25m W 1.75m	1.5m	S 0.75m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; buttress roots, with mechanical wounding; internal heartwood exposed; twin-stemmed from 1.5m with acute union; tight compression forks with evidence of included bark; woodland copse boundary tree.	C (1)
15	Silver birch	20m	2 stems @ 220mm 280mm	N 2m E 2.5m S 3m W 2.75m	4m	4m	Semi-mature	Average	Poor	Prominent, shallow buttress roots; multi-stemmed from base; woodland copse boundary tree; hidden from all external views; inessential component of group in which it stands.	C (12)
16	Silver birch	19m	370mm	N 3m E 2m S 1.75m W 2.25m	4m	4m	Semi-mature	Average	Indifferent	Twin-stemmed from base; subdominant stem felled and removed; internal heartwood exposed; woodland copse boundary tree; hidden from all external views.	C (1)
17	English oak	15.5m	365mm	N 4m E 3.75m S 3m W 5m	3.5m	2m	Semi-mature	Average	Indifferent	Evidence of historic root plate movement; prominent, shallow buttress roots; tight compression fork with evidence of included bark in upper canopy; hidden from all external views.	C (12)
18	Red oak	13.5m	290mm	N 2.5m E 2.25m SE 5.5m S 5.25m SW 5.75m W 3m	2m	1.5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; asymmetrical crown as suppressed by adjacent specimens; woodland copse boundary tree; hidden from all external views.	C (1)
19	Silver birch	20m	2 stems @ 340mm	N 5m E 5m S 5m W 5m	3m	3.5m	Semi-mature	Average	Poor	Prominent, shallow buttress roots; multi-stemmed from base; tight compression forks with evidence of included bark; significant component of the group in which it stands; hidden from all external views; unremarkable tree of very limited merit.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
20	Red oak	20m	325mm	N 0m E 3m SE 5.5m S 7.75m SW 6.25m W 1m	2m	S 2m	Semi-mature	Average	Poor	Prominent, shallow buttress roots; tight compression fork with evidence of included bark; one-sided crown as suppressed by adjacent specimens; inessential component of group in which it stands.	C (1)
21	Sweet chestnut	20m	455mm	N 0.5m E 2.25m S 4.5m SW 5m W 2m	2m	2m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; one-sided crown as suppressed by adjacent specimens; inessential component of group in which it stands; upper canopy glimpsed from recent development to SW.	C (1)
22	Goat willow	19m	300mm 400mm	N 5m E 5.25m S 5.75m W 5.75m	2m	1.5m	Mature	Below average	Poor	Multi-stemmed from base; sparsely foliated; contributes to boundary screening; unremarkable tree of very limited merit.	C (1)
23	Goat willow	19m	400mm	N 3m E 3.75m SE 5m S 3m W 4m	2m	2m	Mature	Average	Poor	Self-seeded specimen; contributes to boundary screening; tight compression fork with evidence of included bark; hidden in all long direct public views from N, clockwise to W.	C (12)
24	Silver birch	19m	380mm	N 4m E 3m S 2m W 5m	4m	4m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; asymmetrical crown as suppressed by adjacent specimens; contributes to boundary screening; upper 3m of canopy may be glimpsed above roof line to W; hidden in all other long direct public views.	B (2)
25	Norway maple	18m	425mm est.	N 4m E 4m S 5.5m W 8m NW 7m	1m	1.5m	Semi-mature	Average	Indifferent	Self-seeded specimen; asymmetrical, swept crown as suppressed by adjacent specimens; contributes to boundary screening; inessential component of group in which it stands.	C (12)
26	Sweet chestnut	20m	445mm	N 6.5m E 4.75m S 2m W 3.5m	3m	3m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; asymmetrical crown as suppressed by adjacent specimens; upper canopy readily visible from public footpath to N; significant component of group in which it stands; hidden in all other long direct public views.	B (2)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
27	Sweet chestnut	20m	560mm	N 2.75m NE 4.5m E 5m SE 7.25m S 7.25m SW 1m W 3.75m NW 5.25m	6m	6m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; forks into dominant and subdominant stems at 1.75m; dominant stem orientated to S, subdominant to N; tensile union evident; stems are tall, drawn-up and suppressed; canopies of stems begin to separate with S stem making up approx. 65% of canopy; central canopy 'hole' has been filled by self seeded silver birch; aerodynamic canopy with chestnut forming meshing crowns providing companion shelter; if silver birch removed would create an exposed high crown on each stem; upper canopy glimpsed in short views from PROW to N, hidden in all other long direct public views; significant component of group in which it stands.	B (2)
28	Beech	20m	290mm	N 3.75m E 4.5m S 1.75m W 3.5m	2m	1.25m	Semi-mature	Average	Indifferent	Self-seeded specimen; prominent, shallow buttress roots; tight compression fork with evidence of included bark a main bifurcation 5m; O+Asymmetrical, almost one-sided crown as suppressed by adjacent specimens; drawn-up and suppressed; hidden from all external views.	C (1)
29	Sweet chestnut	20m	370mm	N 3m E 2.5m S 2.5m W 3m	3m	5m	Semi-mature	Average	Good	Prominent, shallow buttress roots; single trunk; mechanical wounding on E trunk at 1.5m; internal heartwood exposed; however, notable occlusion wood present; upright trunk and stem growth; significant component of group in which it stands; although currently of low landscape value as hidden by adjacent trees.	B (1)
30	Beech	20m	245mm	N 2.5m E 3.5m S 2.5m W 2m	2.25m	2.25m	Semi-mature	Average	Moderate	Prominent, shallow buttress roots; single trunk; drawn-up and suppressed; possible Height/Diameter ratio greater than 50: increasing at risk of failure if companion shelter removed; hidden from all external views.	B (1)
31	Sweet chestnut	18m	365mm	N 3m E 2.25m S 4m W 3.5m	2m	4m	Semi-mature	Average	Moderate	Prominent buttress roots; single trunk; significant component of the group in which it stands; hidden in all external views.	B (1)
32	Beech	19m	280mm	N 2.5m E 3m S 5m W 4m	2.5m	1.25m	Semi-mature	Average	Poor	Prominent, shallow buttress roots; single trunk; tight compression fork with evidence of included bark at 12m; hidden from all external views.	C (12)
33	Silver birch	18m	2 stems @ 215mm st. 350mm	N 4.5m E 6.5m S 5.5m W 6m	1m	1.5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; multi-stemmed from base; tight compression fork with evidence of included bark; contributes to boundary screening; hidden in all long direct public views from N clockwise to SW.	C (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
34	English oak	17m	330mm	N 1m E 0m S 1m SW 7.5m W 8m NW 8.5m	2m	1.25m	Semi-mature	Average	Poor	Small self-seeded specimen; prominent, shallow buttress roots; tight compression fork with evidence of included bark; canopy entirely offset from base; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
35	Ash	19m	330mm	N 2.75m E 0.75m S 1.75m W 5.25m	2m	1.75m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views.	C (12)
36	English oak	19m	310mm	N 2.5m E 0m S 2.75m SW 5.25m W 6m NW 5.5m	2m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
37	Red oak	17.5m	310mm	N 1m E 1m S 4m SW 5.25m W 5m NW 4.75m	2m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
38	Ash	19m	300mm	N 2.5m E 2.25m S 1m W 3.75m	2m	1.5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
39	English oak	18.5m	245mm	N 3m E 0m S 2m W 5m	2m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
40	English oak	19m	320mm	N 3m E 0m S 3m SW 4m W 5.5m	2m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
41	Sweet chestnut	15m	225mm	N 1.75m E 0.75m S 3m SW 3m W 2.75m	2m	W 1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
42	Ash	19m	455mm	N 3m E 3.75m S 5.5m W 5.25m	3m	W 5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW; significant component of group in which it stands.	B (2)
43	Ash	19m	375mm	N 4.5m E 3.5m S 4.25m SW 4.75m W 5.75m NW 5.5m	2m	W 4m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; many surface roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; tight compression fork with evidence of included bark; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
44	Ash	19.5m	400mm	N 2m E 2.75m S 4.25m SW 6m W 7m NW 6m	2m	1.5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW; significant component of group in which it stands.	B (2)
45	Ash	18m	390mm	N 4m E 1.75m S 4m W 5.5m	2m	1.5m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	B (2)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
46	English oak	20m	470mm	N 6m E 2m S 2.25m SW 7.5m W 7.75m NW 8.75m	1m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; tight compression fork with evidence of included bark at 8m; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)
47	Sweet chestnut	19m	320mm est.	N 4m E 3m S 4m W 5m	1m	2m	Semi-mature	Dead	Hazardous	Dead tree.	U
48	Sweet chestnut	19m	315mm	N 4m E 3m S 2.75m W 4m	3.75m	4m	Semi-mature	Average	Moderate	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; woodland edge tree; upper canopy visible above roof line of residential dwellings to W; hidden in all other long direct public views from N clockwise to SW.	B (2)
49	Sweet chestnut	19m	250mm	N 2.25m E 1m S 3m W 4.75m	2m	1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (1)
50	Silver birch	20m	450mm	N 4.5m E 3.25m S 3m W 4.75m	4m	4m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW; significant component of group in which it stands.	B (1)
51	English oak	12m	300mm	N 5.5m E 4m S 5.5m SW 3m W 2m NW 3m	1.75m	1.75m	Semi-mature	Average	Good	Prominent, shallow buttress roots; single trunk; small self-seeded specimen; hidden in all long direct public views; of moderate quality, but currently of low value due to small size.	B (1)
52	Sweet chestnut	19m	340mm	N 3m E 1m S 3.5m SW 5.5m W 5m	2m	4m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; asymmetrical, one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; hidden in all other long direct public views from N clockwise to SW.	C (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
53	Silver birch	19m	280mm	N 3m E 1m S 3m W 5m	2m	1.5m	Semi-mature	Average	Indifferent	Self-seeded specimen; many surface roots; prominent, shallow buttress roots; woodland copse boundary tree; hidden from all external views.	C (1)
54	English oak	12.5m	330mm st.	N 3.75m NE 3.5m E 4.25m SE 4.25m S 3.75m W 4m	1.75m	E 1.5m	Semi-mature	Average	Moderate	Off-site tree; small self-seeded specimen; contributes to boundary screening; hidden from all external views; of moderate quality, but currently of low value due to small size.	B (1)
55	Silver birch	19.5m	200mm 2 stems @ 300mm	N 4.25m E 3m S 3.75m W 5.5m	3m	2m	Semi-mature	Average	Poor	Prominent, shallow buttress and surface roots; tight compression forks with evidence of included bark; hidden from all external views; unremarkable tree of very limited merit.	C (12)
56	Turkey oak	20.5m	430mm	N 4m E 3m S 3m W 6.25m	2m	W 1.5m	Semi-mature	Below average	Indifferent	Prominent buttress roots; single trunk; slightly sparsely foliated; cattle compaction at base; significant component of group in which it stands; hidden from all external views.	C (1)
57	Flowering cherry	17m	445mm	N 4.75m E 2.75m S 3.5m W 7m	2m	W 2m	Mature	Average	Indifferent	Many surface roots; prominent, shallow buttress roots; tight compression fork with evidence of included bark; asymmetrical crown as suppressed by adjacent specimens; significant component of group in which it stands; hidden from all external views.	C (1)
58	Norway maple	14.5m	290mm	N 4.25m E 2m S 4.5m W 6.25m	2m	W 1.5m	Semi-mature	Average	Poor	Many surface roots; prominent, shallow buttress roots; tight compression fork with evidence of included bark; asymmetrical crown as suppressed by adjacent specimens; significant component of the group in which it stands; hidden from all external views.	C (1)
59	Silver birch	18m	2 stems @ 310mm	N 4m E 3.75m S 3m W 3.75m	3.5m	3m	Semi-mature	Average	Indifferent	Many surface roots; prominent, shallow buttress roots; twin-stemmed from 1m; acute union present, no evidence of bark to bark contact; significant component of group in which it stands; upper canopy glimpsed above G6 to W; hidden in all other long direct public views.	C (1)
60	English oak	18.5m	260mm	N 0m E 2m S 3.75m W 5.75m	2m	W 2m	Semi-mature	Average	Poor	Many surface roots; evidence of cattle compaction; asymmetrical one-sided crown as suppressed by adjacent specimens; squirrel damage in crown; hidden from all external views.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
61	Norway maple	19m	775mm	N 8.25m E 10m SE 9.5m S 8.5m W 6.75m	3m	W 2m	Over-mature	Average	Poor	Prominent buttress roots; evidence of cattle movement and ground compaction around base; forks into multiple codominant stems at 3m; many surface roots, damaged on upper sides, probably by cattle; central stem is dead with evidence of internal decay and hollowing, at risk of failure; large historic storm damage and tear-out wounds in upper canopy; sub-dominant laterals limbs taking over apical dominance; significant component of group in which it stands; hidden in all long direct public views.	C (1)
62	Sweet chestnut	20m	400mm	N 5.5m NE 8m E 7.75m SE 6.5m S 2m W 1.75m	2m	E 1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; asymmetrical one-sided crown as suppressed by adjacent specimens; contributes to density of regenerated copse; hidden from all external views.	C (1)
63	Sweet chestnut	20m	385mm	N 8.25m NE 8.75m E 3.25m S 1m W 3.25m NW 8.25m	2m	NW 1m	Semi-mature	Average	Indifferent	Prominent, shallow buttress roots; single trunk; one-sided crown as suppressed by adjacent specimens; significant component of group in which it stands; contributes to boundary screening; glimpsed from Covert Mead.	C (12)
64	Norway maple	20.5m	375mm	N 3.5m NE 7.25m E 6.25m SE 4.75m S 7m SW 5.5m W 5.5m	2m	NW 1.5m	Semi-mature	Average	Moderate	Many surface roots; prominent, shallow buttress roots; single trunk; significant component of group in which it stands; acute unions, due to fastigate form; however, no evidence of tight compression forks with bark to bark contact; contributes to density of regenerated copse.	B (1)
65	Norway maple	7m	180mm	N 3m E 3m S 3m W 2.75m	2m	2m	Semi-mature	Average	Indifferent	Small self-seeded specimen; many surface roots, damaged on upper sides, probably by cattle; hidden in all long direct public views; unremarkable tree of very limited merit.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
66	Norway maple	10m	250mm	N 4.5m E 4.5m S 3.75m W 4m	2m	W 1.25m	Semi-mature	Average	Poor	Small self-seeded specimen; many surface roots, damaged on upper sides, probably by cattle; tight compression fork with evidence of included bark; hidden in all long direct public views; unremarkable tree of very limited merit.	C (1)
67	Field maple	9.5m	160mm 140mm est.	2.75m	4m	E 5m	Semi-mature	Average	Poor	Off-site tree; twin-stemmed from base; small self-seeded specimen; contributes to boundary screening.	C (1)
68	Field maple	5.5m	120mm est. 190mm est.	N 1m NE 2.5m E 3.25m SE 3m S 1m W 0m	2m	E 2m	Semi-mature	Average	Indifferent	Small self-seeded specimen; crown has been heavily reduced or "topped" in past; unremarkable tree of very limited merit.	C (1)
69	English oak	5.5m	235mm est.	N 1m NE 3m E 3.5m SE 3.25m S 1.25m W 0.5m	1.5m	E 1m	Semi-mature	Average	Indifferent	Small self-seeded specimen; crown has been heavily reduced or "topped" in past; unremarkable tree of very limited merit.	C (1)
70	Silver birch	10.5m	140mm	N 2m E 1m S 1.75m W 2m	1.5m	0.5m	Semi-mature	Average	Indifferent	Small self-seeded specimen; many surface roots, damaged on upper sides, probably by cattle; unremarkable tree of very limited merit.	C (12)
71	English oak	8m	220mm	N 3m E 3m S 3.5m W 2m	2m	SE 1m	Semi-mature	Average	Indifferent	Small self-seeded specimen; many surface roots, damaged on upper sides, probably by cattle; unremarkable tree of very limited merit.	C (1)
72	Turkey oak	9m	185mm	N 1.75m E 3m S 2.75m W 1m	1m	S 1m	Semi-mature	Average	Indifferent	Small self-seeded specimen; unremarkable tree of very limited merit; hidden in all long direct public views.	C (1)
73	Holly	7m	4 stems @ 120mm est.	N 2.5m E 3m S 3m W 3m	1m	N 1m	Semi-mature	Below average	Poor	Multi-stemmed from base; slightly sparsely foliated; of only low-level screening value; unremarkable tree of very limited merit.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
74	English oak	8m	210mm	N 2m E 4m SE 4.5m S 4m W 1.5m	2.25m	SE 1.5m	Semi-mature	Average	Indifferent	Small self-seeded specimen; nearly one-sided crown as suppressed by adjacent specimens; unremarkable tree of very limited merit.	C (1)
75	Holly	6m	4 stems @ 110mm est.	N 2.5m E 3.25m S 3m W 3.25m	0.5m	0m	Semi-mature	Average	Poor	Multi-stemmed from base; small self-seeded specimen; unremarkable tree of very limited merit.	C (1)
76	English oak	23m	1200mm est.	N 9.5m E 9m S 12m W 10m NW 9m	3m	W 4m	Over-mature	Average	Moderate	Off-site tree; prominent buttress roots; single trunk; mechanical wounding on trunk; internal heartwood exposed; occlusion wood present; exudations on trunk at approx. 4m W side; large boundary tree, likely historical planting adjacent to Park Road; essential component of group in which it stands; woodland boundary tree; readily visible from Park Road.	A (23)
77	Silver birch	21m	490mm	N 5m E 3m S 5.5m W 6.25m	4m	W 4m	Mature	Average	Indifferent	Off-site tree; prominent buttress roots, with mechanical wounding; mechanical wounding on trunk; notable occlusion wood seen; woodland boundary tree.	B (2)
78	English oak	8m	245mm	N 2m E 4.25m S 2.5m W 0.5m	1m	E 1m	Semi-mature	Average	Indifferent	Small self-seeded specimen; canopy entirely offset from base; unremarkable tree of very limited merit.	C (1)
79	Silver birch	20m	320mm	N 2.5m E 5m S 2m W 2m	3m	E 4m	Semi-mature	Average	Poor	Evidence of historic root plate movement; many surface roots, damaged on upper sides; multi-stemmed from base; tight compression forks with evidence of included bark.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
80-84	Silver birch	#T80 20m #T81 20m #T82 20m #T83 21m #T84 20m	#T80 2 stems @ 230mm #T81 290mm #T82 310mm #T83 2 stems @ 210mm #T84 2 stems @ 250mm	4m	3m	4m	Semi-mature	Average	Poor	Row of closely planted specimens, designed to form a hedge or screen; group of drawn-up, mutually suppressed specimens; at risk of failure if companion shelter removed; multi-stemmed from base; tight compression forks with evidence of included bark.	C (12)
85-86	Silver birch	#T85 21m #T86 21m	#T85 2 stems @ 260mm #T86 300mm	N 5.5m NE 5m E 6.25m S 4m W 4.25m	3m	2m	Semi-mature	Average	Poor	Row of closely planted specimens, designed to form a hedge or screen; drawn-up and mutually suppressed; tight compression fork with evidence of included bark; at risk of failure if companion shelter removed; readily visible from bridleway to E; hidden in all other long direct public views.	C (12)
87	English oak	22m	1000mm ivyest.	N 7.75m E 11m S 9m SW 8.5m W 6.75m	3m	SW 4m	Mature	Average	Moderate	Off-site tree; prominent buttress roots; heavily ivy-covered impeding inspection of branch unions; field boundary tree; readily visible from bridleway and internal views from the site; significant component of group in which it stands; hidden in all other long direct public views.	A (23)
88	English oak	21m	820mm	N 6.5m E 8m S 10m SW 10m W 6m	4m	SW 6m	Mature	Average	Moderate	Off-site tree; prominent, shallow buttress roots; forks into two codominant stems at 4m; N stems remains apically dominant, while S stem phototropically grows to S; significant component of group in which it stands; woodland boundary tree; readily visible from bridleway and internal views from site; in keeping with the character of the local area; hidden in all other long direct public views.	A (23)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
89-91	Sycamore	#T89 20m #T90 20m #T91 20m	#T89 490mm ivy #T90 440mm ivy #T91 470mm ivy	N 5m E 4.5m S 6m W 5.5m	3.5m	4m	Mature	Average	Indifferent	#89 off-site trees; row of closely growing specimens, forming a hedge or screen; aerodynamic group with meshing crowns providing companion shelter; drawn-up and mutually suppressed; contributes to boundary screening; hidden in all long direct public views; unremarkable trees of very limited merit.	C (12)
92	English oak	12m	215mm	3.75m	2m	1.5m	Semi-mature	Average	Indifferent	Small self-seeded specimen; prominent, shallow buttress roots; of moderate quality, but currently of low value due to small size; hidden in all long direct public views; unremarkable tree of very limited merit.	C (1)
93	Silver birch	20.5m	390mm 330mm	N 6m E 4.25m S 7m W 6m	2m	E 1.5m	Semi-mature	Average	Indifferent	Self-seeded specimen; twin-stemmed from base; drawn-up and mutually suppressed stems; glimpsed from bridleway; unremarkable tree of very limited merit.	C (1)
94	Silver birch	17.5m	240mm	N 3.5m E 0.75m S 2m W 4.5m	2m	W 1m	Semi-mature	Average	Indifferent	same comments as tree no. 36; glimpsed from W; contributes to boundary screening.	C (12)
95	Silver birch	17.5m	240mm	N 3.5m E 0.75m S 2m W 4.5m	2m	W 1m	Semi-mature	Average	Indifferent	Small self-seeded specimen; asymmetrical canopy with meshing crown; unremarkable tree of very limited merit.	C (12)
96	Norway maple	19m	430mm	N 4.5m E 2.5m S 3.5m W 5.5m	4m	E 4m	Semi-mature	Average	Indifferent	Off-site tree; prominent, shallow buttress roots; drawn-up and suppressed; asymmetrical crown as suppressed by adjacent specimens; upper canopy glimpsed above roofline to W.	B (2)
97-98	Sweet chestnut	#T97 19.5m #T98 19.5m	#T97 420mm #T98 395mm	N 4m E 1m S 3m W 6.5m	4m	E 5m	Semi-mature	Average	Indifferent	Self-seeded specimens; one-sided crown as suppressed by adjacent specimens; contributes to boundary screening; upper canopy glimpsed above roofline to W; hidden in all other long direct public views.	C (12)
99	Sweet chestnut	19.5m	450mm	N 4.5m E 2.75m S 3m W 6m	4m	E 4m	Semi-mature	Average	Poor	Off-site tree; contributes to boundary screening; tight compression fork with evidence of included bark at 4m; hidden in all other long direct public views.	C (12)
100	Flowering cherry	19m	320mm	N 3m E 2m S 2m W 4m	3m	2.5m	Semi-mature	Average	Indifferent	Self-seeded specimen; readily visible from allotments; hidden in all other long direct public views; contributes to boundary screening; unremarkable tree of very limited merit.	C (12)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio - logy	Structure	Comments	Category
G2	Various	Min 16m Max 20m	Min 75mm Max 295mm	3m	2m	3m	Semi-mature	Average	Poor	Small area of recent secondary woodland; prominent, shallow buttress roots; drawn-up and mutually suppressed; many specimens with Height/Diameter ratio greater than 50: at risk of failure if companion shelter removed; trees displaying morphological and physiological features consistent with size, age, species and location; tight compression forks with evidence of included bark; contributes to boundary screening; readily visible from public footpath; many windthrown individuals within group, hung-up demonstrating shallow structural root plates.	C (12)
G3	Various	Min 6m Max 15m	Min 5 stems @ 180mm Max 375mm est.	4m	1m	1m	Semi-mature	Average	Indifferent	Off-site group of trees; species include cherry laurel, Norway spruce, goat willow, silver birch, holly, Norway maple, hornbeam and rowan; row of multistemmed cherry laurel located adjacent to boundary; off-set to NE by approx. 7m, more establish coniferous trees located; many individuals show prominent, shallow buttress roots consistent with other trees in local vicinity; single trunks; tall, drawn-up and mutually suppressed; aerodynamic group with meshing crowns providing companion shelter; contributes to boundary screening; in keeping with character of local area; readily visible from public footpath and bridleway.	B (12)
G4	Various	Min 15m Max 20m	Min 100mm Max 275mm	3m	2m	2m	Semi-mature	Average	Poor	Small area of recent secondary woodland; self-seeded specimens; group of drawn-up, mutually suppressed specimens; drawn-up specimens with Height/Diameter ratio greater than 50: at risk of failure if companion shelter removed; hidden from all external views; unremarkable trees of very limited merit.	C (1)
G5	Various	Min 12m Max 19.5m	Min 120mm Max 300mm	3.5m	2m	1m	Semi-mature	Average	Poor	Species include English oak, Norway maple, rowan, silver birch, holly and sweet chestnut; small area of recent secondary woodland; many surface roots, damaged on upper sides, probably by cattle; prominent buttress roots, with mechanical wounding; trees displaying morphological and physiological features consistent with size, age, species and location; including tight compression forks with evidence of included bark; NW extent contributes to boundary screening; hidden in all other long direct public views.	C (1)
G6	Western red cedar	12m	Min 100mm Max 240mm	3m	0.25m	0.25m	Semi-mature	Average	Indifferent	Off-site group of trees; row of closely planted specimens, designed to form a hedge or screen; trees displaying morphological and physiological features consistent with size, age, species and location; tight compression forks with evidence of included bark; aerodynamic group with meshing crowns providing companion shelter; group of drawn-up, mutually suppressed specimens; contributes to boundary screening; hidden in all other long direct public views from N anti-clockwise to S.	C (12)
G7	Western red cedar	1.5m	Avg 25mm	0.5m	0.25m	0.5m	Young	Average	Good	Off-site group of trees; row of closely planted specimens, designed to form a hedge or screen; of only low-level screening value; inessential component of wider landscape.	C (1)
G8	Sweet chestnut	8m	Avg 6 stems @ 110mm est.	4m	0.5m	0.5m	Semi-mature	Average	Poor	Recently coppiced timber crop; unremarkable trees of very limited merit.	C (1)

No.	Species	Height	Trunk diameter	Radial crown spread	Crown break	Crown clearance	Age class	Physio -logy	Structure	Comments	Category
G9	Various	Min 16m Max 18m	Min 140mm Max 320mm	3.75m	2m	1.5m	Semi-mature	Average	Poor	Row of closely growing specimens, forming an aerodynamic group; group of drawn-up, mutually suppressed specimens; east edge of group readily visible from bridle way; many with Height/Diameter ratio greater than 50: at risk of failure if companion shelter removed; inessential component of the wider landscape; hidden in all other long direct public views.	C (12)
G10	Beech	Min 4m Max 9m	Min 175mm Max 210mm	3m	1m	1m	Young	Average	Moderate	Small planted specimens; hidden in all long direct public views; unremarkable trees of very limited merit.	C (1)
H1	Various	1m	Max 25mm	1m	0m	0m	Semi-mature	Average	Indifferent	Of only low-level screening value; species include hornbeam, hazel, bracken and bramble; evidence of regular management.	C (1)

Root Protection Areas (RPAs)

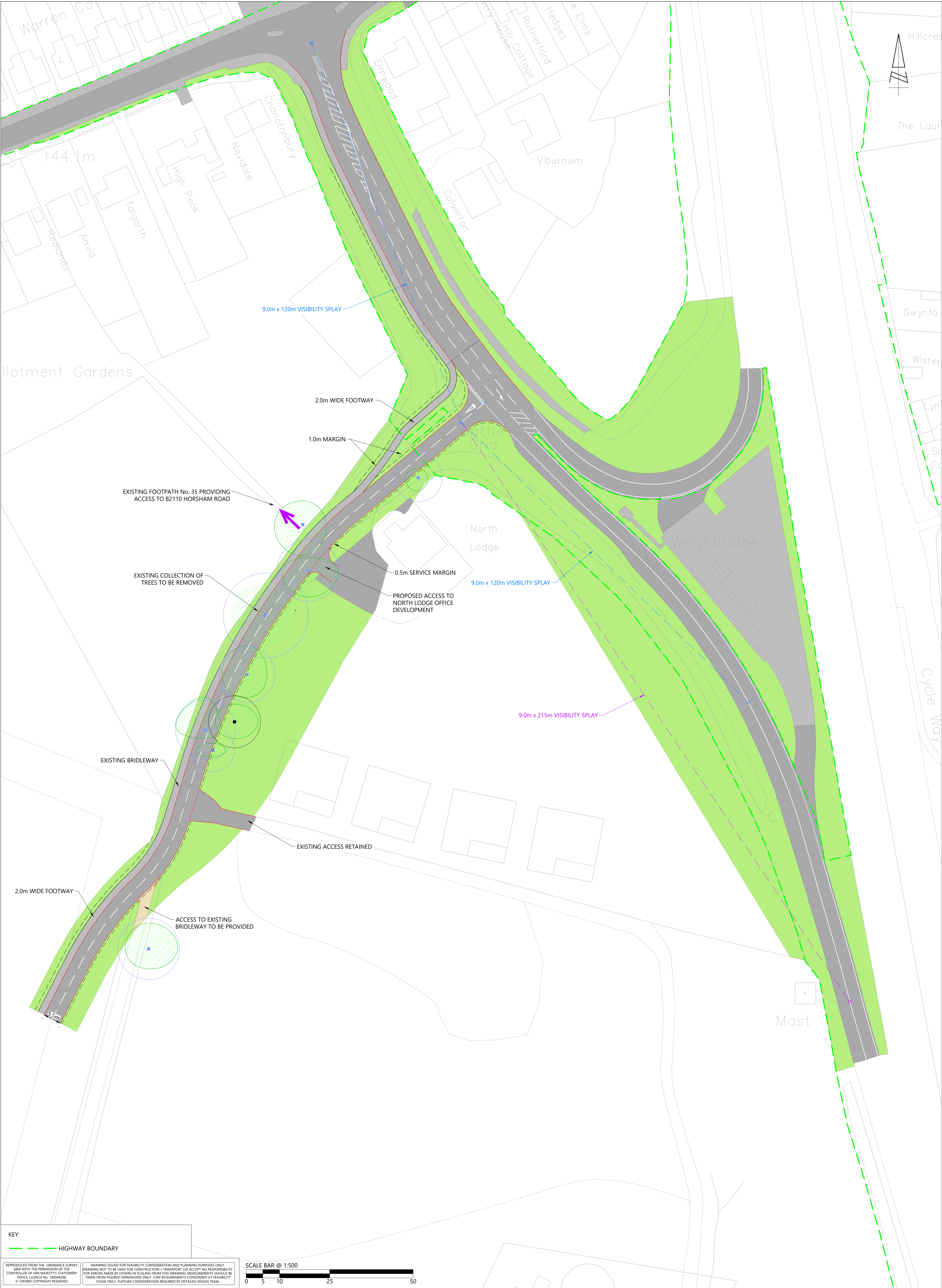
Root Protection Areas have been calculated in accordance with paragraph 4.6.1 of the British Standard 'Trees in relation to design, demolition and construction – Recommendations', BS 5837:2012. This is the minimum area which should be left undisturbed around each retained tree. RPAs are portrayed initially as a circle of a fixed radius from the centre of the trunk; but where there appear to be restrictions to root growth the circle is modified to reflect more accurately the likely distribution of roots.

<i>Tree No.</i>	<i>Species</i>	<i>RPA</i>	<i>RPA Radius</i>
1	Norway maple	182.4m ²	7.6m
2	English oak	147.0m ²	6.8m
3	Western red cedar	72.1m ²	4.8m
4	English oak	72.4m ²	4.8m
5	Norway maple	47.9m ²	3.9m
6	Sweet chestnut	372.1m ²	10.9m
7	Hornbeam	157.2m ²	7.1m
8	Beech	285.9m ²	9.5m
9	English oak	191.1m ²	7.8m
10	English oak	102.1m ²	5.7m
11	English oak	117.7m ²	6.1m
12	Red oak	55.4m ²	4.2m
13	Beech	52.3m ²	4.1m
14	Beech	102.1m ²	5.7m
15	Silver birch	79.3m ²	5.0m
16	Silver birch	61.9m ²	4.4m
17	English oak	60.3m ²	4.4m
18	Red oak	38.0m ²	3.5m
19	Silver birch	104.6m ²	5.8m
20	Red oak	47.8m ²	3.9m
21	Sweet chestnut	93.7m ²	5.5m
22	Goat willow	113.1m ²	6.0m
23	Goat willow	72.4m ²	4.8m
24	Silver birch	65.3m ²	4.6m
25	Norway maple	81.7m ²	5.1m
26	Sweet chestnut	89.6m ²	5.3m
27	Sweet chestnut	141.9m ²	6.7m
28	Beech	38.0m ²	3.5m
29	Sweet chestnut	61.9m ²	4.4m
30	Beech	27.2m ²	2.9m
31	Sweet chestnut	60.3m ²	4.4m
32	Beech	35.5m ²	3.4m
33	Silver birch	97.2m ²	5.6m
34	English oak	49.3m ²	4.0m
35	Ash	49.3m ²	4.0m
36	English oak	43.5m ²	3.7m
37	Red oak	43.5m ²	3.7m
38	Ash	40.7m ²	3.6m
39	English oak	27.2m ²	2.9m
40	English oak	46.3m ²	3.8m
41	Sweet chestnut	22.9m ²	2.7m
42	Ash	93.7m ²	5.5m
43	Ash	63.6m ²	4.5m
44	Ash	72.4m ²	4.8m

45	Ash	68.8m ²	4.7m
46	English oak	99.9m ²	5.6m
47	Sweet chestnut	46.3m ²	3.8m
48	Sweet chestnut	44.9m ²	3.8m
49	Sweet chestnut	28.3m ²	3.0m
50	Silver birch	91.6m ²	5.4m
51	English oak	40.7m ²	3.6m
52	Sweet chestnut	52.3m ²	4.1m
53	Silver birch	35.5m ²	3.4m
54	English oak	49.3m ²	4.0m
55	Silver birch	99.5m ²	5.6m
56	Turkey oak	83.6m ²	5.2m
57	Flowering cherry	89.6m ²	5.3m
58	Norway maple	38.0m ²	3.5m
59	Silver birch	86.9m ²	5.3m
60	English oak	30.6m ²	3.1m
61	Norway maple	271.7m ²	9.3m
62	Sweet chestnut	72.4m ²	4.8m
63	Sweet chestnut	67.1m ²	4.6m
64	Norway maple	63.6m ²	4.5m
65	Norway maple	14.7m ²	2.2m
66	Norway maple	28.3m ²	3.0m
67	Field maple	20.4m ²	2.6m
68	Field maple	22.8m ²	2.7m
69	English oak	25.0m ²	2.8m
70	Silver birch	8.9m ²	1.7m
71	English oak	21.9m ²	2.6m
72	Turkey oak	15.5m ²	2.2m
73	Holly	26.1m ²	2.9m
74	English oak	20.0m ²	2.5m
75	Holly	21.9m ²	2.6m
76	English oak	651.4m ²	14.4m
77	Silver birch	108.6m ²	5.9m
78	English oak	27.2m ²	2.9m
79	Silver birch	46.3m ²	3.8m
80-84	Silver birch	47.9m ² 38.0m ² 43.5m ² 39.9m ² 56.5m ²	3.9m 3.5m 3.7m 3.6m 4.2m
85-86	Silver birch	61.2m ² 40.7m ²	4.4m 3.6m
87	English oak	452.4m ²	12.0m
88	English oak	304.2m ²	9.8m
89-91	Sycamore	108.6m ² 87.6m ² 99.9m ²	5.9m 5.3m 5.6m
92	English oak	20.9m ²	2.6m
93	Silver birch	118.1m ²	6.1m
94	Silver birch	26.1m ²	2.9m
95	Silver birch	26.1m ²	2.9m
96	Norway maple	83.6m ²	5.2m
97-98	Sweet chestnut	79.8m ² 70.6m ²	5.0m 4.7m
99	Sweet chestnut	91.6m ²	5.4m
100	Flowering cherry	46.3m ²	3.8m
G2	Various	39.4m ²	3.5m

G3	Various	63.6m ²	4.5m
G4	Various	34.2m ²	3.3m
G5	Various	40.7m ²	3.6m
G6	Western red cedar	26.1m ²	2.9m
G7	Western red cedar	2.5m ²	0.9m
G8	Sweet chestnut	5.5m ²	1.3m
G9	Various	46.3m ²	3.8m
G10	Beech	20.0m ²	2.5m
H1	Various	2.5m ²	0.9m

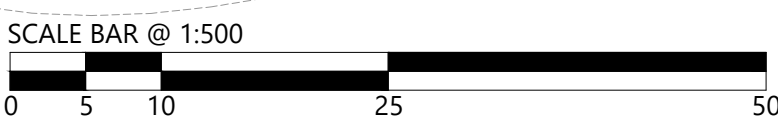
APPENDIX 4



KEY:
--- HIGHWAY BOUNDARY

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STATUS FOR INFORMATION				DRAWING No: ITB14511-GA-003		REV: A			
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