

**2140**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA11

**ID:** 2140

**Response Ref:** Reg19/2140/14

**Respondent:** Mr C Hough

**Organisation:** Sigma Planning Services

**On Behalf Of:** Rydon Homes Ltd

**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/](http://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 28<sup>th</sup> 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/](http://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](mailto: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)

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### 1. Personal Details

Title	<input type="text"/>
First Name	<input type="text"/>
Last Name	<input type="text"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text" value="SIGMA PLANNING SERVICES"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="RYDON HOMES LTD"/>
Address Line 1	<input type="text" value="SIGMA HOUSE"/>
Line 2	<input type="text" value="6, GARDEN STREET"/>
Line 3	<input type="text" value="TUNBRIDGE WELLS"/>
Line 4	<input type="text" value="KENT"/>
Post Code	<input type="text" value="TN1 2XB"/>
Telephone Number	<input type="text" value="01892 517107"/>
E-mail Address	<input type="text" value="sigmaplan@aol.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:

SIGMA PLANNING ON BEHALF OF RYDON HOMES LTD

### 3a. Does your comment relate to:

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

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

Paragraph	2.17 – 2.33	Policy SA	SA 10 & SA 11	Draft Policies Map	
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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.

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

The Plan states that the remaining residual requirement from 2019 is 1280 units following updated completions, commitments and windfall figures. However, the total allocations in the plan amount to 1764 dwellings-an additional 484 units. This confirms that the Plan is positively prepared and compliant with the Framework because:-

- the remaining residual requirement will include some housing that is already delivered.

Continued on separate sheet

**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.**

## **MID SUSSEX REG 19 SUBMISSION DRAFT SITE ALLOCATIONS DPD**

### **Representations on behalf of Rydon Homes Ltd**

Form (1 of 12) Paragraphs 2.17 -2.33

Policies SA10 + SA11

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#### **6b Continued**

- the District Plan housing target is a minimum figure and Government policy seeks to boost rather than cap housing provision.
- the allocation need to compensate for slow delivery from strategic allocations which may be delayed towards the latter end of the plan period to 2031, or even beyond.
- the windfall figure has been increased but there is no compelling evidence that the level will continue to prevail. Also the increased figure is simply a statistical adjustment to include sites of 1-9 units rather than 1-5 units.
- adjoining local authorities at Brighton, Crawley and Tandridge are under-delivering on their housing requirements and will increasingly need assistance in meeting their housing requirements. Mid-Sussex is comparatively less constrained and should be anticipating being able to assist in addressing unmet need from adjoining authorities.

The overall supply from Table 2.3 is 16,874 which aims to exceed the District Housing requirement by 484 dwellings by the end of the plan period but there is bound to be slippage and the flexibility of a 2.9% over-provision is supported in principle. However, the figures are not precise and it is considered that this is still a fragile margin to compensate for non-delivery – particularly in the strategic housing allocations. The margin should be greater and a 10% non-delivery margin is standard practice. An over provision of 1639 dwellings is therefore justified and can be achieved by further allocations of sites that do not raise serious adverse impacts and are able to be confidently expected to deliver housing in the plan period to compensate for non-delivery elsewhere.

The identification of further allocations to increase the Plan's robustness and flexibility would still be within reasonable parameters of consistency with the District Plan housing targets, which were in any event not fully meeting objectively assessed needs, particularly for affordable housing.

In terms of distribution the substantial majority of new housing is focussed on the three main towns of Burgess Hill, East Grinstead and Haywards Heath (80% of the minimum District Plan requirement) with the 2<sup>nd</sup> tier settlements of Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield contributing a further 18%). This emphasis should be maintained in order to conform with the District Plan and deliver new housing in the most sustainable

locations. The proposed DPD allocations however only propose 6% of the housing is directed to 2<sup>nd</sup> tier settlements and 13.5% is directed to 3<sup>rd</sup> tier settlements, many of which are located in the AONB where great weight should be given to conserving landscape and scenic beauty. There are a number of 2<sup>nd</sup> tier settlements, including Cuckfield and Hurstpierpoint, where there are limited or no DPD allocations. Such settlements do have the capacity to deliver more housing in the current Local Plan and would be suitable candidates to accommodate any additional provision or provide sites to compensate for less suitable and more constrained sites that are currently proposed allocations but should be deleted from the Plan.

The SADPD allocates a total of 238 new dwellings to Category 3 villages. 183 of these are in the AONB which should be afforded the highest level of protection. Sites should only be released in the AONB in settlements that have a residual requirement to meet, i.e. Horsted Keynes, to recognise the need to sustain and maintain the vitality of these settlements and meet the demand and need for housing, especially affordable housing in these locations. However, in villages that have already met their target, the Council should not be releasing further AONB sites before exhausting non AONB sites, even if it is 'passed up' to Cat 2 settlements (Para. 2.4.5 Site selection paper) such as Hurstpierpoint and Cuckfield.

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

To fully explain concerns about the soundness of the Submission Plan to the Inspector and discuss appropriate modifications to make it sound.

**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:

Sigma Planning Service

Date:

28/9/20

**Thank you for taking time to respond to this consultation**



**MID SUSSEX DISTRICT COUNCIL**  
**SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT**

**REGULATION 19**  
**SUBMISSION DRAFT**  
**SEPTEMBER 2020**

**REPRESENTATIONS**  
**ON BEHALF OF**  
**RYDON HOMES LTD**

**September 2020**



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## **I.0 Housing Numbers and Distribution**

1.1 The Plan states that the remaining residual requirement from 2019 is 1280 units following updated completions, commitments and windfall figures. However, the total allocations in the plan amount to 1764 dwellings – an additional 484 units. This confirms that the Plan is positively prepared and compliant with the Framework because :-

- the remaining residual requirement will include some housing that is already delivered.
- the District Plan housing target is a minimum figure and Government policy seeks to boost rather than cap housing provision.
- the allocation need to compensate for slow delivery from strategic allocations which may be delayed towards the latter end of the plan period to 2031, or even beyond
- the windfall figure has been increased but there is no compelling evidence that the level will continue to prevail. Also the increased figure is simply a statistical adjustment to include sites of 1-9 units rather than 1-5 units.
- adjoining local authorities at Brighton, Crawley and Tandridge are under-delivering on their housing requirements and will increasingly need assistance in meeting their housing requirements. Mid-Sussex is comparatively less constrained and should be anticipating being able to assist in addressing unmet need from adjoining authorities.

1.2 The overall supply from Table 2.3 is 16,874 which aims to exceed the District Housing requirement by 484 dwellings by the end of the plan period, but there is bound to be slippage and the flexibility of a 2.7% over-provision is supported in principle. However, the figures are not precise and it is considered that this is still a fragile margin to compensate for non-delivery – particularly in the strategic housing allocations. The margin should be greater and a 10% non-delivery margin is standard practice. An over provision of 1639 dwellings is therefore justified and can be achieved by further allocations of sites that do not raise serious adverse impacts and are able to be confidently expected to deliver housing in the plan period to compensate for non-delivery elsewhere.

1.3 The identification of further allocations to increase the Plan's robustness and flexibility would still be within reasonable parameters of consistency with the District Plan housing targets, which were in any event not fully meeting objectively assessed needs, particularly for affordable housing.

1.4 In terms of distribution the substantial majority of new housing is focussed on the three main towns of Burgess Hill, East Grinstead and Haywards Heath (80% of the minimum District Plan requirement) with the 2<sup>nd</sup> tier settlements of Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield contributing a further 18%). This emphasis should be maintained in order to conform with the District Plan and deliver new housing in the most sustainable locations. The



proposed DPD allocations however only propose 6% of the housing is directed to 2<sup>nd</sup> tier settlements and 13.5% is directed to 3<sup>rd</sup> tier settlements, many of which are located in the AONB where great weight should be given to conserving landscape and scenic beauty. There are a number of 2<sup>nd</sup> tier settlements, including Cuckfield and Hurstpierpoint where there are “limited” or no DPD allocations. Such settlements do have the capacity to deliver more housing in the current Local Plan and would be suitable candidates to accommodate any additional provision or provide sites to compensate for less suitable and more constrained sites that are currently proposed allocations but should be deleted from the Plan.

- 1.5 The SADPD allocates a total of 238 new dwellings to Category 3 villages, 183 of these are in the AONB which should be afforded the highest level of protection. Sites should only be released in the AONB in settlements that have a residual requirement to meet, i.e. Horsted Keynes, to recognise the need to sustain and maintain the vitality of these settlements and meet the demand and need for housing, especially affordable housing in these locations. However, in villages that have already met their target, the Council should not be releasing further AONB sites before exhausting non AONB sites, even if it is ‘passed up’ to Cat 2 settlements (Para. 2.4.5 Site selection paper) such as Hurstpierpoint.

## 2.0 Proposed Allocations that are supported

### 2.1 Policy SA24 Land north of Shepherds Walk, Hassocks (support with conditions)

This proposed housing allocation is supported. It enjoys outline planning permission for 130 dwellings and it has been demonstrated that the criteria set out in the policy can be fully met.

However, the following comments are made concerning the criteria set out in the Policy:-

1. The wording of the criteria in relation to Biodiversity and Green Infrastructure requires clarification/amendment. It is not clear what is meant by the term “net gain” to biodiversity and it is not possible to avoid any loss of biodiversity. The following alternative wording is therefore proposed.

“ .... Ensure that there is an overall gain to biodiversity and that any loss is mitigated or, as a last resort, compensated”.

A separate SPD is necessary to format and identify any bio-metric approach to the calculation of net gains to biodiversity.

The criteria in this policy go beyond what is required of Strategic Sites allocated in the District Plan and such an inconsistency is not justified.

The proposed development will be delivered within the five year period to 2025/2026. Rydon would welcome the opportunity of meeting with Officers to discuss how the criteria might be improved.

2. The Brick Clay Resource Mineral Safeguarding Area covers a very extensive area from Petersfield in the west to Burgess Hill in the east and includes most of the northern part of the County of West Sussex. Policy M9 of the West Sussex Joint Minerals Local Plan (2018) seeks to prevent non-mineral development throughout the whole of this very wide area unless minerals are extracted pre-development or there is an overriding need for the development that outweighs the safeguarding of the mineral. Compliance with Policy M9 is a common requirement for most, if not all, housing allocations in the SADPD. It must be assumed that the allocation of a site for housing in the Plan demonstrates an overriding need that achieves compliance with the Policy. It should not be left to be considered as a criteria post-allocation. There is no special suitability for mineral extraction demonstrated by the land north of Shepherds Walk. Therefore the Minerals Criterion should be omitted from Policy SA24, and all other allocations covered by the widespread generic safeguarding area, unless there is a local/known special requirement for safeguarding.

3. Archaeological evaluation has already been carried out on this site and the criterion for evaluation should be changed to “pre-commencement” to allow for the grant of outline consent subject to conditions without a policy requirement to repeat the exercise with associated wasted costs.
4. The Landscape Considerations criteria are too onerous in requiring that all mature trees, as well as protected trees, shall be retained. The TPOs will protect important trees and the landscaping scheme will reflect Policy DP37 Trees, Woodland and Hedgerows of the adopted District Plan in order to be approved. A further policy provision is therefore superfluous and unnecessary, proscriptive and onerous in requiring the retention of all existing hedgerows and mature trees.
5. The criteria are generally unnecessarily detailed for a policy of the adopted development plan and stifle the scope for high quality design and creativity. The criteria need to be re-visited in order to be less proscriptive in detail and concentrate only on the main, more important, planning considerations. This point includes criteria related to drainage strategy.

## **2.2 Policy SA29 Land South of St Stephens Church, Hamsland, Horsted Keynes** (support with conditions)

- 2.2.1 This proposed housing allocation is supported conditionally. The site could be optimised to provide 30 two storey dwellings, internal open space, playspace, surface water attenuation, ecological considerations together with landscaping to soften the external edge of the built area. The site could sit comfortably into the existing pattern of development and align with adjoining residential curtilages.
- 2.2.2 Subject to appropriate conditions, the landscape impact from the development of this site would be low, as recognised by the High Weald AONB Unit in their October 2018 report which assessed the landscape impact from thirteen respective SHEELA sites considered by Mid Sussex District Council. The High Weald AONB Unit concludes that this Site is one of only two sites (out of the thirteen considered) that has the potential to be developed with only low impact on the AONB (as opposed to moderate or high impact).
- 2.2.3 West Sussex Highways Authority have confirmed at the pre application scoping stage, that the site can achieve a safe and suitable means of access for all modes of transport and the development would not materially impact on the operation of the local highway network. Support is also given to the proposed allocation requirement for the improving of local traffic conditions by setting back the existing on-street parking spaces in Hamsland Road into the verge, opposite the site.
- 2.2.4 Support is given to the proposed allocation requirement to enhance important landscape features, including the existing mature hedgerows and trees bordering the adjacent fields. The site is deliverable comfortably within a five year period.

However, there are some concerns with regard to the proposed criteria within the policy.

1. The wording of the criteria in relation to Biodiversity and Green Infrastructure requires clarification/amendment. It is not clear what is meant by the term "net gain" to biodiversity and it is not possible to avoid any loss of biodiversity. The following alternative wording is therefore proposed:-

"... ensure that there is an overall gain to biodiversity and that any loss is mitigated or, as a last resort, compensated".

A separate SPD is necessary to format and identify any bio-metric approach to the calculation of net gains to biodiversity.

The criteria in this policy go beyond what is required of Strategic Sites allocated in the District Plan and such an inconsistency is not justified.

This is a small site with less potential for conflict with NPPF but greater potential for viability to be compromised.

2. The requirement under the heading of Flood Risk and Drainage to provide SUDS in the southern part of the site is too prescriptive and unnecessary. It is also an unnecessary duplication of the Biodiversity criteria elsewhere in the draft policy. Flexibility is required to enable a surface water drainage solution to be tailored to site conditions to provide the optimum drainage solution. This is not a development brief and it is too prescriptive at this stage. The detail can be addressed at the application stage.

Rydon would welcome the opportunity of meeting with Officers to discuss how the criteria might be improved.

### **3.0 Proposed allocations the subject of objection.**

#### **3.1 Policy SA15 Land south of Southway, Burgess Hill**

This site is allocated as a Local Green Space in the adopted Burgess Hill NP. Para. 101 of the NPPF states that Policies for managing development within a Local Green Space should be consistent with those for Green Belts. SA does not assess the loss of LGS when determining the sustainability of the site.

#### **3.2 Policy SA16 Land at St Wilfred's School**

The SA has not assessed the impact of the loss of the school in a town centre location, sustainable location, close proximity, walking distance to catchment area. Policy DP25 of the LP states that "Where proposals involve the loss of a community facility (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:-

- that the use is no longer viable; or
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or
- that a replacement facility will be provided in the locality

The delivery of this site is uncertain. The relocation of a number of public and community facilities has not been settled and the number of residential units may have to be adjusted. At best the site is likely to be delayed and potentially may not come forward at all.

#### **3.3 Policy SA18 East Grinstead Police Station**

There are deliverability issues, restrictions on title/covenants that could prevent development of this site. There are heritage assets in the vicinity that will be adversely affected and apartments are not in character with the local area. Numbers of dwellings that can be delivered may reduce as a result. No clear timescale for delivery.

#### **3.4 Policy SA20 Land south and west of Imberhorne Upper School**

3.4.1 This site has a long history of non-delivery. The West Sussex Structure Plan 2001-2016 (now revoked) allocated a wider area of land to the west and south-west of East Grinstead for circa 2,500 homes.

3.4.2 The South East Plan 2006-2026 (now revoked) noted that land west and south-west of East Grinstead should be brought forward for circa 2,500 homes.

3.4.3 The East Grinstead Strategic Development Area Action Plan 2006 (which would have formed part of the Local Development Framework if it had been adopted – it was later abolished) set out the detail for the allocation of land west and south-west of East Grinstead.

- 3.4.4 East Grinstead has suffered from large volumes of traffic for many years, with persistent calls for a bypass to be provided from as far south as Forest Row all the way to the north and west of the town since 1988. However, these proposals have not come to fruition and the town remains as a significant location along the A22 between the coast and London.
- 3.4.5 Previous traffic study reports have advised that the existing highway network at the junctions of the A22/A264 and the Imberhorne junction is over capacity during the morning and evening peak periods on a typical weekday and that scope for physical improvements at key junctions is constrained.
- 3.4.6 The site is located immediately adjacent to these two junctions and, given its distance from the town centre, it is considered likely that most day to day retail, community, leisure and commuter trip generation (e.g. Doctors, leisure facilities and access to the main line railway station) will involve vehicular trips movements adding increased volumes of traffic into East Grinstead.
- 3.4.7 The Sustainability Appraisal that accompanied the District Plan concluded that *“there are severe transport constraints within East Grinstead which is likely to limit the amount of strategic development that would be appropriate within the town unless significant mitigation is proposed.”*
- 3.4.8 Any capacity improvements have been exhausted at the two key junctions and further improvements require third party land. The policy is not clear on how the impact on the local highway network will be mitigated and merely states the following :-
- “Provide any necessary capacity and safety improvements to junctions impacted upon by the development in the vicinity of the site after all relevant sustainable travel interventions have been fully explored and their mitigation accounted for.”*
- 3.4.9 At this stage of the process, the deliverability of the sites allocated need to have been fully investigated. The SAD document fails to do this, appendix one refers to Safeguarding of Land for Strategic Highway Improvements, but only includes a picture of the junctions with a red box but no clear strategy for improvements.
- 3.4.10 Mid-Sussex has updated its Transport Study to test the impact of proposed development on the strategic and local transport network and upon significant routes in Ashdown Forest (adjacent to but outside of Mid-Sussex District).

The report concludes the following:-

*“Felbridge junctions The A264/A22 junction is not identified as having severe impacts in the Scenarios. However, it should be noted that this junction is flagged as severe in the Reference Case and operates over capacity; the Scenarios generate slightly more traffic passing through the junction, which increases these impacts further, but not enough to result in severe impacts for the Scenarios”.*

3.4.11 This suggests that improvements to these junctions will not be required as the impacts from additional traffic will not result in severe impacts but this is a contrived and unreliable conclusion that runs contrary to Paragraph 109 of the NPPF.

### **3.5 Policy SA21 Land at Rogers Farm, Fox Hill, Haywards Heath**

3.5.1 The Policy states that this site is open space. It is a peripheral location with significant landscape and heritage constraints, together with Flood Risk considerations. The site should only be allocated if the constraints have been fully investigated and can be appropriately mitigated.

### **3.6 Policy SA25 land West of Selsfield Road, Ardingly**

3.6.1 Ardingly is environmentally constrained due to its location wholly within the AONB. The remaining residual requirement for the settlement is 22 dwellings. In reaching the overall requirement in the Local Plan DPD the Council, in its Sustainability Appraisal that accompanied the DPD, has had regard to the advice in the NPPF. The Council has examined the evidence to identify the point at which the adverse impacts would significantly and demonstrably outweigh the benefits, particularly when considering numbers to settlements constrained due to the AONB which indicated that development in these locations should be restricted. In the accompanying Settlement Sustainability Review May 2015 the Council concluded that future development in Ardingly should therefore be primarily to meet local needs. However, the SADPD proposes a site for 70 units, which is a major allocation in the AONB. A balance needs to be struck to ensure the positive benefits (social/economic) of allocating a major site within the AONB are not markedly outweighed by the negative impacts (particularly environmental), great weight should be afforded to protect the AONB and the scale and extent of development within these designated areas should be limited, Para. 172 NPPF).

3.6.2 Furthermore the site forms part of the South of England Show Ground and offers cultural and recreational facilities, the loss of which has not been assessed in the SA. This allocation should be fully assessed against the District Plan Policy.

3.6.3 Policy DP24 which refers to proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless :-

- an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss



### **3.7 Policy SA26 Land South of Hammerwood Road, Ashurst Wood.**

- 3.7.1 The settlement of Ashurst Wood is environmentally constrained due to the settlement being washed over with the AONB. There is no remaining residual requirement from the District Plan for additional dwellings for the settlement. In reaching the overall requirement in the Local Plan DPD the Council (in its Sustainability Appraisal that accompanied the DPD), has had regard to the advice in the NPPF. The Council has examined the evidence to identify the point at which the adverse impacts would significantly and demonstrably outweigh the benefits, particularly when considering dwelling numbers to settlements constrained due to the AONB, which indicates that development in these locations should be restricted. In the accompanying Settlement Sustainability Review (May 2015), the Council concluded that future development in Ashurst Wood should be primarily to meet local needs. However, the SADPD proposes a site for 12 units. A balance needs to be struck to ensure the positive benefits (social/economic) of allocating a site within the AONB is not markedly outweighed by the negative impacts (particularly environmental). Great weight should be afforded to protecting the AONB and the scale and extent of development within these designated areas should be limited. (Para. 172 NPPF).

#### **4.0 Sites omitted from the Draft Plan that justify being allocated for housing.**

##### **4.1 Land south of Edinburgh Way, East Grinstead**

- 4.1.1 Rydon have an option over the land as identified in Appendix (A). The site SHELAA reference 598 was considered as suitable in the SHELAA stage 1 as suitable for 60 units, in the medium to long term. Following further detailed site assessment, through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocation in the SA DPD. The assessment concluded that the site will have high impact on the AONB.
- 4.1.2 This site is located on the south eastern edge of East Grinstead, adjoining existing residential development that was built in the 1970s and 1980s. The site forms a small triangular parcel of open countryside comprising a single horse paddock which is contained by a tall hedgerow, tree and a post and rail/wire fence. The site is approximately 1.8 hectares in total.
- 4.1.3 The site is located to the east of Harwoods Lane which extends alongside the western site boundary and is defined by a hedgerow. The north and western boundary of the site also contains a line of mature trees. Harwoods Lane currently connects the site to residential development to the north. Beyond the boundary to the west and north of the site is residential development on Chesterton Close, Collingwood Close and Edinburgh Drive.
- 4.1.4 The site is located in the AONB, the land slopes generally southwards and the undulating topography together with the existing strong hedgerows, belts of trees and blocks of woodland in the immediate area surrounding the site provides enclosure and containment to views within the landscape.
- 4.1.5 The site has the potential to be delivered as a standalone site, subject to access or as part of the Great Harwoods Farm development that has been promoted by Thakeham Homes during previous District Plan consultations.
- 4.1.6 The Site Selection Paper 3 : Housing Sites October 2019, concludes that the site is not suitable for further consideration due to its location within the AONB. As such the site has not been assessed in the Sustainability Appraisal accompanying the Site Allocation DPD. With regard to the site's AONB location, it should be acknowledged that, as set out in the LUC document entitled " Capacity of Mid Sussex District to accommodate development", Mid Sussex District is heavily constrained by environmental designations such as Area of Outstanding Natural Beauty (AONB) and the South Downs National Park as well as other constraints. As a result, a balance needs to be struck between locating development in the most sustainable locations and those which have the least environmental constraints. Whilst constraints may apply, there is no reason why such constraints could not be overcome and addressed, as they have elsewhere, particularly if there is no other reasonable alternative.
- 4.1.7 Subject to appropriate mitigation, there are no constraints to development at the wider site, including Great Harwoods. The site is well contained within its surroundings and will therefore not result in an adverse landscape impact. The proposal by Thakeham

Homes includes up to circa 300 dwellings and the provision of a significant area of public open space in the form of a SANG therefore respecting the site's location within the AONB. The proposal will therefore result in significant environmental and social benefits without resulting in unacceptable impacts on the wider landscape.

- 4.1.8 East Grinstead is one of the three main towns in Mid Sussex and offers a range of services and facilities and a mainline railway station, all within a reasonable walking distance from the site, approximately 1 kilometre. As such, the development will be less car dependant than that at Imberhorne Lane to reach day today facilities and consequently less likely to impact on the problematic junctions along the A22. The SHELAA assesses the site as relatively unconstrained, development will not have a negative impact on the Conservation Area or Area of Townscape Character and it is not subject to the risk of flooding. It lies in the AONB but impact to the wider landscape can be mitigated. It has been identified as suitable in the SHELAA and therefore the site should be assessed in the SA and considered to be a reasonable alternative to meet housing need in the town.

## **4.2 Land south of Chalkers Lane, Hurstpierpoint**

- 4.2.1 Rydon have an option over the land as identified on the enclosed plan. The site, SHELAA Ref. 575, was identified in the Council's SHELAA stage 1 as suitable for 200 units, in the medium to long term. Following further detailed site assessment through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocations in the SA DPD. The assessment concluded that the site is 'large' and the proposals will result in harm to the Listed building of the college and harm to the special character of the Conservation Area.
- 4.2.2. The site has an area of 27 ha (67 acres) but a large proportion of this will be left undeveloped providing the strategic buffer of open land separating the development from Hurstpierpoint College and Hurst Wickham to the east. This land offers the opportunity to extend the area of Country Open Space which formed part of the package accompanying the delivery of the residential development that is now being carried out by Bovis and indeed Rydon's small development to the south. The capacity of the site taking account of these buffer areas would be 220/260 units based on 30/35 dpa. There is the potential for land ownership to be transferred to the Parish Council so that this mitigation will endure in the long term. There is potential to extend the Country Park.
- 4.2.3 The attached plan prepared by Richards Urban Design drawing 1263.02 shows the full extent of the land by red edging. Also attached is an Opportunities and Constraints plan drawing 1263.03 which shows how the above concept could be put into practice. The attached photographs on drawing 1263.01 will give some idea of the physical characteristics of the land concerned.
- 4.2.4 The opportunity to extend the Country Open Space Area needs to be taken into account in relation to this Assessment. The current Assessment of impact upon both Hurstpierpoint College and Hurst Wickham Conservation Area is classified as being less than substantial harm. With mitigation as described above there would be no material impact. The open space will preserve the countryside setting to

Hurstpierpoint College to the east and this is already despoiled by buildings and sports pitches within the grounds. Hurst Wickham Conservation Area is a considerable distance away and there will be no material impact. A High Level Heritage Setting Statement prepared by Orion Heritage Ltd is attached which assesses the impacts and confirms that they would be nugatory.

- 4.2.5. There are no landscape quality designations on the site or in the immediate vicinity. The National Park boundary lies some 3km away to the south and distant views towards the site encompass the whole of the existing settlement of Hurstpierpoint, with which this development would appear in context. There is also potential for provision of strategic landscape buffers to the east and south of the site as part of the sensitive design of the Country Park and this will provide mitigation. Whilst the countryside is not unattractive, it is certainly not special and the site is relatively flat, featureless and not prominent in the wider landscape.
- 4.2.6. Trees/TPOs – the existing trees are located within boundary hedgerows and will be retained and enhanced. A suitable buffer to small areas of adjoining ancient woodland will be incorporated within any layout. There will be extensive new tree planting as part of the strategic landscaping proposals described above. This is a positive scenario for trees and the assessment should reflect that.
- 4.2.7 This is a sustainable, deliverable and developable development opportunity which should be included as a site allocation to meet strategic housing needs across the District. The original SHELAA assessment was not fair or accurate in a number of ways. The latest, February 2020, Assessment which is included in the Site Selection paper 3: Housing Sites Update does not take account of the representations made by Rydon at the Regulation 18 Consultation stage. The representations explained how the Country Park could be extended to the east to protect the wider gap between Hurstpierpoint and Hurst Wickham and the setting of the Hurst Wickham Conservation Area and that land at the northern end of the site could be left open to protect the setting of Hurstpierpoint College. The land is believed to be Grade 3b and therefore is not best and most versatile. The SHELAA correctly concludes that the site accords with the overall development strategy but the Detailed Site Assessment has not fully taken into account the evidence base, which shows how matters of separation of settlements and setting of heritage assets can be suitably addressed whilst still providing a net developable area to provide up to 200 sustainably located dwellings in accordance with the development strategy. The site assessed is for 540 dwellings and this does not take account of the Rydon masterplan which shows a smaller net developable area (around 200 dwellings) together with extensive open space areas to ensure the separation of settlements and protect the setting of heritage assets. This site should be considered in the SA in this context and would prove to be a suitable candidate as one of the additional allocations required to be provided in the Plan.

**REGULATION 19 SUBMISSION DRAFT  
SEPTEMBER 2020**

**LIST OF APPENDICES ACCOMPANYING REPRESENTATIONS  
OF BEHALF OF RYDON HOMES LTD**

- APPENDIX A**        -        Land under control of Rydon Homes Ltd  
                                      South of Edinburgh Way, East Grinstead
- APPENDIX B**        -        Little Park Farm, Hurstpierpoint  
                                      1263.01 – Site photos  
                                      1263.02 – Site Location and land under control of  
   Rydon Homes Ltd  
                                      1263.03 – Opportunities and Constraints Plan
- High Level Heritage Setting Statement - Orion

## **APPENDIX A**





## **APPENDIX B**

Total	
NIS	
Date	03.05.19
	standing at 1263.01



1. View looking north from the centre of the site with new housing south of Chalkers Lane on the left and Hurstpierpoint College on the right



2. View looking south east from the centre of the site with the new housing development at Bramble Park (left) and Tilley's Copse (right) in the background



3. View looking south with Bramble Park in the distance on the right.







# LITTLE PARK FARM, HURSTPIERPONT

Drawing  
Opportunities and constraints plan

Scale  
NTS

Date  
03.05.19

Drawing no  
1263.03

## KEY

Site boundary

Hurst Country Open Space

Existing Public Right of Way

Potential access to site

Contour

Existing mature tree/hedge boundaries enclosing land parcels to be retained, reinforced where appropriate & periodically traditionally lobl.

No development zone associated with Tiley's Copse to protect Ancient Woodland

Listed Building

Hurst Wickham Conservation Area

Potential extension to Hurst Country Space

Potential area for residential development

Potential new public open space / play area

Potential new loopath routes

Potential link to college

Potential childrens play area

Low density landscaped edge

Potential location for subs drainage feature





Little Park Farm, Hurstpierpoint  
High Level Heritage Setting Statement  
May 2019

Little Park Farm, Hurstpierpoint  
High Level Heritage Setting Statement  
May 2019

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**Report**

Little Park Farm, Hurstpierpoint

**Site**

High Level Heritage Setting Statement

**Client**

Rydon Homes

**Date**

May 2019

**Planning Authority**

Mid-Sussex District Council

**Prepared By**

Rob Bourn BA MA MCIfA

**Approved By**

Dr Rob Smith MCIfA

**Report Status**

Final

**Orion Ref**

PN2213/1



## 1.0 Introduction

- 1.1** The purpose of this report is to present a high level assessment of the potential effect on the setting and significance designated heritage assets of residential development on land to the south west/south of Hurstpierpoint College. This is to support the promotion of residential housing in the western area of study site. It is not a full statement of significance report or a heritage statement.
- 1.2** The site is located to the south east of Chalkers Lane, to the east/north east of Bramble Park housing scheme that is currently under construction and to the south west/south of Hurstpierpoint College at grid ref at grid reference TQ 28529 17530 (Fig. 1).
- 1.3** The development of the study site has the potential to affect the settings and significance of two grade II listed buildings (Hurstpierpoint College and Star House at Hurstpierpoint College) and to the north west of the Hurst Wickham part of Hurstpierpoint Conservation Area (Fig. 2).

## 2.0 Planning Policy Framework

- 2.1** The Mid Sussex District Plan 2014 – 2031 contains two relevant policies relating to listed buildings and Conservation Areas.

### *DP34: Listed Buildings and Other Heritage Assets*

*Listed Buildings Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:*

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

### *Other Heritage Assets*

*Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.*

*The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.*

*Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.*

### DP35: Conservation Areas

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.

## 3.0 Designated Heritage Assets

### Hurstpierpoint College (grade II List number 1194726)

- 3.1** The Hurstpierpoint College complex is located immediately to the north east of the study site (Fig. 2). The main college building is grade II listed. The listing describes it as follows:

*St John's College, Hurstpierpoint, was the second school established by Nathaniel Woodard, founded in 1849. In 1850 it was established in The Mansion House Hurstpierpoint and in 1853 moved into its permanent buildings. These were designed by R.C. Carpenter but largely built after his death by his partner, William Slater, and his son, R.H. Carpenter. They are in Gothic style and built of flints with tiled roofs. They form 2 quadrangles, the southern one open on the south side, with narrow pointer or trefoil-headed ws. The chapel and Hall form the north side of the north quadrangle. The Chapel at the east end has 7 bays, 4 of them projecting beyond the east side of the quadrangle. Pointed w. of Decorated type flanked by buttresses. At the west end of the Chapel are short transepts which form an ante-chapel, lit by a larger similar w. and above a tower added in 1929. The interior has very beautiful intern stalls. To the west again is a small covered passage, also added in 1929 to join the Chapel to the Ball. the latter is on the first floor with the dining room beneath it. These have 5 bays flanked by buttresses. The ws. on the first floor have flatter pointed heads, those on the ground floor consist of pairs of trefoil-headed lancets.*

- 3.2** The significance of the college resides in its architectural, historical and artistic (i.e. aesthetic) interest. It forms the both the main building and core of the college complex and has group value with the immediately adjacent Star House. The setting of



the listed college building will be considered in brief below along with Star House as they form part of the setting of each other and share the same setting.

#### Star House (grade II List Number 1025664)

- 3.3 Star House is located on the east side of the main college building fronting College Lane. The listing describes the building as follows:

*Built in 1873 in matching style to the College and probably designed by R.H. Carpenter. Three storeys. Three windows. Faced with flints with stone dressings and quoins. Tiled roof. Two gables and gabled dormer between casement windows. Two bays on ground and first floors, each with 5 trefoil-headed lights. Wide porch between with 7 similar lights.*

- 3.4 As with the college building, the significance of the house resides in its architectural, historical and artistic (i.e. aesthetic) interest. It has group value with the immediately adjacent listed college building. The setting of the Star House will be considered in brief below along with the main college building as they form part of the setting of each other and share the same setting.

#### Setting of Hurstpierpoint College & Star House

- 3.5 The two listed buildings occupy the main central and eastern area of the college complex. They dominate the grass sports pitches and facilities immediately to the north the buildings and the artificial grass sports pitches immediately to the south of the buildings. There are a series of pre-WWII, 1970s and later school buildings immediately to the west and south west of the main listed college building, with car parking and further artificial surface sports facilities to the west of the school buildings. It is within this area that the setting has a very strong positive contribution to the significance of the two listed buildings in functional, visual and historic terms. The later buildings, while not of the same architectural quality as the listed buildings, are sympathetic and subservient to the main building and the mix of style and date adds a very perceivable time depth to the experience of the school setting. The car parks and artificial sports pitches on the western side of the school complex contain a number of visually prominent lighting stands and fencing with a line of overhead electricity cables and wooden pylons cutting north south immediately to the west of the school grounds. The car parks, lighting stands, fencing and electricity cables detract from the experience of the listed buildings and have a slight negative contribution to their significance.
- 3.6 The College and Star House also have a wider landscape setting beyond the college complex. It is located on a relatively high spot on the landscape and so can be seen from and has at least partial views out over the lower land to the east and the south/south east. This aspect has a mildly positive contribution to the significance of the college as it places it within its wider rural context and enables it to be appreciated in various glimpsed and full views from within the wider area.
- 3.7 The setting to the west/south west of the school is more limited in extent and in its contribution to the significance of the main listed college building. The later school buildings block clear views in to and out from the listed buildings. The tower on the chapel can still be seen in many views due to its height but the main body of the listed buildings cannot be experienced, even at close quarters to the school boundaries, from the west and south west. Consequently, the land to the west/south west does not contribute visually to the significance of the college buildings. The land has historically been fields and so it does have a slight positive contribution to the historic interest significance of the listed buildings. The two new and under construction housing schemes (Land South of Chalkers Lane & Bramble Park) are recent visible changes within this aspect of the setting on the west side of the college which have introduced modern residential form.

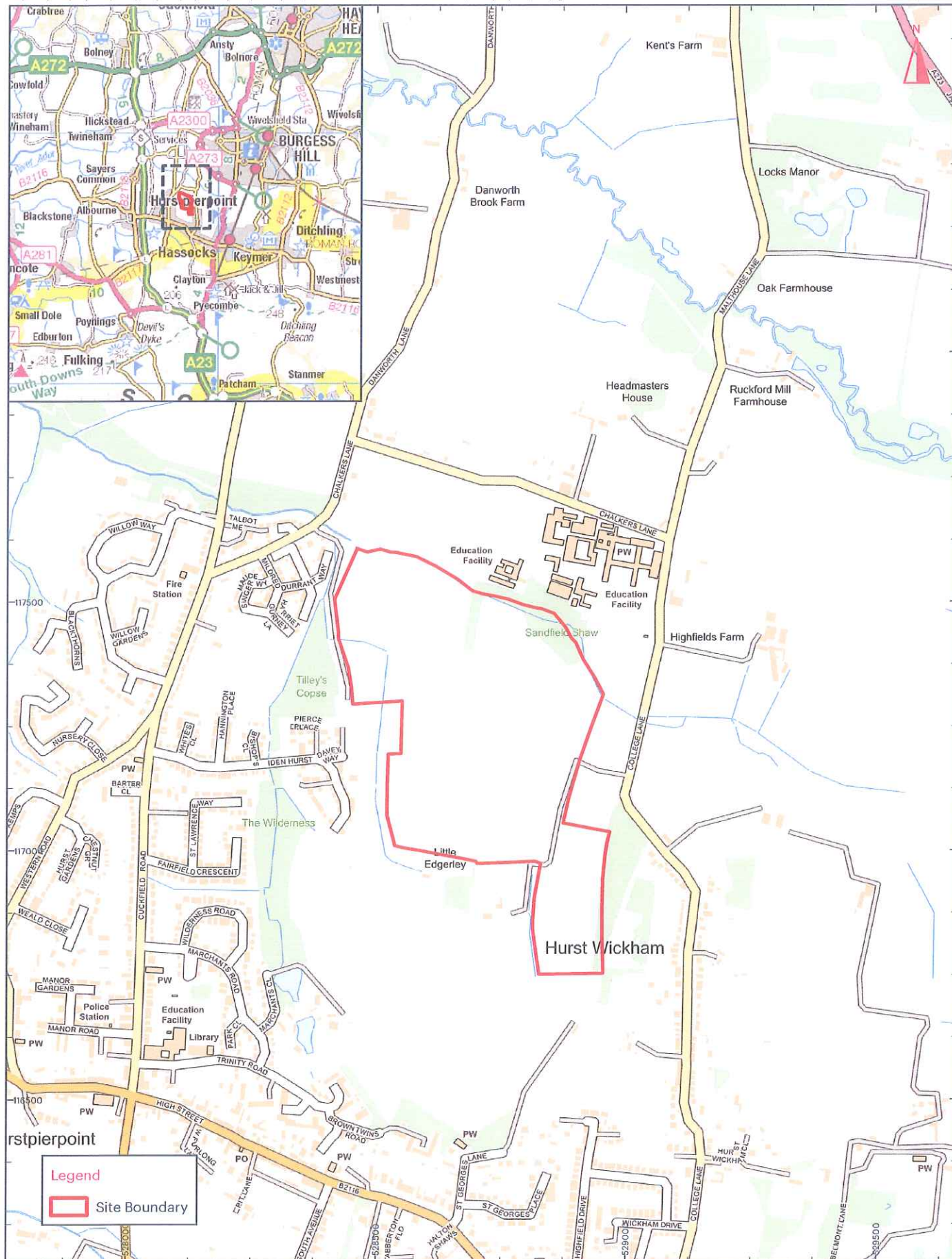
### Impact Assessment

- 3.8** The study site is being promoted for up to c. 260 residential units located in western and south western area of the site and a substantial area of open space. The layout on the constraints and opportunities plan (Fig. 3). The development parameters have been designed to preserve and enhance the setting of the college to the south west and west of the listed buildings. The layout has been designed to respond to the setting of the college and its contribution to the significance of the listed buildings. The main bulk of the proposed housing area will be screened from view from the college behind existing mature tall hedges and trees and so will have no effect on the setting of the college as they will not be experienced from the college and vice versa.
- 3.1** The north western field of the study site is currently a field which forms a small part of the wider rural context within which the college is experienced. This field is currently an arable field split into two by a north-south orientated footpath. The eastern 2/3 of the field will be retained as public open space with high quality housing in the area of the field to the west of the footpath. By bringing the edge of the built form c. 140m closer to the college complex than it currently is, there will be a slight visual change within this part of the setting. The recently constructed Chalkers Lane residential scheme has already introduced modern houses into this aspect of the setting. Consequently, the proposed high quality housing within this area of the study site will not change the character of the setting. The eastern half of the north western field of the site will be retained as public open space. This will ensure that the views of the tower of the college chapel that are currently possible from the site will be retained. There are no views of the site currently from the listed buildings anyway, as described above. Consequently, views from the listed buildings will be unaffected. The later school buildings to the west of the listed college buildings block all views of the site from within the core of the setting of the college. Therefore, the experience of the listed buildings as they are now, will be unaffected.
- 3.2** The area of the site to the south of college will be retained as an extension to the Hurst Country Space. This will ensure that the setting to the south of the college will be protected and conserved.
- 3.3** In conclusion, the development of the site as proposed in the illustrative concept masterplan, will result in the loss of about 1/3 of a field that has a slight contribution to the significance of the listed college buildings. This will primarily be a slight visual change. The college will still be separated from the edge of the built area of Hurstpierpoint by open space. The aspects of the setting of the college that have a clear and strong positive contribution to the significance of the listed buildings will be unaffected. Consequently, the development of the study along the parameters as outlined in the constraints and opportunities plan (Fig. 3) will not result in harm to the significance of Hurstpierpoint College or Star House.

### Hurst Wickham Conservation Area

- 3.4** The area of the proposed housing is considered to lie beyond the setting of all three blocks of the Hurstpierpoint Conservation Area. There is one vista point identified on the significant views map of the Hurstpierpoint Conservation Area from just north of St Georges Lane that is toward the study site. However, the proposed developable area of the site is 0.5km to the north and is screened from the view by intervening hedges, trees and other vegetation. Consequently, there will be no effects on this view. The southern part of the proposed potential extension Country Space would be within this view but there will be no effect on this view. Consequently, the development of the study along the parameters as outlined in the illustrative masterplan will not result in harm to the significance of any of the three blocks of Hurstpierpoint Conservation Area.





**Title:**  
Figure 1: Site Location

**Address:**  
Little Park Farm, Hurstpierpoint

Scale at A4: 1:10,000

0 300m

**orion.**

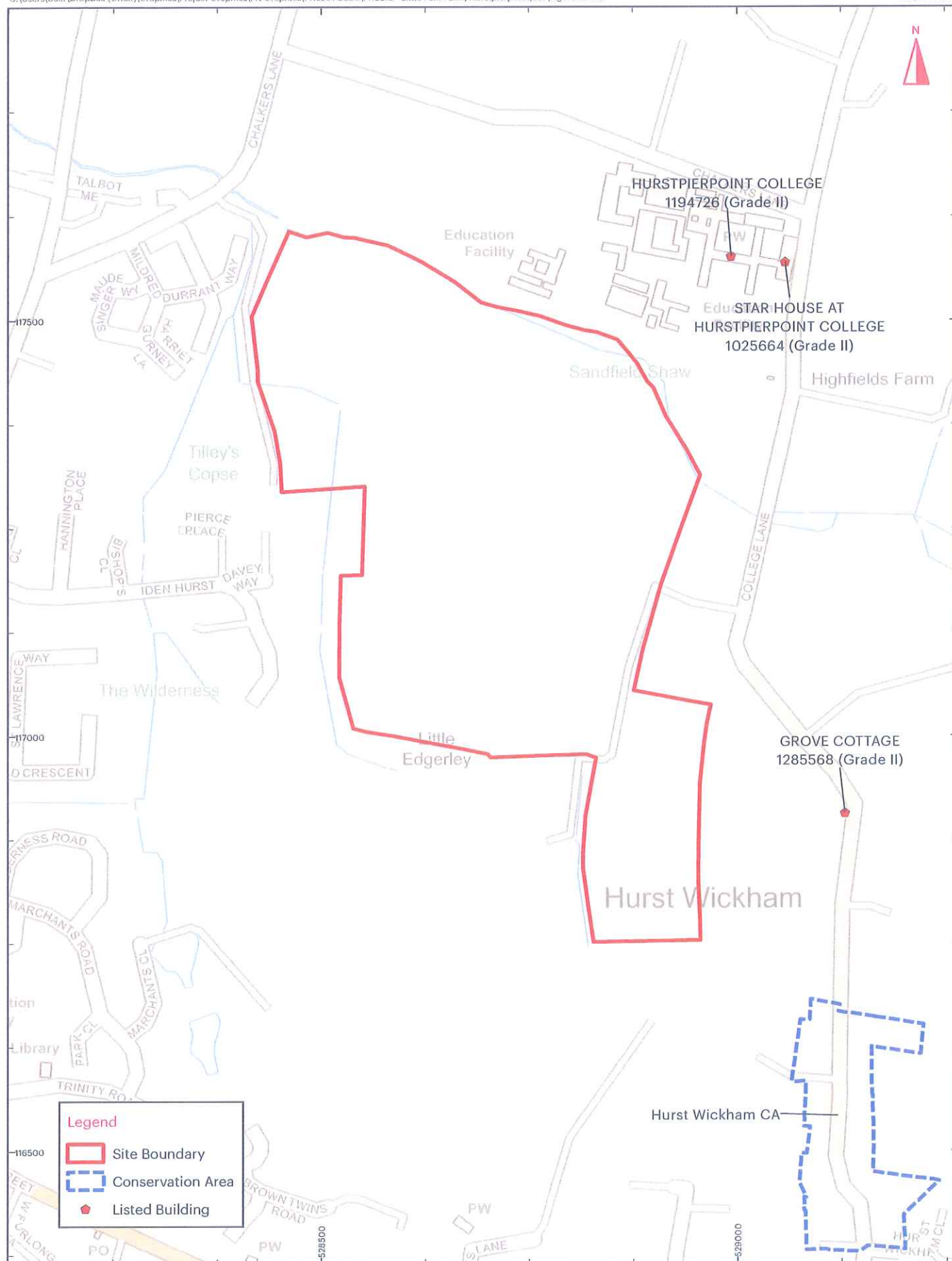
**Title:**

Figure 2: Location of Designated Assets

**Address:**

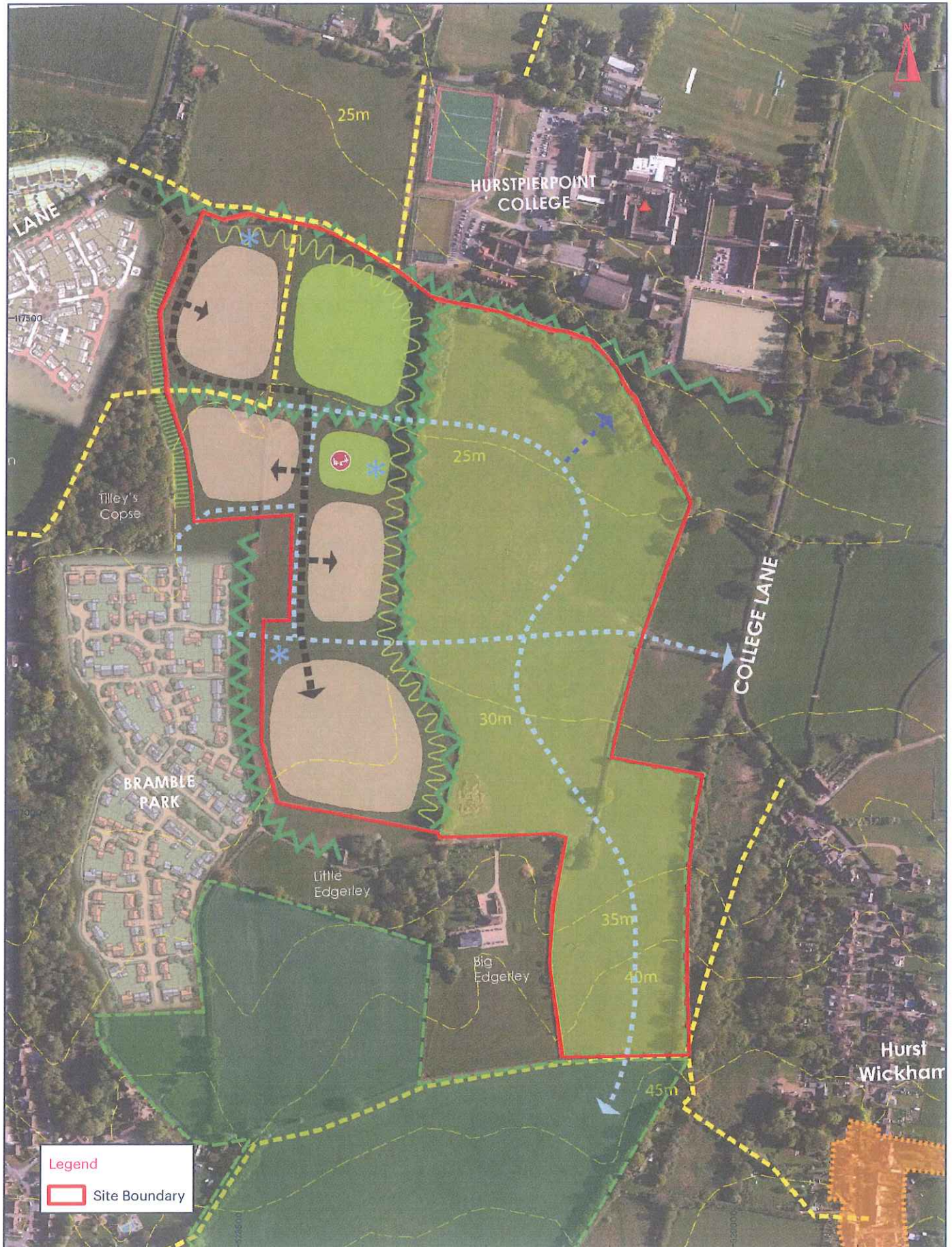
Little Park Farm, Hurstpierpoint

Scale at A4: 1:6,000

0 180m

**orion.**





**Title:**  
Figure 3: Opportunities and constraints plan  
**Address:**  
Little Park Farm, Hurstpierpoint

Scale at A4: 1:5,000



**orion.**

## 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:**

SIGMA PLANNING SERVICES ON BEHALF OF RYDON HOMES 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

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.

**Sites omitted from the Draft Plan that justify being allocated for housing –**

**Land south of Chalkers Lane, Hurstpierpoint –**

See Separate Sheet

**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.**

## **MID SUSSEX REG 19 SUBMISSION DRAFT SITE ALLOCATIONS DPD**

### **Representations on behalf of Rydon Homes Ltd**

Form (12 of 12) Policy Sites omitted from the Draft Plan that justify being allocated for housing.

---

#### **Land south of Chalkers Lane, Hurstpierpoint**

##### **6b Continued**

Rydon have an option over the land as identified on the enclosed plan. The site, SHELAA Ref. 575, was identified in the Council's SHELAA stage 1 as suitable for 200 units, in the medium to long term. Following further detailed site assessment through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocations in the SA DPD. The assessment concluded that the site is 'large' and the proposals will result in harm to the Listed building of the college and harm to the special character of the Conservation Area.

The site has an area of 27 ha (67 acres) but a large proportion of this will be left undeveloped providing the strategic buffer of open land separating the development from Hurstpierpoint College and Hurst Wickham to the east. This land offers the opportunity to extend the area of Country Open Space which formed part of the package accompanying the delivery of the residential development that is now being carried out by Bovis and indeed Rydon's small development to the south. The capacity of the site taking account of these buffer areas would be 220/260 units based on 30/35 dpa. There is the potential for land ownership to be transferred to the Parish Council so that this mitigation will endure in the long term. There is potential to extend the Country Park.

The attached plan prepared by Richards Urban Design drawing 1263.02 shows the full extent of the land by red edging. Also attached is an Opportunities and Constraints plan drawing 1263.03 which shows how the above concept could be put into practice. The attached photographs on drawing 1263.01 will give some idea of the physical characteristics of the land concerned.

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There are no landscape quality designations on the site or in the immediate vicinity. The National Park boundary lies some 3km away to the south and distant views towards the site encompass the whole of the existing settlement of Hurstpierpoint, with which this development would appear in context. There is also potential for provision of strategic landscape buffers to the east and south of

the site as part of the sensitive design of the Country Park and this will provide mitigation. Whilst the countryside is not unattractive, it is certainly not special and the site is relatively flat, featureless and not prominent in the wider landscape.

Trees/TPOs – the existing trees are located within boundary hedgerows and will be retained and enhanced. A suitable buffer to small areas of adjoining ancient woodland will be incorporated within any layout. There will be extensive new tree planting as part of the strategic landscaping proposals described above. This is a positive scenario for trees and the assessment should reflect that.

This is a sustainable, deliverable and developable development opportunity which should be included as a site allocation to meet strategic housing needs across the District. The original SHELAA assessment was not fair or accurate in a number of ways. The latest, February 2020, Assessment which is included in the Site Selection paper 3: Housing Sites Update does not take account of the representations made by Rydon at the Regulation 18 Consultation stage. The representations explained how the Country Park could be extended to the east to protect the wider gap between Hurstpierpoint and Hurst Wickham and the setting of the Hurst Wickham Conservation Area and that land at the northern end of the site could be left open to protect the setting of Hurstpierpoint College. The land is believed to be Grade 3b and therefore is not best and most versatile. The SHELAA correctly concludes that the site accords with the overall development strategy but the Detailed Site Assessment has not fully taken into account the evidence base, which shows how matters of separation of settlements and setting of heritage assets can be suitably addressed whilst still providing a net developable area to provide up to 200 sustainably located dwellings in accordance with the development strategy. The site assessed is for 540 dwellings and this does not take account of the Rydon masterplan which shows a smaller net developable area (around 200 dwellings) together with extensive open space areas to ensure the separation of settlements and protect the setting of heritage assets. This site should be considered in the SA in this context and would prove to be a suitable candidate as one of the additional allocations required to be provided in the Plan.

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

To fully explain concerns about the soundness of the Submission Plan to the Inspector and discuss appropriate modifications to make it sound.

**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:

*Signa Planning Services*

Date:

*28/9/20*

Thank you for taking time to respond to this consultation



1. View looking north from the centre of the site with new housing south of Chalkers Lane on the left and Hurstpierpoint College on the right



2. View looking south east from the centre of the site with the new housing development at Bramble Park (left) and Tilley's Copse (right) in the background



3. View looking south with Bramble Park in the distance on the right.







# LITTLE PARK FARM, HURSTPIERPPOINT

Brewing  
Opportunities and constraints plan

Scale:  
NTS

Date:  
03.05.19

Drawing no: 1263.03

## KEY

Site boundary

Hurst Country Open Space

Existing Public Right of Way

Potential access to site

Contour

Existing mature tree/hedge boundaries enclosing land parcels to be retained, reinforced where appropriate & periodically traditionally laid.

No development zone associated with Tiley's Copse to protect Ancient Woodland

Listed Building

Hurst Wickham Conservation Area

Potential extension to Hurst Country Space

Potential area for residential development

Potential new public open space / play area

Potential new loop/path routes

Potential link to college

Potential children's play area

Low density landscaped edge

Potential location for SuDS drainage feature





Little Park Farm, Hurstpierpoint  
High Level Heritage Setting Statement  
May 2019



Little Park Farm, Hurstpierpoint  
High Level Heritage Setting Statement  
May 2019

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**Report**

Little Park Farm, Hurstpierpoint

**Site**

High Level Heritage Setting Statement

**Client**

Rydon Homes

**Date**

May 2019

**Planning Authority**

Mid-Sussex District Council

**Prepared By**

Rob Bourn BA MA MCIfA

**Approved By**

Dr Rob Smith MCIfA

**Report Status**

Final

**Orion Ref**

PN2213/1

## 1.0 Introduction

- 1.1** The purpose of this report is to present a high level assessment of the potential effect on the setting and significance designated heritage assets of residential development on land to the south west/south of Hurstpierpoint College. This is to support the promotion of residential housing in the western area of study site. It is not a full statement of significance report or a heritage statement.
- 1.2** The site is located to the south east of Chalkers Lane, to the east/north east of Bramble Park housing scheme that is currently under construction and to the south west/south of Hurstpierpoint College at grid ref at grid reference TQ 28529 17530 (Fig. 1).
- 1.3** The development of the study site has the potential to affect the settings and significance of two grade II listed buildings (Hurstpierpoint College and Star House at Hurstpierpoint College) and to the north west of the Hurst Wickham part of Hurstpierpoint Conservation Area (Fig. 2).

## 2.0 Planning Policy Framework

- 2.1** The Mid Sussex District Plan 2014 – 2031 contains two relevant policies relating to listed buildings and Conservation Areas.

### *DP34: Listed Buildings and Other Heritage Assets*

*Listed Buildings Development will be required to protect listed buildings and their settings. This will be achieved by ensuring that:*

- *A thorough understanding of the significance of the listed building and its setting has been demonstrated. This will be proportionate to the importance of the building and potential impact of the proposal;*
- *Alterations or extensions to a listed building respect its historic form, scale, setting, significance and fabric. Proposals for the conversion or change of use of a listed building retain its significance and character whilst ensuring that the building remains in a viable use;*
- *Traditional building materials and construction techniques are normally used. The installation of uPVC windows and doors will not be acceptable;*
- *Satellite antennae, solar panels or other renewable energy installations are not sited in a prominent location, and where possible within the curtilage rather than on the building itself;*
- *Special regard is given to protecting the setting of a listed building;*
- *Where the historic fabric of a building may be affected by alterations or other proposals, the applicant is expected to fund the recording or exploratory opening up of historic fabric.*

### *Other Heritage Assets*

*Development that retains buildings which are not listed but are of architectural or historic merit, or which make a significant and positive contribution to the street scene will be permitted in preference to their demolition and redevelopment.*

*The Council will seek to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the character and quality of life of the District. Significance can be defined as the special interest of a heritage asset, which may be archaeological, architectural, artistic or historic.*

*Proposals affecting such heritage assets will be considered in accordance with the policies in the National Planning Policy Framework (NPPF) and current Government guidance.*

### DP35: Conservation Areas

Development in a conservation area will be required to conserve or enhance its special character, appearance and the range of activities which contribute to it. This will be achieved by ensuring that:

- New buildings and extensions are sensitively designed to reflect the special characteristics of the area in terms of their scale, density, design and through the use of complementary materials;
- Open spaces, gardens, landscaping and boundary features that contribute to the special character of the area are protected. Any new landscaping or boundary features are designed to reflect that character;
- Traditional shop fronts that are a key feature of the conservation area are protected. Any alterations to shopfronts in a conservation area will only be permitted where they do not result in the loss of a traditional shopfront and the new design is sympathetic to the character of the existing building and street scene in which it is located;
- Existing buildings that contribute to the character of the conservation area are protected. Where demolition is permitted, the replacement buildings are of a design that reflects the special characteristics of the area;
- Activities such as markets, crafts or other activities which contribute to the special character and appearance of the conservation area are supported;
- New pavements, roads and other surfaces reflect the materials and scale of the existing streets and surfaces in the conservation area.

Development will also protect the setting of the conservation area and in particular views into and out of the area.

New buildings of outstanding or innovative design may be acceptable in conservation areas provided that their impact would not cause material harm to the area.

## 3.0 Designated Heritage Assets

### Hurstpierpoint College (grade II List number 1194726)

- 3.1 The Hurstpierpoint College complex is located immediately to the north east of the study site (Fig. 2). The main college building is grade II listed. The listing describes it as follows:

*St John's College, Hurstpierpoint, was the second school established by Nathaniel Woodard, founded in 1849. In 1850 it was established in The Mansion House Hurstpierpoint and in 1853 moved into its permanent buildings. These were designed by R.C.Carpenter but largely built after his death by his partner, William Slater, and his son, R.H. Carpenter. They are in Gothic style and built of flints with tiled roofs. They form 2 quadrangles, the southern one open on the south side, with narrow pointer or trefoil-headed ws. The chapel and Hall form the north side of the north quadrangle. The Chapel at the east end has 7 bays, 4 of them projecting beyond the east side of the quadrangle. Pointed w. of Decorated type flanked by buttresses. At the west end of the Chapel are short transepts which form an ante-chapel, lit by a larger similar w. and above a tower added in 1929. The interior has very beautiful intern stalls. To the west again is a small covered passage, also added in 1929 to join the Chapel to the Ball. the latter is on the first floor with the dining room beneath it. These have 5 bays flanked by buttresses. The ws. on the first floor have flatter pointed heads, those on the ground floor consist of pairs of trefoil-headed lancets.*

- 3.2 The significance of the college resides in its architectural, historical and artistic (i.e. aesthetic) interest. It forms the both the main building and core of the college complex and has group value with the immediately adjacent Star House. The setting of



the listed college building will be considered in brief below along with Star House as they form part of the setting of each other and share the same setting.

#### Star House (grade II List Number 1025664)

- 3.3 Star House is located on the east side of the main college building fronting College Lane. The listing describes the building as follows:

*Built in 1873 in matching style to the College and probably designed by R.H. Carpenter. Three storeys. Three windows. Faced with flints with stone dressings and quoins. Tiled roof. Two gables and gabled dormer between casement windows. Two bays on ground and first floors, each with 5 trefoil-headed lights. Wide porch between with 7 similar lights.*

- 3.4 As with the college building, the significance of the house resides in its architectural, historical and artistic (i.e. aesthetic) interest. It has group value with the immediately adjacent listed college building. The setting of the Star House will be considered in brief below along with the main college building as they form part of the setting of each other and share the same setting.

#### Setting of Hurstpierpoint College & Star House

- 3.5 The two listed buildings occupy the main central and eastern area of the college complex. They dominate the grass sports pitches and facilities immediately to the north the buildings and the artificial grass sports pitches immediately to the south of the buildings. There are a series of pre-WWII, 1970s and later school buildings immediately to the west and south west of the main listed college building, with car parking and further artificial surface sports facilities to the west of the school buildings. It is within this area that the setting has a very strong positive contribution to the significance of the two listed buildings in functional, visual and historic terms. The later buildings, while not of the same architectural quality as the listed buildings, are sympathetic and subservient to the main building and the mix of style and date adds a very perceivable time depth to the experience of the school setting. The car parks and artificial sports pitches on the western side of the school complex contain a number of visually prominent lighting stands and fencing with a line of overhead electricity cables and wooden pylons cutting north south immediately to the west of the school grounds. The car parks, lighting stands, fencing and electricity cables detract from the experience of the listed buildings and have a slight negative contribution to their significance.
- 3.6 The College and Star House also have a wider landscape setting beyond the college complex. It is located on a relatively high spot on the landscape and so can be seen from and has at least partial views out over the lower land to the east and the south/south east. This aspect has a mildly positive contribution to the significance of the college as it places it within its wider rural context and enables it to be appreciated in various glimpsed and full views from within the wider area.
- 3.7 The setting to the west/south west of the school is more limited in extent and in its contribution to the significance of the main listed college building. The later school buildings block clear views in to and out from the listed buildings. The tower on the chapel can still be seen in many views due to its height but the main body of the listed buildings cannot be experienced, even at close quarters to the school boundaries, from the west and south west. Consequently, the land to the west/south west does not contribute visually to the significance of the college buildings. The land has historically been fields and so it does have a slight positive contribution to the historic interest significance of the listed buildings. The two new and under construction housing schemes (Land South of Chalkers Lane & Bramble Park) are recent visible changes within this aspect of the setting on the west side of the college which have introduced modern residential form.

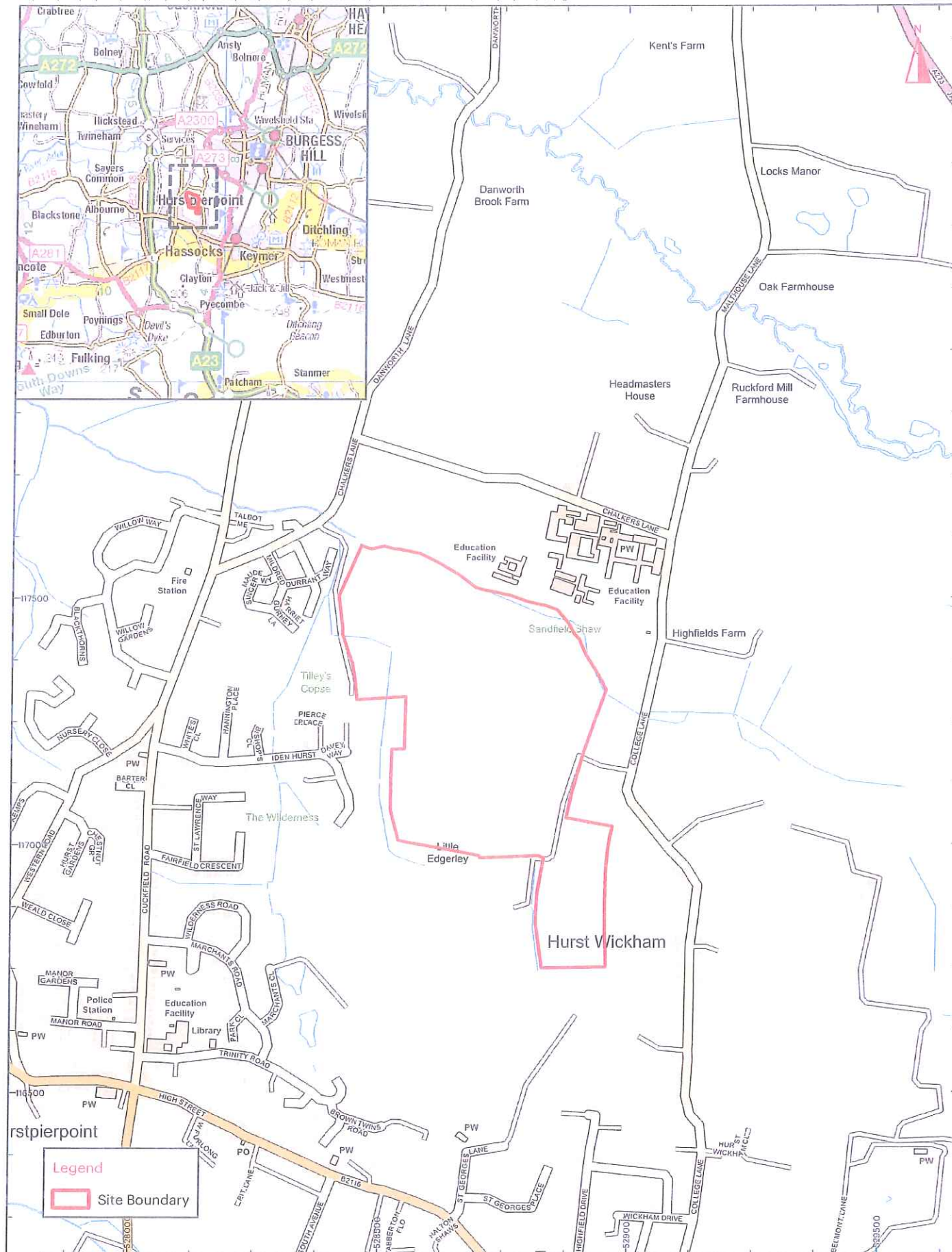
## Impact Assessment

- 3.8** The study site is being promoted for up to c. 260 residential units located in western and south western area of the site and a substantial area of open space. The layout on the constraints and opportunities plan (Fig. 3). The development parameters have been designed to preserve and enhance the setting of the college to the south west and west of the listed buildings. The layout has been designed to respond to the setting of the college and its contribution to the significance of the listed buildings. The main bulk of the proposed housing area will be screened from view from the college behind existing mature tall hedges and trees and so will have no effect on the setting of the college as they will not be experienced from the college and vice versa.
- 3.1** The north western field of the study site is currently a field which forms a small part of the wider rural context within which the college is experienced. This field is currently an arable field split into two by a north-south orientated footpath. The eastern 2/3 of the field will be retained as public open space with high quality housing in the area of the field to the west of the footpath. By bringing the edge of the built form c. 140m closer to the college complex than it currently is, there will be a slight visual change within this part of the setting. The recently constructed Chalkers Lane residential scheme has already introduced modern houses into this aspect of the setting. Consequently, the proposed high quality housing within this area of the study site will not change the character of the setting. The eastern half of the north western field of the site will be retained as public open space. This will ensure that the views of the tower of the college chapel that are currently possible from the site will be retained. There are no views of the site currently from the listed buildings anyway, as described above. Consequently, views from the listed buildings will be unaffected. The later school buildings to the west of the listed college buildings block all views of the site from within the core of the setting of the college. Therefore, the experience of the listed buildings as they are now, will be unaffected.
- 3.2** The area of the site to the south of college will be retained as an extension to the Hurst Country Space. This will ensure that the setting to the south of the college will be protected and conserved.
- 3.3** In conclusion, the development of the site as proposed in the illustrative concept masterplan, will result in the loss of about 1/3 of a field that has a slight contribution to the significance of the listed college buildings. This will primarily be a slight visual change. The college will still be separated from the edge of the built area of Hurstpierpoint by open space. The aspects of the setting of the college that have a clear and strong positive contribution to the significance of the listed buildings will be unaffected. Consequently, the development of the study along the parameters as outlined in the constraints and opportunities plan (Fig. 3) will not result in harm to the significance of Hurstpierpoint College or Star House.

## Hurst Wickham Conservation Area

- 3.4** The area of the proposed housing is considered to lie beyond the setting of all three blocks of the Hurstpierpoint Conservation Area. There is one vista point identified on the significant views map of the Hurstpierpoint Conservation Area from just north of St Georges Lane that is toward the study site. However, the proposed developable area of the site is 0.5km to the north and is screened from the view by intervening hedges, trees and other vegetation. Consequently, there will be no effects on this view. The southern part of the proposed potential extension Country Space would be within this view but there will be no effect on this view. Consequently, the development of the study along the parameters as outlined in the illustrative masterplan will not result in harm to the significance of any of the three blocks of Hurstpierpoint Conservation Area.





**Title:**  
Figure 1: Site Location  
**Address:**  
Little Park Farm, Hurstpierpoint

Scale at A4: 1:10,000  
0 300m

orion.







**Title:**  
Figure 3: Opportunities and constraints plan  
**Address:**  
Little Park Farm, Hurstpierpoint

Scale at A4: 1:5,000

0 150m

orion.

## 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:**

SIGMA PLANNING SERVICES ON BEHALF OF RYDON HOMES 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

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.

**Sites omitted from the Draft Plan that justify being allocated for housing – Land south of Edinburgh Way, East Grinstead**

Rydon have an option over the land as identified in Appendix (A). The site SHELAA reference 598 was considered as suitable in the SHELAA stage 1 as suitable for 60 units, in the medium to long term. Following further detailed site assessment, through the Site Selection Paper 3, the site has subsequently been found to be unsuitable for allocation in the SADPD. The assessment concluded that the site will have high impact on the AONB.

**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.**



## **MID SUSSEX REG 19 SUBMISSION DRAFT SITE ALLOCATIONS DPD**

### **Representations on behalf of Rydon Homes Ltd**

Form 11 of (12) Sites omitted from the Draft Plan that justify being allocated for housing.

---

### **Land south of Edinburgh Way, East Grinstead**

#### **6b Continued**

This site is located on the south eastern edge of East Grinstead, adjoining existing residential development that was built in the 1970s and 1980s. The site forms a small triangular parcel of open countryside comprising a single horse paddock which is contained by a tall hedgerow, tree and a post and rail/wire fence. The site is approximately 1.8 hectares in total.

The site is located to the east of Harwoods Lane which extends alongside the western site boundary and is defined by a hedgerow. The north and western boundary of the site also contains a line of mature trees. Harwoods Lane currently connects the site to residential development to the north. Beyond the boundary to the west and north of the site is residential development on Chesterton Close, Collingwood Close and Edinburgh Drive.

The site is located in the AONB, the land slopes generally southwards and the undulating topography together with the existing strong hedgerows, belts of trees and blocks of woodland in the immediate area surrounding the site provides enclosure and containment to views within the landscape.

The site has the potential to be delivered as a standalone site, subject to access or as part of the Great Harwoods Farm development that has been promoted by Thakeham Homes during previous District Plan consultations.

The Site Selection Paper 3 : Housing Sites October 2019, concludes that the site is not suitable for further consideration due to its location within the AONB. As such the site has not been assessed in the Sustainability Appraisal accompanying the Site Allocation DPD. With regard to the site's AONB location, it should be acknowledged that, as set out in the LUC document entitled " Capacity of Mid Sussex District to accommodate development", Mid Sussex District is heavily constrained by environmental designations such as Area of Outstanding Natural Beauty (AONB) and the South Downs National Park as well as other constraints. As a result, a balance needs to be struck between locating development in the most sustainable locations and those which have the least environmental constraints. Whilst constraints may apply, there is no reason why such constraints could not be overcome and addressed, as they have elsewhere, particularly if there is no other reasonable alternative.

Subject to appropriate mitigation, there are no constraints to development at the wider site, including Great Harwoods. The site is well contained within its surroundings and will therefore not result in an adverse landscape impact. The proposal by Thakeham Homes includes up to circa 300 dwellings and the provision

of a significant area of public open space in the form of a SANG therefore respecting the site's location within the AONB. The proposal will therefore result in significant environmental and social benefits without resulting in unacceptable impacts on the wider landscape.

East Grinstead is one of the three main towns in Mid Sussex and offers a range of services and facilities and a mainline railway station, all within a reasonable walking distance from the site, approximately 1 kilometre. As such, the development will be less car dependant than that at Imberhorne Lane to reach day today facilities and consequently less likely to impact on the problematic junctions along the A22. The SHELAA assesses the site as relatively unconstrained, development will not have a negative impact on the Conservation Area or Area of Townscape Character and it is not subject to the risk of flooding. It lies in the AONB but impact to the wider landscape can be mitigated. It has been identified as suitable in the SHELAA and therefore the site should be assessed in the SA and considered to be a reasonable alternative to meet housing need in the town.

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

To fully explain concerns about the soundness of the Submission Plan to the Inspector and discuss appropriate modifications to make it sound.

**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:

*Sally Munnery Sevier*

Date:

*28/9/20*

**Thank you for taking time to respond to this consultation**





0 10 20 30 40 50m

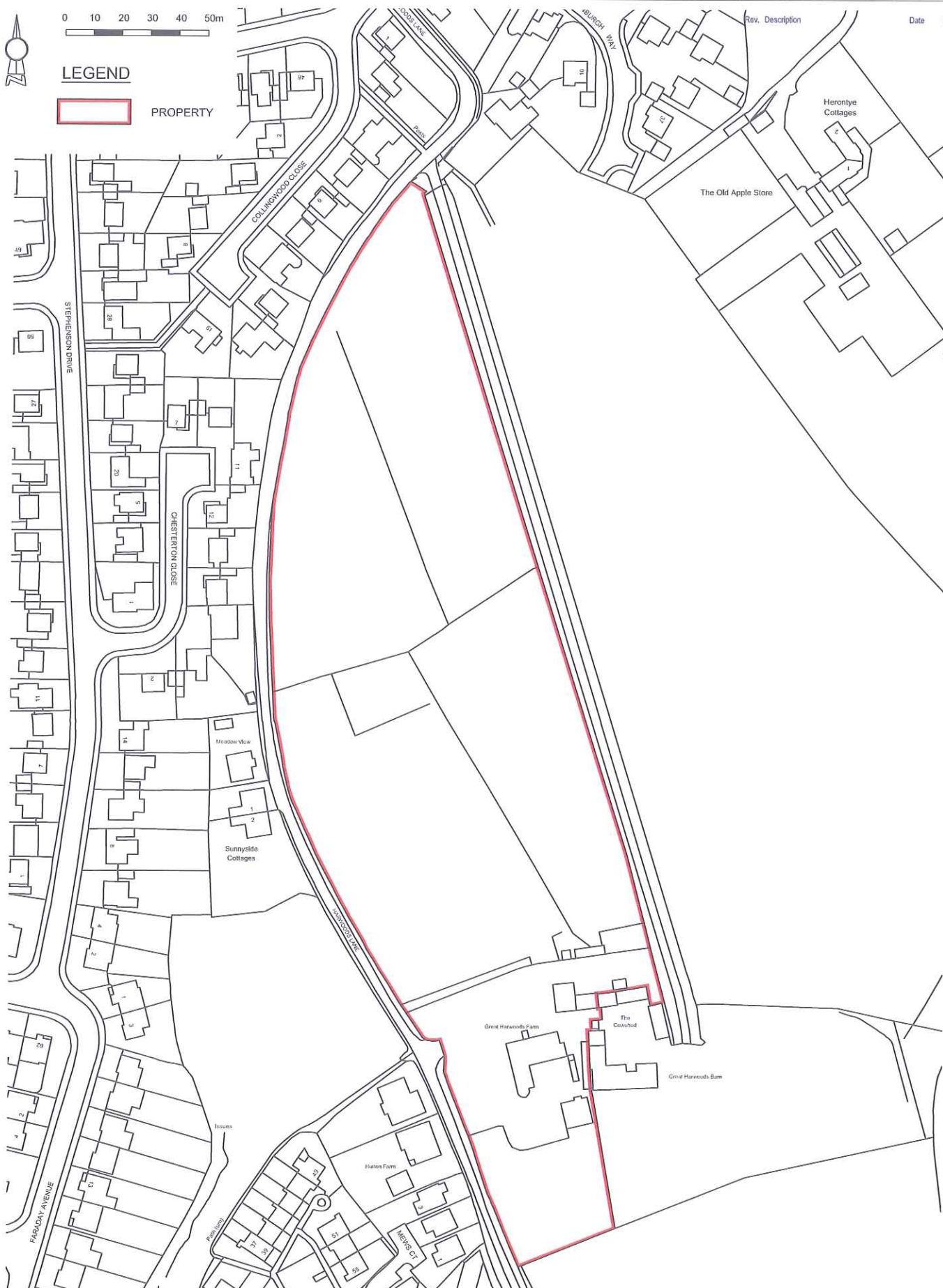
### LEGEND



PROPERTY

Rev. Description

Date By



**Rydon** Homes

Rydon Homes Ltd  
Rydon House  
Station Road  
Forest Row  
East Sussex  
RH18 5DW  
T 01342 825151  
E-mail: design@rydon.co.uk

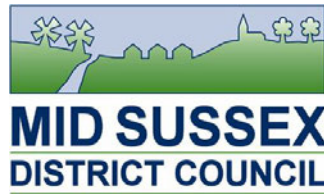
## Great Harwoods East Grinstead

Option Plan

Drawing No: 10597-L-01

Date: October 2018  
Drawn by: MAH  
Scale: 1:1250 @ A3  
Rev:

**Site Allocations DPD: Regulation 19 Consultation Response****Policy:** SA11**ID:** 2164**Response Ref:** Reg19/2164/4**Respondent:** Lord J Lytton**Organisation:** Lawerence Foote**On Behalf Of:** Crabbet Landowners**Category:** Promoter**Appear at Examination?** ✓



## **Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form**

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

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

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

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

The Site Allocations DPD is available to view at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](http://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 28<sup>th</sup> 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/](http://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](mailto: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	Lord
First Name	John
Last Name	Lytton
Job Title (where relevant)	FRICS, Consultant Surveyor
Organisation (where relevant)	Lawrence Foote and Partners (London)
Respondent Ref. No. (if known)	JL/3502
On behalf of (where relevant)	Various landowners at Crabbet Park
Address Line 1	c/o Estate Office
Line 2	Newbuildings Place
Line 3	Shipley
Line 4	Horsham, West Sussex
Post Code	RH13 8GQ
Telephone Number	01403 733075
E-mail Address	John.lytton@LFPLTD.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:**

Crabbet Park Landowners

### 3a. Does your comment relate to:

Site  
Allocations  
DPD

☒

Sustainability  
Appraisal

☒

Habitats Regulations  
Assessment

☐

Community  
Involvement  
Plan

☐

Equalities  
Impact  
Assessment

☐

Draft Policies  
Maps

☐

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

Paragraph

omission

Policy SA

DP4

Draft Policies Map

omission

### 4. Do you consider the Site Allocations DPD is:

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

Yes

☐

No

☒

4b. Sound

Yes

☐

No

☒

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

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

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

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

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

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

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

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

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

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

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

see attached memorandum

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

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

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒

(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:



Date:

24<sup>th</sup> September 2020

**Thank you for taking time to respond to this consultation**

## Memorandum

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

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

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

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

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

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

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



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

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

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

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

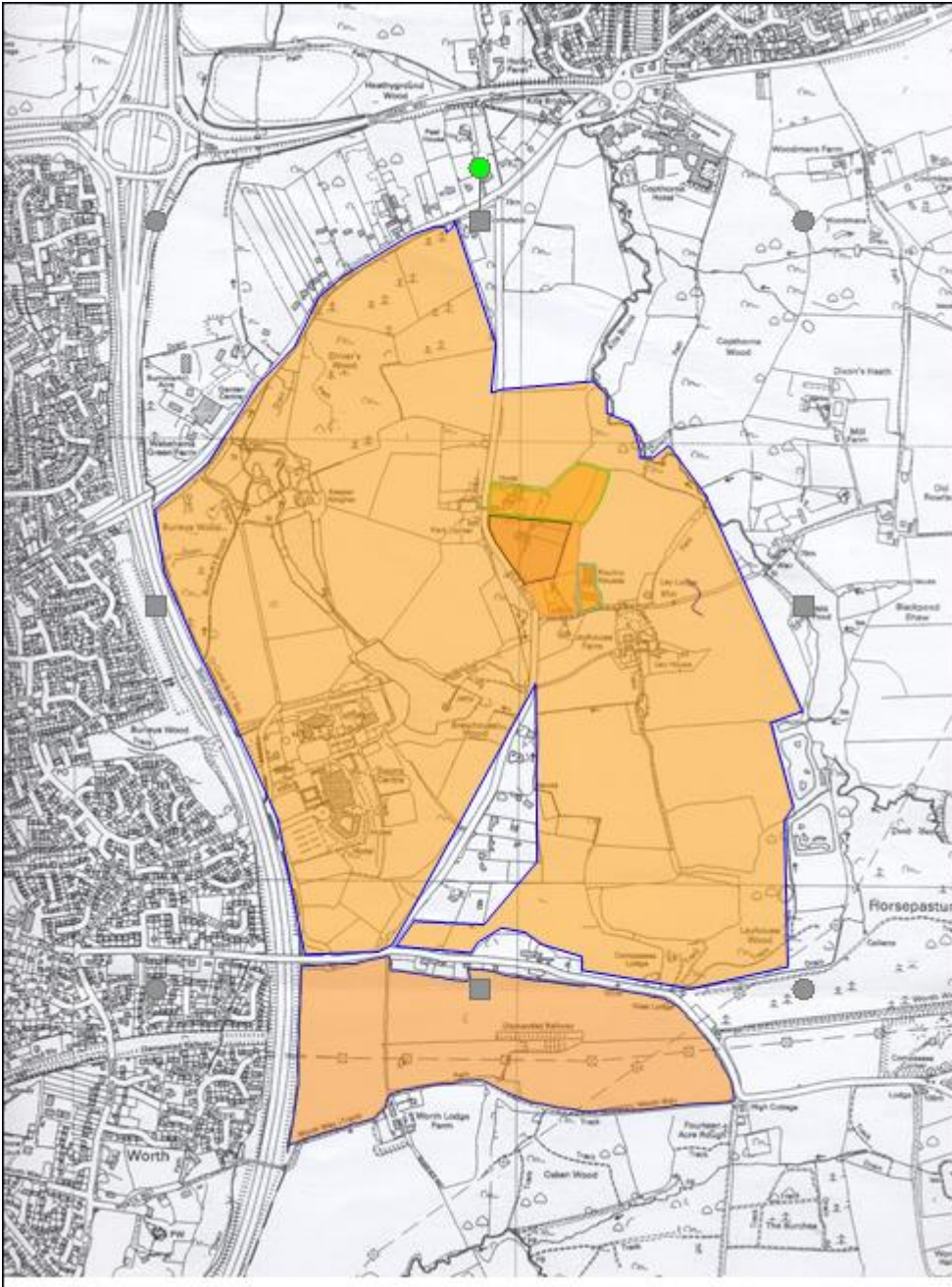
Whilst it is not beyond understanding that a site such as Crabbet Park might be considered and then rejected following analysis, it is scarcely credible that in considering Crawley's unmet needs, a strategic site so obviously close by and related to Crawley, should have been dismissed so lightly.

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

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

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

## Crabbet Park



*General location plan of Crabbet Park*

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

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

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

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

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



2378

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA11

**ID:** 2378

**Response Ref:** Reg19/2378/3

**Respondent:** Mr P Egan

**Organisation:**

**On Behalf Of:** Wellhouse Lane Residents Association

**Category:** Organisation

**Appear at Examination?** x

LDF Consultation  
Planning Services Division  
Mid Sussex District Council  
Oaklands Road  
Haywards Heath  
West Sussex RH16 1SS



28th September 2020

### **Mid Sussex District Draft Site Allocations DPD Consultation Response**

To The Government Inspector,

I am writing on behalf of the **Wellhouse Lane Residents Association** which covers the properties in Wellhouse Lane, Keymer to register our strong objections, on the grounds of soundness, to the inclusion of **Sites SA12 Land South of Folders Lane, Burgess Hill and SA13 Land East of Keymer Road and South of Folders Lane, Burgess Hill** in the draft Mid Sussex Site Allocations DPD under Regulation 19.

Wellhouse Lane is the area which will be most heavily affected should site SA13 receive approval for development and therefore we believe our voice should receive particular attention.

The lane consists of 10 properties the majority of which were built before the 1940s, one a listed building going back to 17th Century. The houses at the Eastern end of the lane face the South Downs National Park (SDNP) and one property abuts the site of the proposed development, but also forms part of the South Downs National Park so in effect the development will be adjacent to the National Park itself and infringe upon it.

There is a public footpath in the lane which takes ramblers and walkers to Ditchling and beyond. This route is very popular with both the townsfolk of Burgess Hill and ramblers from further afield. We are very lucky because it is on our doorstep but there is no price that can be put on the value of such a place to people who live in more urban areas and are in need of some space and tranquillity.

**The value of this has been especially noticeable since the Covid-19 pandemic took hold as we have seen a huge increase in the amount of people who daily walk along the lane to enjoy the peaceful atmosphere and the wildlife which surrounds them. Allowing the general public a most welcome break from the stresses at this very difficult time cannot be over emphasised and this should be a material consideration which carries weight in any decision making.**

In the last five years four of the ten properties in the lane have changed hands and the new owners with young families who aspired to live here because of its peaceful location now find that the very things which attracted them may be destroyed forever by an intensive urban development of 300 homes in the fields next to their properties.

One couple moved into the lane after living in Burgess Hill for 25 years having always enjoyed walking here with their children. They thought they were getting a life in the country but now that is being put in great jeopardy with the proposed

development on site SA13. People must be allowed to have dreams of one day living in properties which they aspire to own, if we devalue those properties by destroying the very things which make them aspirational then we destroy both those dreams and opportunities.

Opposition to these sites does not just originate from those living in our immediate vicinity but extends throughout Burgess Hill and beyond. To clarify, opposition can be found in all of the villages to the south, particularly, Hassocks, Keymer, Ditchling and Hurstpierpoint as well as by the South Downs National Park Authority.

This objection sets out why we believe this latest draft Site Selection DPD with regard to sites SA12 & SA 13 is unsound.

### **SA12 & SA13 Planning History**

All development has to adhere to the policies and criteria contained in the NPPF & the local Development Plan, in this case the Mid Sussex District Plan. We will show that the inclusion of Sites SA12 & SA13 has clearly not met those policies and criteria.

**These sites were assessed by MSDC in 2004, 2007, 2013 & 2016 and each time they were deemed to be unsuitable, undeliverable and most importantly unsustainable yet now for reasons totally unexplained by MSDC they believe none of these findings were correct and the sites can now go forward for development.**

In 2004 the Mid Sussex Local Plan was submitted for assessment to the Government Inspectorate and the Inspector's findings on sites OMS01, 02 & 03 which now make up sites SA12 & SA13 was and I quote

***"Development would compromise Strategic Gap. Sustainability of site is outweighed by adverse impact on character and appearance of the area."***

***"Site forms part of open countryside on edge of town and is an important lung of open space between Burgess Hill and Ditchling Common. No overriding reason why site should be released."***

***"Site is part of open countryside and is detached from built up area. Development would lead to serious and obvious erosion of Strategic Gap"***

In 2007 MSDC submitted their Small Scale Housing Allocations Development Plan Document for inspection, in that was site ALT45 part of site SA13 today.

The Inspector concluded that even this limited area should not be allocated for housing stating: *"it would be difficult to design, lay out and landscape the site without knowing whether further development would follow. That risks an unacceptably intrusive development in open countryside"*<sup>1</sup>

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<sup>1</sup> 2007 Mid Sussex District Local Development Framework Small Scale Housing Allocations Development Plan Document, Schedule C to the Inspector's Report, para 1.213

In addition he concluded ***“To develop this site in addition would risk adding unacceptably to pressures on infrastructure including the local road network.”***<sup>2</sup>

In 2013 the Burgess Hill Assessed Sites Document included site 557 which formed part of site SA13 today and again this recorded the site as unsuitable with the following comments

- There is likely to be significant highways impacts on the local road network
- Site location is 150m from the South Downs National Park boundary at its closest point. Notwithstanding this buffer, there would need to be a thorough investigation of the visual impact of potential development on this designated area
- **Until the impacts on the highways network and the National Park are properly understood and evidenced, this site is assumed to be unsuitable for development.**<sup>3</sup>

In 2016 the Burgess Hill Assessed Sites Document again looked at site 557 and once again it was assessed as unsuitable with the following comments

- Most of the site has low landscape suitability for development.
- **The fields also have a time depth value as characteristic assarts<sup>4</sup> with mature oaks.**
- There are potential significant transport impacts on the road network as a result of developing this site (in particular the east-west link issues in Burgess Hill).
- **Overall the site is considered unsuitable for development due to the unknown impact on the highway network.**<sup>5</sup>

It was reported that Albert Einstein once said **"the definition of insanity is doing the same thing over and over and expecting different results"**.

The question now has to be asked of Mid Sussex District Council, are they competent to run our affairs or are they in fact incompetent for yet again trying to include these sites for development without any resolutions or changes to the known problems of the last two decades?

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<sup>2</sup> Ibid para 1.214

<sup>3</sup> 2013 Burgess Hill Assessed Sites 557 (BH/D/21) Land south of Folders Lane and east of Keymer Road, Burgess Hill (Site H West)

<sup>4</sup> The definition of an assart in the dictionary is an area of land that has had trees and undergrowth removed and the ground broken up in preparation for cultivation.

<sup>5</sup> 2016 Burgess Hill Assessed Sites 557 (BH/D/21) Land south of Folders Lane and east of Keymer Road, Burgess Hill



## **SA13 and Planning Policies**

**This site covering the fields between the properties in Folders Lane, Burgess Hill and those in Wellhouse Lane, Keymer form the legal strategic/local gap between the two settlements, there is no other.**

The **formal legal boundary** between Burgess Hill and Keymer is the end of the rear gardens of the houses on Wellhouse Lane behind which sits site SA13 therefore if SA13 is approved by Mid Sussex District Council (MSDC) for development **then MSDC will be in contravention of its own Development Plan**, in particular policies

**DP13 Preventing Coalescence,  
DP6 Settlement Hierarchy and  
DP12: Protection and Enhancement of Countryside.**

The issue of coalescence will impact everyone in Wellhouse Lane greatly due to the noise, light pollution and loss of wildlife habitat that will result from building 300 homes right behind us.

**DP13 Preventing Coalescence** states:

*"Provided it is not in conflict with Policy DP12: Protection and Enhancement of the Countryside, development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, **and would not have an unacceptably urbanising effect on the area between settlements.**"*

I intend to show later why developing this site will be in contravention of DP12 but for now I will focus on the issue of coalescence.

## **DP6 Settlement Hierarchy**

The strategic objective of DP6 is very clear *"To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and prevents coalescence"*

*"Within defined built-up area boundaries, development is accepted in principle whereas outside these boundaries, **the primary objective of the District Plan with respect to the countryside (as per Policy DP12: Protection and Enhancement of Countryside)** is to secure its protection by **minimising the amount of land taken for development and preventing development that does not need to be there.**"*

The defined built-up area boundary of Burgess Hill is the rear gardens of the properties on Folders Lane beyond which lies the northern edge of site SA13.

The MSDC methodology to assess sites for inclusion in the SPD was clear, two basic issues were measured, 1. The degree of connectivity the site has with a settlement and 2. Their size. I quote:

*"Sites with capacity to deliver growth significantly greater than required by the District Plan Strategy were considered to not conform to the strategy"*

*"To assess the degree of connectivity sites within 150m of a built-up area boundary were considered in principle to function as part of that settlement **whereas sites beyond 150m were considered to be remote from a settlement.** Any site at which either or both of these issues were evident was not considered further."*<sup>6</sup>

**The boundary between Burgess Hill and Keymer which marks the Southern edge of site SA13 is approximately 900 metres away from the Burgess Hill built up boundary therefore the overwhelming majority of the site must fail the above criteria and therefore should have been considered remote in terms of connectivity AND by MSDCs own methodology should not have been considered for inclusion in the DPD.**

This gap is very important to Burgess Hill as it both re-enforces its identity as a market town while contributing to the semi rural lifestyle which residents consistently say they value highly.

In short **there is absolutely no basis** in planning policy for development of these fields and ergo the local/strategic gap. **Mid Sussex knows it has other more suitable sites which are both available, sustainable and deliverable which would provide an equivalent or higher number of housing numbers without the need to destroy this important local/strategic gap, its ecosystem and the wildlife that inhabits it.**

#### **DP12: Protection and Enhancement of Countryside states**

*The countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, **defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:***

- **it is necessary for the purposes of agriculture; or***
- **it is supported by a specific policy reference, either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.***

**All of this site lies beyond the built up boundary of Burgess Hill and is outside of the area covered by the Burgess Hill Neighbourhood Plan, neither is it covered by the Hassocks Neighbourhood Plan so none of the above bullet points apply and it should be removed from the DPD forthwith.**

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<sup>6</sup> Site Allocation Development Plan Document Site Selection Paper 3: Housing Sites Methodology para 3.3

## **SA12 and Planning Policies**

Unlike SA13 this site does not directly abut the settlement boundary between Burgess Hill and another settlement **however it does directly abut the boundary with East Sussex and Lewes District and it will be visible from the South Downs National Park therefore it has to be considered against policy DP18 which states:**

*"Development within land that contributes to the setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, **and in particular should not adversely affect transitional open green spaces between the site and the boundary of the South Downs National Park, and the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.**"*

Site SA12 has already been the subject of a planning application by Jones Homes, **DM/19/0276**, which was withdrawn for reasons unknown to the public.

However, the response by the SDNP authority to this application was scathing and I quote:

*"The further expansion of residential development in this locality on open rural land outside the settlement boundary together with its associated infrastructure, would significantly reduce the landscape buffer up to the boundary of the National Park. In turn, such development is likely to detrimentally exacerbate the further urbanisation of this predominantly rural location, which is likely to be harmful to the special qualities and landscape character of the setting of the South Downs National Park. It is further considered that even with the combination of existing trees and planting, together with the proposed new landscaping would not mitigate for the loss and erosion of this valuable landscape buffer as an essential and effective soft-scape transition from the urban form to open rural countryside, in particular the South Downs National Park. **Therefore, the proposed development would result in substantial urban built form impact, extending out from the built up area of Burgess Hill, on a valuable and essential open green countryside location, in an incongruous and unnatural way, on the fringe of the wider countryside setting, harmful to the setting of the South Downs National Park.**"*<sup>7</sup>

SA12 also fails to meet the criteria already mentioned above allowing building in the countryside under policy DP12. In addition this site is bounded by a public right of way footpath ((PROW), so it has to be considered against policy **DP22** in which PROWs are described thus *"Public Rights of Way are identified as a **primary environmental constraint** to development in the Capacity of Mid Sussex District to Accommodate Development Study (2014, paragraph 6.9) due to both high environmental importance and the strong policy safeguards that apply to them."*

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<sup>7</sup> Letter to MSDC from TIM SLANEY Director of Planning South Downs National Park Authority on 5th August 2019 ref SDNP/19/03508/ADJAUT

DP22s strategic objective is and I quote

*"To create and maintain easily accessible green infrastructure, **green corridors and spaces around and within the towns and villages to act as wildlife corridors**, sustainable transport links and leisure and recreational routes;"*

Given 73 homes are currently being built directly to the West of SA12 it is difficult to see how this PROW can continue to act as a wildlife corridor if SA12 is also allowed for a development of a further 43 homes!

### **Legal Requirements**

**It is a legal requirement that in all its planning decisions MSDC is compliant with its own development plan (District Plan) unless material considerations allow otherwise.**

This was confirmed by a 2017 judgment in the Supreme Court <sup>8</sup> where Judges Lord Neuberger, Lord Clarke, Lord Carnwath, Lord Hodge and Lord Gill stated

*"Planning law requires that applications for planning permission **must be determined in accordance with the [local] development plan**, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions".*

*"NPPF is divided into three main parts: "Achieving sustainable development" (paragraphs 6 to 149), "Plan-making" (paragraphs 150 to 185) and "Decision taking" (paragraphs 186 to 207). Paragraph 7 refers to the "three dimensions to sustainable development: economic, social and environmental". Paragraph 11 begins a group of paragraphs under the heading "the presumption in favour of sustainable development". Paragraph 12 makes clear that **the NPPF "does not change the statutory status of the development plan as the starting point for decision making"**.*

**Therefore, as the official development plan for Mid Sussex, it is the policies within the District Plan that all planning decisions need to comply with and it is very clear that sites SA12 & SA13 conflict with a number of these policies, specifically policies DP6, DP7, DP12, DP13, DP15, DP18, DP22, DP26, DP29, DP37, DP38 & DP41.**

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<sup>8</sup> Suffolk Coastal District Council v Hopkins Homes Ltd and SSCLG, Richborough Estates Partnership LLP and SSCLG v Cheshire East Borough Council [2017] UKSC 37



## **Infrastructure Issues**

There are severe transport restrictions to site SA13; this was recognised in the ATKINS study commissioned by MSDC in 2005 which stated very clearly that if this site and others such as SA12 on the Eastern side of Burgess Hill were to be developed then it was *"dependent on the implementation of an Eastern spine road/bypass which will result in significant infrastructure costs"*.

The reason for this was the increasingly pressing need for traffic to avoid the choke point of the railway crossing in Burgess Hill town centre which today already causes significant traffic jams during the peak periods along the Keymer Road, Folders Lane and through Station Road to Jane Murray Way.

Since that study was published planning permission for well over 1000 homes on the South Eastern side of Burgess Hill has been approved and building started on three large sites (Keymer Tile Works, Kingsway and Jones Homes Phase 1) not to mention the multitude of other smaller already completed developments in gardens along Folders Lane and the Keymer Road **yet no improvements whatsoever have been implemented to the local road network and the effects of these three large sites has still to be felt on the road network.**

This is not a new situation, MSDC themselves recognised this fact in the Mid Sussex Local Plan in 2004 when they said: Quote

*"While access on the west side of the town has benefited from the new development, east-west movements across the town are hampered by the railway and the limited number of crossing points. A number of roads in the area lying to the east of the railway have restricted capacity and suffer from serious congestion at peak periods. There are no simple solutions to these problems and efforts will be made to encourage the increased use of local bus services".*

*Mid Sussex Local Plan Para 11.14 May 2004*

**Therefore, it is totally reckless for MSDC to now include sites SA12 & SA13 into any development plan unless a relief road or an alternative solution has been identified and agreed on as a pre-requisite PRIOR to planning approval being considered.**

Recently the MSDC Assistant Chief Executive stated that Atkins is out of date but could not elucidate why. Instead MSDC is now relying on a French company called SYSTRA to underpin and update Mid Sussex's own Transport Study by carrying out desktop studies based only on eight different scenario's with scenario 8 being the one most relevant to sites SA12 & SA 13.

**Whereas Atkins used real time traffic data to inform their decision there is no evidence of this with SYSTRAs findings. Instead they base their conclusions on a number of assumptions and it is notable that whereas Atkins specifically identified the B2112 & B2113 junctions i.e. the roundabouts at the junction of Folders Lane with the Keymer Road and at the Keymer Road with Station Road in the town centre as being major problems, SYSTRA and the latest MSDC Transport Study does not.**

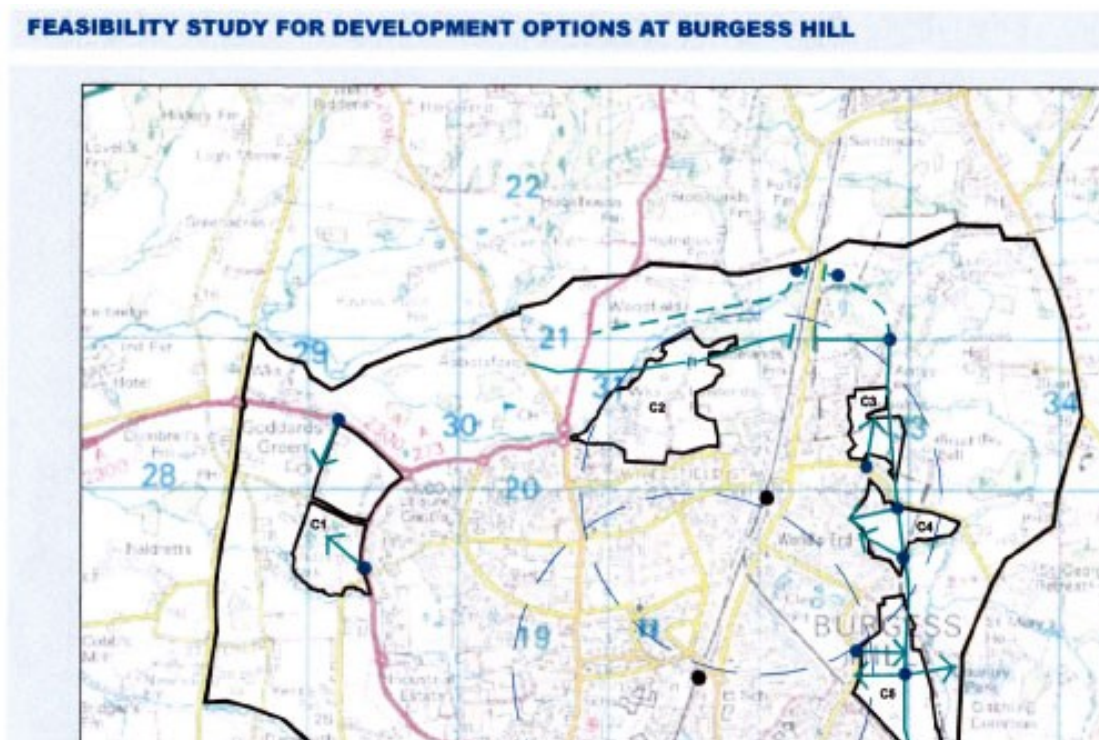
The junction with Station Road is mentioned in SYSTRA's findings as junction S6 and they recognise it will be severely impacted if SA12 & SA13 go ahead but unlike the other junctions that they forecast will be severely impacted they have NO mitigation proposals whatsoever as to how to reduce the impact this will have on the community.

Instead they focus on the congestion at the A23 & A2300 link road based on 2031 extrapolated traffic figures and the assumption that a Scientific & Technology Park will by then have been developed off the A23 South of Hickstead, an assumption which whilst admirable has no relation to existing real world facts.

In contrast this is what Atkins said in 2005

*"In order to support the development of Option C an eastern spine road will need to be constructed linking to A273 Jane Murray Way and passing through sites C3, C4, C5, C6 and C7. It should be noted that the proposed link road alignment in Figure 6.1 (and Figures 7.1 - 7.2) represents one solution to linking the development sites and other alignments maybe possible. For example the south-eastern section of the Link Road could pass through Site C5 and connect to the existing Kingsway, rather than B2112/B2113 roundabout. However the development of this option would need to consider the impact on the B2113/Kingsway junction and how the link road would be connected to site C7."*

Note Site C7 is site SA13 today and site C6 is site SA12 both shown in the diagram below.



The governments guidance document **Transport Evidence Bases in Plan Making and Decision Taking** which is intended to aid local planning authorities assess and reflect on the strategic transport needs in Local Plan making, states and I quote

*"To assess the availability of the capacity of the road network, the transport assessment should take into account:*

- *recent counts for peak period turning movements at critical strategic junctions, for example, in certain instances where there is known to be a significant level of heavy goods vehicles traffic, a classified count (identifying all vehicles separately) should be provided*
- *12 hour/24 hour automatic traffic counts*

*Additional counts that may be required on the strategic parts of the road network could include:*

- *manual turning counts (which should be conducted at 15 minute intervals) to identify all strategically relevant highway network peak periods*
- *queue length surveys at key strategic signal junctions to establish demand and actual traffic flows*
- *journey time surveys*
- *freight counts*
- *abnormal load counts*
- *pedestrian and cyclists counts*

*Capacity assessments for roads, rail and bus should also be obtained."*

Today long queues are already a fact of life at both the junctions mentioned by Atkins during peak periods and anyone who has resided in the area for at least 10 years will attest to the fact that the traffic levels are increasing sharply year on year.

**The most recent empirical documented trip measures on the Keymer Road were taken in November 2016 by the developer for the refused planning application DM/16/3959 at a point south of the Folders Lane (B2113) junction with the Keymer Road. This data showed there were 46,138 vehicle trips over a 7 day period (including a weekend) along the Keymer Road, virtually all of which would have had to use the roundabout with Folders Lane.**

**That was four years ago, since when the road network has remained totally unchanged. For MSDC to now propose another 343 homes be built in this immediate vicinity, with access onto both the Keymer Road and Folders Lane, without ANY mitigation measures whatsoever only demonstrates the complete disregard MSDC has for this situation.**

## **Impact on Local Residents**

There is absolutely no doubt that developing sites SA12 & SA 13 will cause significant harm to the local area contrary to **NPPF paragraphs 14 & 49**.

## **Sustainability**

**The over riding requirement in the NPPF and the District Plan is that developments must be sustainable**, one strand of which is the environment and the need to reduce dependency on the car by siting developments in proximity to high quality transport facilities within reasonable walking distances, thus encouraging residents to use public transport, cycle or walk.

Site SA12 is on the very Eastern fringe of the Burgess Hill area, some 2km from Burgess Hill town centre with a 30 minute walk to Burgess Hill train station and a very limited bus service of just one bus per hour during the day, none at night, on Sundays and in two cases on a Saturday either. **It is self evident that the vast majority of future residents will have no choice but to use their cars on a daily basis.**

The Transport Statement for the withdrawn application for 43 properties (DM/19/0276) on this same site stated that would generate **a minimum of 353 vehicle trips over a 12 hour period (0700 -1900) per day**. This is in addition to the 625 vehicle trips over the same period per day that was forecasted in the application for the 73 homes nearing completion on the adjoining site. **Conservatively this equates to an additional 978 vehicle trips over the period 0700 -1900 per day from this location.**

**It is notable that the above application was eventually withdrawn, deemed invalid, by MSDC Planning due to the fact no transport assessment was submitted by the applicant.**

Site SA13 whilst further West and thus closer to the Keymer Road is even worse. This site is very large some 15.3 hectares so it is highly unlikely that residents will walk the distance to the proposed exits at Broadlands on the Keymer Road and on Folders Lane **and then** face a 20 minute walk into town to catch trains or buses, **no they will rely heavily on their cars as we all have to do in this area.**

**If we extrapolate the estimated traffic figures for the 43 homes on site SA12 to the 300 homes planned for Site SA13 then SA13 would produce 2,463 vehicle trips over the period 0700 -1900 per day.**

**In total these two sites would generate an additional 2,800 vehicle trips per day between 0700 - 1900 at the choke points of the B2112 & B2113 junctions, junctions already identified 15 years ago by ATKINS as being major obstacles to development in this area.**

**Once again the question has to be asked why does MSDC now believe sites SA12 and SA13 are sustainable locations?**



## **Environmental Impacts : Ecology & Wildlife**

Global warming, the environment and climate change is now right at the top of the political and societal agenda. Numerous initiatives continue to be put in place all over the world to offset carbon build up by planting trees and yet here is Mid Sussex District Council choosing to allow development on two sites which will result in the loss of THOUSANDS of trees.

These sites act as valuable breathing spaces for Burgess Hill and the surrounding villages and whilst not easily accessible to the public it is this very fact that has left them in an almost unique position.

For the past 27 years we have lived alongside site SA13 and have seen first hand how when left to its own devices how nature has taken hold so the site now contains literally tens if not hundreds of thousands of trees and shrubs, with many valuable species such as Hornbeam, Willow and Oak amongst them.

These fields haven't been farmed in well over a century, if at all, which is very rare these days and the absence of modern farming has left a unique habitat which is home to a multitude of birds and mammals from Barn Owls to Weasels. It is also home to some highly protected species such as Bats, Dormice and Great Crested Newts, not to mention the countless insects, moths and butterflies, some of which are scarce.

The recent photos below show just a very small area of site SA13 but this is typical for the whole 15.3 hectares so to lose such an environment in today's world when green space close to urban settlements is at a premium would be almost criminal and a huge mistake for Burgess Hill and Mid Sussex.



















This was recognised in 2013 & 2017 when planning applications **12/03230 & DM/16/3959** to build houses in gardens directly bordering this site were refused and dismissed on appeal by the Govt Inspector. **One of the grounds for refusal was that ponds on the site were home to an important breeding colony of Great Crested Newts (GCNs) which as a European protected species and the rarest of the Newts found in the UK is afforded protection under the UK Biodiversity Plan (BAP).**

It was found that whilst the GCNs use the ponds for breeding the surrounding lawns are closely mown so they use the fields in SA13 to forage and it was also found that one of the ponds within the fields also had a small colony of GCNs so interbreeding could also be going on.

In July 1996 a study was carried out of one of the smaller fields (0.15hectare) which make up site SA13 by John Newton, BSc Zoology (Hons) FRES as part of a Phase 1 Habitat Survey of Burgess Hill by BHTC<sup>9</sup>. In this report he noted the field was quote *"unimproved grassland rich in native trees and shrubs, probably prone to wetness particularly towards the North East end"*. He also noted *"there is no easy access from nearby roads, almost certainly standing water in places in wet winters. Water table is probably fairly close to the surface throughout the year. THIS AREA MERITS FURTHER STUDY."*

His recommendation was *"this field requires a full survey by a team of trained botanists. It merits some degree of protection from development."*

### **South Downs National Park (SDNP) & Dark Skies**

In May 2016 the SDNP became an International Dark Sky Reserve (IDSR).

The Northern boundary of the SDNP borders the properties in Wellhouse Lane and as there is no street lighting along the lane the whole area is exceptionally dark at night. Introducing an intensive housing estate on SA13 with all the associated street lighting will destroy this forever and may effect the SDNP rating as an IDSR.

### **Drainage & Sewage**

Both SA12 & SA13 are classified as Low Weald with heavy clay soils which during heavy or persistent rainfall become heavily waterlogged and as both sites drop steeply from North to South the inevitable run off from a development could have serious impacts for the surrounding area. This issue was clearly recognised by the applicant for the aborted planning application **DM/19/0276** on site SA12 as they proposed to include swales, attenuation ponds, pumping station and an underground tank in a bid to avoid the risk of flooding.

The photograph below shows the typical surface flooding which occurs each year from late Autumn onwards across site SA13.

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<sup>9</sup> Folders Lane Survey Document: Survey of field about 200m south of Folders Lane 3rd August 2009  
John Newton, BSc Zoology (Hons) FRES





View of site SA13 looking East circa 2012

SA13 has a long history of severe water logging. For a few years in the 2000s a couple tried to run a small holding on the land but in the end had to admit defeat and gave up because it was just too wet for their livestock. The photograph below illustrates this point.





In Wellhouse Lane during periods of heavy rain we suffer flooding over the lane from ground water running off the fields to the South into a watercourse which flows Northwards under the lane carrying the water onto site SA13. Due to the poor heavy clay soil once it reaches site SA13 it cannot drain quickly enough so the watercourse quickly backs up flooding the lane. The photographs below illustrates just how bad this can be.





Mr Scott Wakely the MSDC Drainage Engineer has seen these photographs and acknowledged there is a serious issue with drainage in this area, therefore to concrete over a site as large as SA13 with a development of 300 homes will have very serious consequences for the surrounding area.

Sewage is another serious issue, there is no mains sewerage South of Burgess Hill beyond Greenlands Drive until you reach the outskirts of Hassocks. All properties in between rely on septic tanks, cess pits or stand alone sewage treatment plants. Southern Water have confirmed the existing treatment plant at Goddard's Green has insufficient capacity to handle anymore large developments so this issue cannot be ignored.

### **Questions Around Due Process When Selecting Sites SA12 & SA13**

MSDC and its councillor representatives have a clear responsibility to put forward the most appropriate sites for development. This democratic process should include proposed sites being scrutinised by a suitable delegation or committee, formed from an appropriate geographical spread in terms of constituency representation.

Since the SPD was decided and published it has come to light that the decision to include sites SA12 & SA13 did NOT follow due process. When MSDC established a committee to discuss and decide on which sites should be included in the SPD it contained eight councillors, four of whom represented wards in the South of the district, who were knowledgeable about issues in the area.

However, at the May 2019 elections three of these four councillors lost their seats and they were never replaced. This left just one councillor from Hassocks to represent the interests of Burgess Hill, Hassocks & Keymer. Despite this, a meeting of the committee was called at short notice in August 2019 when the final decision on which sites would be included in the SPD was decided. It is claimed that up to this point sites SA12 & SA 13 were NOT part of the SPD and instead a site on the Haywards Heath Golf Club for 500 homes was.

Unfortunately the councillor from Hassocks was on holiday when this meeting was called so could not attend and another councillor failed to attend on the day leaving just three councillors from Haywards Heath, East Grinstead and the High Weald as attendees. At this point the meeting should have been cancelled as the committee no longer complied with its terms of reference however it went ahead and it is reported that it was at this meeting that the decision was taken to remove the Haywards Heath GC site and replace it with sites SA12 & 13. The background to this decision has been requested under a FOI request but to date MSDC has not provided any information so until this question is answered then the whole process of selection and whether it was fair and proper is in doubt.

**In conclusion we believe the SPD clearly fails to comply with MSDCs own methodology on the selection of sites and deliverability and in key areas ignores the policies in the NPPF & District Plan and therefore it is UNSOUND.**

**Sites SA12 & SA13 are not sustainable in any sense of the criteria within the NPPF and District Plan and if allowed for development will inevitably result in significant harm to the local area in contravention of the NPPF and the District Plan Policies DP6, DP7, DP12, DP13, DP15, DP18, DP22, DP26, DP29, DP37, DP38 & DP41.**

**For all of the reasons above and others not touched on such as limited access to GP services, Schools etc they should be removed from the Site DPD and replaced with more suitable and deliverable sites which MSDC already know exist within the district.**

Yours Sincerely

Peter Egan

cc: Mr & Mrs M Wright, [REDACTED]  
Mr & Mrs T Loughton [REDACTED]  
Mr & Mrs R Boardman, [REDACTED]  
Mr & Mrs D Gillett, [REDACTED]  
Mr & Mrs H Powell, [REDACTED]  
Mr & Mrs R Corbett, [REDACTED]  
Mr & Mrs J Mathews, [REDACTED]  
Ms T Reilly, [REDACTED]  
Mr & Mrs S Willis, [REDACTED]

2400

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA11

**ID:** 2400

**Response Ref:** Reg19/2400/1

**Respondent:** Ms L Lane

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Lorraine Lane
<b>Address</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Which document are you commenting on?</b>	Site Allocations DPD
<b>Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate</b>	Yes
<b>(1) Positively prepared</b>	Sound
<b>(2) Justified</b>	Sound
<b>(3) Effective</b>	Sound
<b>(4) Consistent with national policy</b>	Sound
<b>Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD</b>	<p>Dear Sirs/Madams</p> <p>Thank you for the opportunity to comment on the Site Allocations West of Crawley Down.</p> <p>The Site of greatest immediate concern to the local community is Huntsland Farm (Area 688), 60 acres (25ha) of valuable agricultural land and woodland destined for 300 houses and associated facilities which are not desirable or sustainable for the following reasons:</p> <ol style="list-style-type: none"> <li>1.The size is out of proportion to the village of Crawley Down.</li> <li>2.The land is vital for farming, as Brexit will reduce food imports from the EU and increase unwholesome and expensive imports from remote sources such as the USA.</li> <li>3.The Covid19 crisis is being met with billions of pounds of extraordinary public expenditure on furlough schemes, hospitals, ppe, vaccines etc. which are emptying Treasury coffers that will take years to re-fill because many tax-payers and firms no longer work, obliging the UK to become more self-sufficient, grow our own food and export farm produce.</li> <li>4.Covid has decimated Gatwick as a local employer reducing the need for extra homes.</li> <li>5.The fields and woods are precious attributes of the SE Region\'s environment.</li> <li>6.Rural urbanization threatens long-established residences, environs, privacy, security, and enjoyment, especially from the County Council\'s Worth Way.</li> <li>7.The proposal conflicts with the Planning Objective of maintaining a rural break between urban areas of East Grinstead and Crawley-Gatwick.</li> <li>8.The site is a steep slope which will cause flooding when covered with impermeable surfaces.</li> <li>9.There is no mains drainage below the site. The small stream leading to the lakes at Rowfant House will be flooded. Heavy rain already overwhelms the sewerage plants up Wallage Lane (South) causing pollution and unpleasant odour.</li> <li>10.The proposed development straddles a Public Right of Way which is illegally interrupted by padlocked gates.</li> <li>11.Access is planned through a fine existing home on Turners Hill Road.</li> </ol>
<b>If you wish to provide further documentation to support your response, you can upload it here</b>	



**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 Site Allocations DPD is adopted** yes

**Date** 28/09/2020

2404

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA11

**ID:** 2404

**Response Ref:** Reg19/2404/1

**Respondent:** Mr C Lane

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Christopher Lane
<b>Address</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Which document are you commenting on?</b>	Site Allocations DPD
<b>Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate</b>	Yes
<b>(1) Positively prepared</b>	Unsound
<b>(2) Justified</b>	Sound
<b>(3) Effective</b>	Sound
<b>(4) Consistent with national policy</b>	Sound
<b>Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD</b>	<p>Dear Sirs/Madams</p> <p>Thank you for the opportunity to comment on the Site Allocations West of Crawley Down.</p> <p>The Site of greatest immediate concern to the local community is Huntsland Farm (Area 688), 60 acres (25ha) of valuable agricultural land and woodland destined for 300 houses and associated facilities which are not desirable or sustainable for the following reasons:</p> <ol style="list-style-type: none"> <li>1.The size is out of proportion to the village of Crawley Down.</li> <li>2.The land is vital for farming, as Brexit will reduce food imports from the EU and increase unwholesome and expensive imports from remote sources such as the USA.</li> <li>3.The Covid19 crisis is being met with billions of pounds of extraordinary public expenditure on furlough schemes, hospitals, ppe, vaccines etc. which are emptying Treasury coffers that will take years to re-fill because many tax-payers and firms no longer work, obliging the UK to become more self-sufficient, grow our own food and export farm produce.</li> <li>4.Covid has decimated Gatwick as a local employer reducing the need for extra homes.</li> <li>5.The fields and woods are precious attributes of the SE Region\'s environment.</li> <li>6.Rural urbanization threatens long-established residences, environs, privacy, security, and enjoyment, especially from the County Council\'s Worth Way.</li> <li>7.The proposal conflicts with the Planning Objective of maintaining a rural break between urban areas of East Grinstead and Crawley-Gatwick.</li> <li>8.The site is a steep slope which will cause flooding when covered with impermeable surfaces.</li> <li>9.There is no mains drainage below the site. The small stream leading to the lakes at Rowfant House will be flooded. Heavy rain already overwhelms the sewerage plants up Wallage Lane (South) causing pollution and unpleasant odour.</li> <li>10.The proposed development straddles a Public Right of Way which is illegally interrupted by padlocked gates.</li> <li>11.Access is planned through a fine existing home on Turners Hill Road.</li> </ol>
<b>If you wish to provide further documentation to support your response, you can upload it here</b>	

**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 Site Allocations DPD is adopted**

yes

**Date**

28/09/2020



2445

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA11

**ID:** 2445

**Response Ref:** Reg19/2445/1

**Respondent:** Mr H Colville

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Hugh Colville
<b>Address</b>	[REDACTED]
<b>Phone</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Which document are you commenting on?</b>	Site Allocations DPD
<b>Sites DPD Policy Number (e.g. SA1 - SA38)</b>	688 (Huntsland Farm)
<b>Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate</b>	No
<b>(1) Positively prepared</b>	Unsound
<b>(2) Justified</b>	Unsound
<b>(3) Effective</b>	Unsound
<b>(4) Consistent with national policy</b>	Unsound

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

1. NOT Positively prepared in terms of meeting the housing and employment needs of the region:
  - The size and proposed rural location is completely out of proportion to the village of Crawley Down. Taking away 60 acres (25ha) of valuable agricultural land and woodland destined for 300 houses and associated facilities is not desirable or sustainable;
  - Covid has decimated Gatwick as a local employer reducing the need for extra homes; and
  - I do not believe that all other sites which would have a less dramatic impact on the countryside have been considered.
2. NOT Justified – when considered against the reasonable alternatives:
  - The proposal conflicts with the Planning Objective of maintaining a rural break between urban areas of East Grinstead and Crawley-Gatwick; and
  - The land is actively farmed and the produce sold locally in its Farm Shop.
3. NOT Effective from drainage and highways perspectives:
  - The site is a steep slope which will cause flooding when covered with impermeable surfaces. It will require an unacceptable amount of attenuation to be used;
  - There is no mains drainage below the site. The small stream leading to the lakes at Rowfant House will be flooded. These are obviously in separate ownership; and
  - The private lane off Wallage Lane by the old railway bridge, which gives access to our house (and 6 others) will be particularly affected by this development. It sits at the bottom of the field below the development and all this water will flood down towards this lane and our neighbours. We already have regular problems with floods. Heavy rain already regularly overwhelms the sewerage plants up Wallage Lane (South) causing pollution and unpleasant odour.
4. NOT Consistent with national policy:
  - The fields and woods are precious attributes of the SE Region's environment. Green fields should be developed last, after all brown field sites and ex-commercial property conversions;
  - Rural urbanization threatens long-established residences, environs, privacy, security, and enjoyment, especially from the County Council's Worth Way; and
  - The proposal conflicts with the Planning Objective of maintaining a rural break between urban areas of East Grinstead and Crawley-Gatwick.

**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.**

I am not a planning lawyer or consultant, so feel unable to advise on legal compliance.

However, I think it extremely unlikely that a high density development on site 688 could ever be regarded as 'sound' for all the reasons mentioned above, but also because this land provides a haven for wildlife in what is becoming a seriously over developed part of Mid Sussex.

The natural world requires wildlife corridors, and there is no doubt this land provides just that.

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

<b>If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination</b>	No, I do not wish to participate at the oral examination
<b>Please notify me when-The Plan has been submitted for Examination</b>	yes
<b>Please notify me when-The publication of the recommendations from the Examination</b>	yes
<b>Please notify me when-The Site Allocations DPD is adopted</b>	yes
<b>Date</b>	28/09/2020