

## SA22: Land north of Burleigh Lane - Index by ID Number

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
112	Mrs C Williams			Resident	<input type="checkbox"/>
622	Ms T Hurley	Savills	Thames Water	Statutory Consultee	<input type="checkbox"/>
625	Mrs J Nagy	Worth Parish Council		Town & Parish Council	<input checked="" type="checkbox"/>
685	Mr C Noel	Strutt and Parker	Welbeck at Crawley Down	Developer	<input checked="" type="checkbox"/>
710	Mr N Burns	Natural England		Statutory Consultee	<input type="checkbox"/>
764	Mr P Rainier	DMH Stallard	Reside Hurst Farm CD	Developer	<input checked="" type="checkbox"/>
765	Dr I Gibson			District Councillor	<input checked="" type="checkbox"/>
1107	Mr & Mrs I Shaughnessy			Resident	<input type="checkbox"/>
1374	Mrs T Nelson			Resident	<input type="checkbox"/>
1378	Mrs E Grub			Resident	<input type="checkbox"/>
1442	Ms M Baldwin			Resident	<input type="checkbox"/>
1487	Mr A Fennell			Resident	<input type="checkbox"/>
1488	Mr T Johnston			Resident	<input type="checkbox"/>
1577	Mr and Mrs A+K Corsie			Resident	<input type="checkbox"/>
1673	Ms S Kipps			Resident	<input type="checkbox"/>
1773	MS N Saunders			Resident	<input type="checkbox"/>
1775	Ms K Hatton			Resident	<input type="checkbox"/>
1783	Mr D Berkshire			Resident	<input type="checkbox"/>
1797	Mr C Sherry			Resident	<input type="checkbox"/>
1808	Mr M Mitchell			Resident	<input type="checkbox"/>
1809	Mrs V Mitchell			Resident	<input type="checkbox"/>
1822	Mrs & Mr H & D Bull			Resident	<input type="checkbox"/>
1854	Mr M Hatton			Resident	<input type="checkbox"/>
1877	Mr A Jordan			Resident	<input type="checkbox"/>
1895	Ms J Gray			Resident	<input type="checkbox"/>
1930	Ms A Rijndorp			Resident	<input type="checkbox"/>
1935	Mr & Mrs P & S Barwell			Resident	<input type="checkbox"/>
1968	Ms N Harris			Resident	<input type="checkbox"/>
2056	Mr A Brooks			Resident	<input type="checkbox"/>
2065	Mr A Black	Andrew Black consulting	Denton - Horsham Road	Promoter	<input type="checkbox"/>
2067	Mr A Black	Andrew Black consulting	Denton Homes - Butlers green	Promoter	<input type="checkbox"/>
2093	Mr D Hunter			Resident	<input type="checkbox"/>
2095	Mrs S Hunter			Resident	<input type="checkbox"/>
2115	Mrs L O'Malley			Resident	<input type="checkbox"/>
2152	Mr M Francis	Burleigh Woods Residents Management Company Ltd		Organisation	<input checked="" type="checkbox"/>

ID	Respondent	Organisation	BehalfOf	Respondent Category	Participate
2159	Mr J Runc			Resident	<input type="checkbox"/>
2165	Mrs & Mr J & J Hayler			Resident	<input type="checkbox"/>
2280	Mrs E Russell			Resident	<input type="checkbox"/>
2281	Mrs J Groom			Resident	<input type="checkbox"/>
2406	Mrs B Queenan			Resident	<input type="checkbox"/>
2469	Ms C Runc			Resident	<input type="checkbox"/>



## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 112

**Response Ref:** Reg19/112/1

**Respondent:** Mrs C Williams

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Carole Williams
<b>Organisation</b>	Mrs
<b>Address</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>	SA22
<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>	Unsound
<b>(3) Effective</b>	Unsound
<b>(4) Consistent with national policy</b>	Unsound
<b>Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD</b>	<p>Crawley Down is already overdeveloped and has achieved its quota of new housing in accordance with this plan.. The school and Health Centre are oversubscribed in relation to the staff employed and available space. The sewers are unable to cope now, without the addition of these 50 houses plus the 60 in the process of being built to the east of the newly built residential estate of 97 houses adjoining this site.</p> <p>I understand that the local Neighbourhood Plan do not consider this application necessary and have advised the Parish Council not to accept its allocation in the District Plan.</p> <p>There is no access to this site. Residents adjoining the site have been approached to sell their homes to the developers and all have refused to do so. Access would involve demolition of two houses and I do not consider a residential cul-de-sac appropriate for such an access road.</p> <p>I have no technical knowledge and apologise if I have ticked the wrong boxes, but feel that as my previous letter, and those of my neighbours and other residents have been ignored, this is our last chance to stop this development.</p>
<b>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.</b>	<p>I know nothing of legal compliance, as explained above. But I do believe that consideration should be taken of the views of the people who live in this village; who have bought homes with the expectation of their children being able to attend the village school and whose elected representatives are being ignored.</p> <p>New homes already built seem to be taking a long time to be sold and to my mind there is no point in building more, especially on fields where wildlife thrives and adjacent to long established badger setts.</p>
<b>If you wish to provide further documentation to support your response, you can upload it here</b>	
<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>	07/08/2020

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 622

**Response Ref:** Reg19/622/2

**Respondent:** Ms T Hurley

**Organisation:** Savills

**On Behalf Of:** Thames Water

**Category:** Statutory Consultee

**Appear at Examination?** x

**From:** Natasha Hurley <tasha.hurley@savills.com> on behalf of Thames Water Planning Policy <ThamesWaterPlanningPolicy@savills.com>  
**Sent:** 22 September 2020 08:52  
**To:** ldfconsultation  
**Cc:** Devcon Team; David Wilson; Nicky.Mchugh@thameswater.co.uk; Mark Dickinson; 'John Georgoulas'  
**Subject:** Mid Sussex District Council – Site Allocations DPD (Regulation 19) Consultation - RESPONSE ON BEHALF OF THAMES WATER UTILITIES LTD  
**Attachments:** Mid Sussex sites table sep 2020.xls; 20.09.22 L DW Mid Sussex Site Allocations DPD.PDF  
**Categories:** SiteDPD

Dear Sir/ Madam

Please find our response to the above attached on behalf of Thames Water.

Regards,  
Tasha

**Tasha Hurley**  
**Planning Administrator**  
**Planning**

Savills, Ground Floor, Hawker House , 5-6 Napier Court , Napier Road , Reading RG1 8BW



Tel : +44 (0) 1189 520 509  
Email : [tasha.hurley@savills.com](mailto:tasha.hurley@savills.com)  
Website : <http://www.savills.co.uk>



Before printing, think about the environment



NOTICE: This email is intended for the named recipient only. It may contain privileged and confidential information. If you are not the intended recipient, notify the sender immediately and destroy this email. You must not copy, distribute or take action in reliance upon it. Whilst all efforts are made to safeguard emails, the Savills Group cannot guarantee that attachments are virus free or compatible with your systems and does not accept liability in respect of viruses or computer problems experienced. The Savills Group reserves the right to monitor all email communications through its internal and external networks.

For information on how Savills processes your personal data please see our [privacy policy](#)

Savills plc. Registered in England No 2122174. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills plc is a holding company, subsidiaries of which are authorised and regulated by the Financial Conduct Authority (FCA)

Savills (UK) Limited. A subsidiary of Savills plc. Registered in England No 2605138. Regulated by RICS. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills Advisory Services Limited. A subsidiary of Savills plc. Registered in England No 06215875. Regulated by RICS. Registered office: 33 Margaret Street, London, W1G 0JD.

Savills Commercial Limited. A subsidiary of Savills plc. Registered in England No 2605125. Registered office: 33 Margaret Street, London, W1G 0JD.

Martel Maides Limited (trading as Savills). A subsidiary of Savills plc. Registered in Guernsey No. 18682. Registered office: 1 Le Truchot, St Peter Port, Guernsey GY1 1WD . Registered with the Guernsey Financial Services Commission. No. 57114.

We are registered with the Scottish Letting Agent Register, our registration number is LARN1902057.

Please note any advice contained or attached in this email is informal and given purely as guidance unless otherwise explicitly stated. Our views on price are not intended as a formal valuation and should not be relied upon as such. They are given in the course of our estate agency role. No liability is given to any third party and the figures suggested are in accordance with Professional Standards PS1 and PS2 of the RICS Valuation – Global Standards 2017 incorporating the IVSC International Valuation Standards issued June 2017 and effective from 1 July 2017. Any advice attached is not a formal ("Red Book") valuation, and neither Savills nor the author can accept any responsibility to any third party who may seek to rely upon it, as a whole or any part as such. If formal advice is required this will be explicitly stated along with our understanding of limitations and purpose.

**BEWARE OF CYBER-CRIME:** Our banking details will not change during the course of a transaction. Should you receive a notification which advises a change in our bank account details, it may be fraudulent and you should notify Savills who will advise you accordingly.



By Email to: [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)



David Wilson



[thameswaterplanningpolicy@savills.com](mailto:thameswaterplanningpolicy@savills.com)



0118 9520 500

**22 September 2020**

## **Mid Sussex District Council – Site Allocations DPD (Regulation 19) Consultation**

Dear Sir/Madam,

Thank you for allowing Thames Water Utilities Ltd (Thames Water) to comment on the above.

As you will be aware, Thames Water Utilities Ltd (Thames Water) are the statutory sewerage undertaker for a small part of the Mid Sussex District (around Crawley) and are hence a “specific consultation body” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the consultation document:

### **General Comments on Wastewater and Sewerage Infrastructure**

Thames Water are the waste water service provider for a small part of Mid Sussex District (northern part around Crawley). This mainly encompasses Pease Pottage and Copthorne. Crawley Down and Turners Hill also drain into the Thames Water catchment via Southern Water infrastructure and so their comments will also need to be sought. Thames Water do not supply potable Water to Mid Sussex.

Thames Water seeks to co-operate and maintain a good working relationship with local planning authorities in its area and to provide the support they need with regards to the provision of sewerage/wastewater [and water supply] treatment infrastructure.

Wastewater/sewerage [and water supply] infrastructure is essential to any development. Failure to ensure that any required upgrades to the infrastructure network are delivered alongside development could result in adverse impacts in the form of internal and external sewer flooding and pollution of land and water courses and/or low water pressure.

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 20 of the revised National Planning Policy Framework (NPPF), February 2019, states: “*Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... infrastructure for waste management, water supply, wastewater...*”

Paragraph 28 relates to non-strategic policies and states: *“Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure...”*

Paragraph 26 of the revised NPPF goes on to state: *“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary....”*

The web based National Planning Practice Guidance (NPPG) includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that *“Adequate water and wastewater infrastructure is needed to support sustainable development”* (Paragraph: 001, Reference ID: 34-001-20140306).

Paragraph 41 of the NPPF 2019 sets out that: *“The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits....”* The NPPG also provides detailed guidance in relation to ‘Water supply, wastewater and water quality – considerations for planning applications’.

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network. The new Local Plan should therefore seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Thames Water will work with developers and local authorities to ensure that any necessary infrastructure reinforcement is delivered ahead of the occupation of development. Where there are infrastructure constraints, it is important not to underestimate the time required to deliver necessary infrastructure. For example: local network upgrades take around 18 months and Sewage Treatment & Water Treatment Works upgrades can take 3-5 years.

The provision of water treatment (both wastewater treatment and water supply) is met by Thames Water’s asset plans and from the 1st April 2018 network improvements will be from infrastructure charges per new dwelling.

As from 1st April 2018, the way Thames Water and all other water and wastewater companies charge for new connections has changed. The changes mean that more of Thames Water’s charges will be fixed and published, rather than provided on application, enabling you to estimate your costs without needing to contact us. The services affected include new water connections, lateral drain connections, water mains and sewers (requisitions), traffic management costs, income offsetting and infrastructure charges.

Thames Water therefore recommends that developers engage with them at the earliest opportunity (in line with paragraph 26 of the revised NPPF) to establish the following:

- The developments demand for Sewage/Wastewater Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met.



Thames Water offer a free Pre-Planning service which confirms if capacity exists to serve the development or if upgrades are required for potable water, waste water and surface water requirements. Details on Thames Water's free pre planning service are available at:

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

In light of the above comments and Government guidance we consider that the DPD/Local Plan should include a specific policy on the key issue of the provision of sewerage/wastewater [and water supply] infrastructure to service development. This is necessary because it will not be possible to identify all of the water/sewerage infrastructure required over the plan period due to the way water companies are regulated and plan in 5 year periods (Asset Management Plans or AMPs). We recommend the Local Plan include the following policy/supporting text:

**PROPOSED NEW WATER SUPPLY/WASTEWATER INFRASTRUCTURE POLICY TEXT:**

***“Where appropriate, planning permission for developments which result in the need for off-site upgrades, will be subject to conditions to ensure the occupation is aligned with the delivery of necessary infrastructure upgrades.”***

***“The Local Planning Authority will seek to ensure that there is adequate water and wastewater infrastructure to serve all new developments. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Local Planning Authority will, where appropriate, apply phasing conditions to any approval to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of the relevant phase of development.”***

**Comments on Proposed Development Sites**

The information contained within the DPD will be of significant value to Thames Water as we prepare for the provision of future infrastructure.

The attached table provides Thames Water's site specific comments from desktop assessments on sewerage/waste water network and waste water treatment infrastructure in relation to the proposed sites, but more detailed modelling may be required to refine the requirements.

Early engagement between the developers and Thames Water would be beneficial to understand:

- What drainage requirements are required on and off site
- Clarity on what loading/flow from the development is anticipated

It should be noted that in the event of an upgrade to our sewerage network assets being required, up to three years lead in time is usual to enable for the planning and delivery of the upgrade. As a developer has the automatic right to connect to our sewer network under the Water Industry Act we may also request a drainage planning condition if a network upgrade is required to ensure the infrastructure is in place ahead of occupation of the development. This will avoid adverse environmental impacts such as sewer flooding and / or water pollution.

Waste-water/Sewage Treatment Works upgrades take longer to design and build. Implementing new technologies and the construction of a major treatment works extension or new treatment works could take up to ten years to plan, design, obtain approvals and build.

As set out in our previous response to the Local Plan, Thames Water offers a Free pre planning service where developer can engage Thames water to understand what if any upgrades will be needed to serve the development where and when.

Link here > <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity>

We recommend developers attach the information we provide to their planning applications so that the Council and the wider public are assured water and waste matters for the development are being addressed. Please also refer to detailed comments above in relation to the infrastructure section.

Where developers do not engage with Thames Water prior to submitting their application, this will more likely lead to the recommendation that a Grampian condition is attached to any planning permission to resolve any infrastructure issues.

We trust the above is satisfactory, but please do not hesitate to contact David Wilson on the above number if you have any queries.

Yours faithfully

Thames Water Utilities Ltd

**<http://corporate/dts>**

## All Sites for Development Plan Mid Sussex - DC Planning Policy - Site Allocations DPD

Created Date	Site ID	Site Name	ServiceType	Catchment Planner - Water	Responded? - Water	Catchment Planner - Waste	Responded? - Waste	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water
12/08/2020	63391	SA22 - Land north of Burleigh Lane, Crawley Down	Waste		N/A	Victor Alonso	Yes	0	0	0	0	0	0

**Standard Paragraphs:**

This site falls outside of Thames Water's wastewater supply boundary.

**Internal Comments:**

None

Created Date	Site ID	Site Name	ServiceType	Catchment Planner - Water	Responded? - Water	Catchment Planner - Waste	Responded? - Waste	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water
12/08/2020	63401	SA4: Land North of the A264 at J10 of M23	Waste		N/A	Victor Alonso	Yes	0	0	0	0	0	0

**Standard Paragraphs:**

On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email [Devcon.team@thameswater.co.uk](mailto:Devcon.team@thameswater.co.uk) tel:

## Internal Comments:

None

Created Date	Site ID	Site Name	ServiceType	Catchment Planner - Water	Responded? - Water	Catchment Planner - Waste	Responded? - Waste	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water
12/08/2020	63402	SA7 - Cedars, (Former Crawley Forest School) Brighton Road, Pease Pottage, Crawley,RH11 9AD	Waste		N/A	Victor Alonso	Yes	0	0	0	0	0	0

**Standard Paragraphs:**

On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email [Devcon.team@thameswater.co.uk](mailto:Devcon.team@thameswater.co.uk) tel:

## Internal Comments:

None

Created Date	Site ID	Site Name	ServiceType	Catchment Planner - Water	Responded? - Water	Catchment Planner - Waste	Responded? - Waste	Net Gain to System (l/day)	Net Foul Water Increase to System (l/s)	Net Property Equivalent Increase - Waste	Net Increase in Demand (l/day)	Net Increase in Peak Demand (l/s)	Net Property Equivalent Increase - Water
12/08/2020	63405	SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage	Waste		N/A	Victor Alonso	Yes	0	0	0	0	0	0

### Standard Paragraphs:

On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning, either by email [Devcon.team@thameswater.co.uk](mailto:Devcon.team@thameswater.co.uk) tel:

## Internal Comments:

None

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 625

**Response Ref:** Reg19/625/3

**Respondent:** Mrs J Nagy

**Organisation:** Worth Parish Council

**On Behalf Of:**

**Category:** Town & Parish Council

**Appear at Examination?** ✓



# WORTH PARISH COUNCIL

**Clerk: Mrs Jennifer Nagy**  
**CiLCA; PLCC**

24th September 2020

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

Dear Sirs,

## **Draft Site Allocations DPD (Regulation 19) Consultation**

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

### **Employment**

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

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

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

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

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

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

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

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

### Site Specific Housing

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

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

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

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

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

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

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

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

Therefore, this site should be removed on highways grounds

### Housing Numbers

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

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

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

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

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

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

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

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

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

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

### Windfall Sites

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

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

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

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

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

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

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

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

### Neighbourhood Plans

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

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

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

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

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

### Transport

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

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

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

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

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

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

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

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

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

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

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

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



### Utilities

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

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

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

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

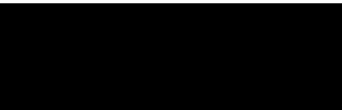
Provision of an adequate water supply must be an inherent part of any Local Plan.

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

### Oral Representation at the Examination

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

Yours faithfully,

A black rectangular box redacting the signature of Jennifer Nagy.

**Jennifer Nagy**  
**Clerk to the Council**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 685

**Response Ref:** Reg19/685/2

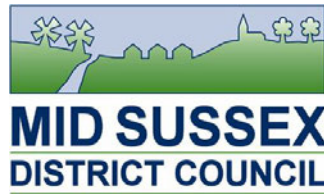
**Respondent:** Mr C Noel

**Organisation:** Strutt and Parker

**On Behalf Of:** Welbeck at Crawley Down

**Category:** Developer

**Appear at Examination?** ✓



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

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

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

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

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

The Site Allocations DPD is available to view at:

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



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

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

## Part B – Your Comments

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

**Name or Organisation:**

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

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

Site  
Allocations  
DPD

☒

Sustainability  
Appraisal

☐

Habitats Regulations  
Assessment

☐

Community  
Involvement  
Plan

☐

Equalities  
Impact  
Assessment

☐

Draft Policies  
Maps

☐

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

Paragraph

Policy SA

<sup>22</sup>

Draft Policies Map

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

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

Yes ☒

No ☐

4b. Sound

Yes ☒

No ☐

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

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

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

Please refer to representation from Strutt & Parker dated 28<sup>th</sup> September 2020

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

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

Please refer to representation from Strutt & Parker dated 28<sup>th</sup> September 2020

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

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

Please refer to representation from Strutt & Parker dated 28<sup>th</sup> September 2020

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

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

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

☐

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

☒

Yes, I wish to participate at the oral examination

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

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

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

10. Please notify me when:

(i) The Plan has been submitted for Examination

☒


(ii) The publication of the recommendations from the Examination

☒

(iii) The Site Allocations DPD is adopted

☒

Signature:



Date:

28/09/2020

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



## **Mid Sussex District Council Site Allocations DPD**

### **Regulation 19 Consultation**

---

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

---



**Our ref: CN 200710**

28<sup>th</sup> September 2020

2020 09 28 strutt\_ 200710\_sadpd reg 19 rep.docx



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

Appendix B – WSCC adopted and unadopted roads

### Introduction

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

### Spatial Strategy for the District

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

**Potential non-deliverability of land north of Burleigh Lane**

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

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

#### **Suitability of land east of The Martins**

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

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

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

### Summary

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

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



## **Mid Sussex District Council Site Allocations DPD**

### **Regulation 18 Consultation**

---

#### **Representations on behalf of Welbeck Land**

---



**Our ref: CN 200710**

19 November 2019

Appendix A – Housing Supply Technical Note, Strutt & Parker



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

### **Issue 1: Deliverability**

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

### **Issue 2: Assessed Housing Options and the Sustainability Appraisal**

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

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

### **Issue 3: Insufficient Site Allocations**

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

### **Issue 4: Windfalls**

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

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

#### **Issue 5: Strategic Sites under-delivery**

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

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

#### Issue 6: Suitability

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

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

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

**7: Summary**

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



# **Mid Sussex District Council Site Allocations Development Plan Document**

**Regulation 18 Consultation Draft**

## **Housing Supply Technical Note**

**Prepared by Strutt & Parker**

**S&P Ref: 210906 / GW/SC**

October 2019

## **Executive Summary**

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



## Windfalls

### Policy Background

5. Paragraph 70 of the NPPF 2019 states:

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

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

### Adopted District Plan

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

### Emerging Site Allocations DPD

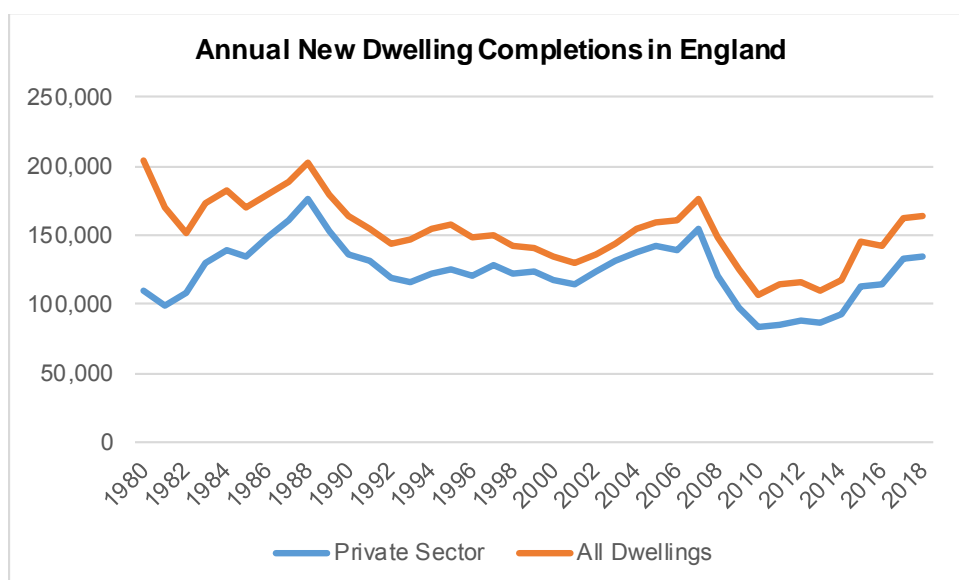
10. The emerging Site Allocations DPD proposes to include an increased windfall allowance of 84dpa, or a total of 588 dwellings over the final 7 years of the plan period (2024-2031). The Council have produced a Windfall Study Update (dated September 2019). This sets out that the figure of 84dpa has been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

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

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

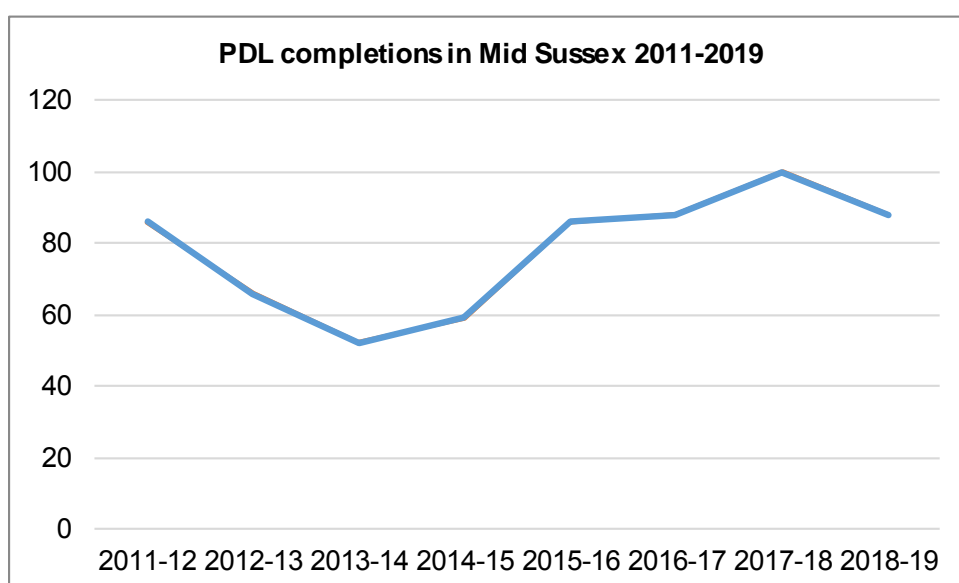
12. It is likely further sites with a capacity of less than 10 units will be allocated in future Neighbourhood Plans and Neighbourhood Plan reviews. There is a clear risk of double counting, and indeed the fact that a number of Neighbourhood Plan allocations are for sites of 5 dwellings or less, there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

**Table 1. – Annual New Dwelling Completions in England<sup>1</sup>**



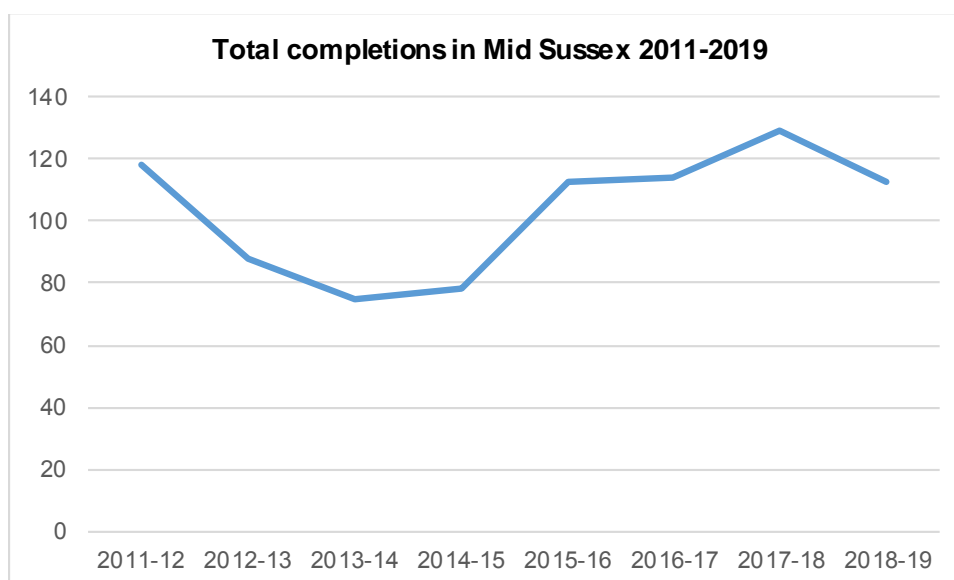
14. Making long term projections on the basis of a small range is statistically flawed, and in this case overinflates the Council's windfall estimate. We recommend a longer period is used in order to capture the full economic cycle and provide a more robust calculation. Using housing land supply data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

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

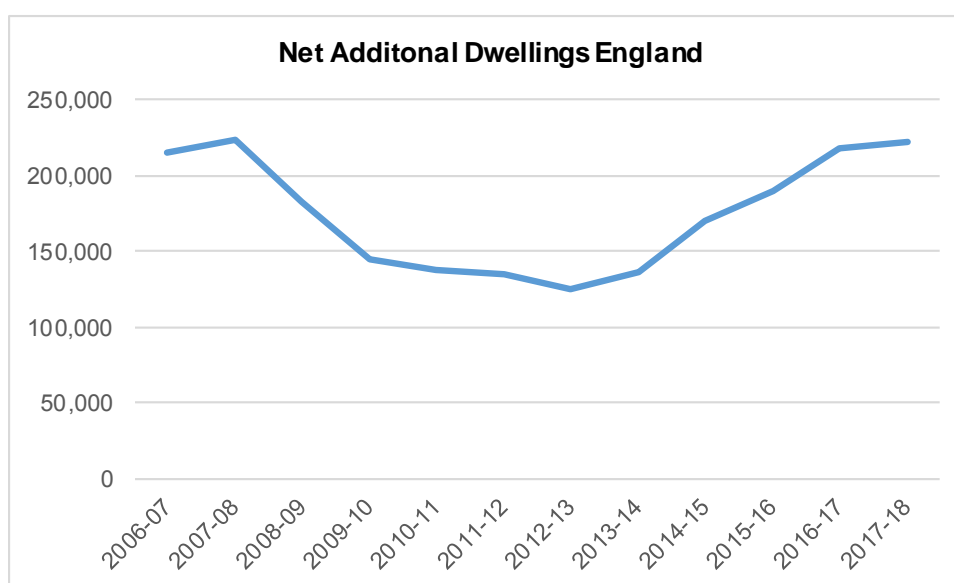


<sup>1</sup> MHCLG Table 244: permanent dwellings started and completed, by tenure, England, historical calendar year series

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



**Table 4. – Net annual completions in England<sup>2</sup>**



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

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

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

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

## **Deliverability of Strategic Allocations**

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

### North of Clayton Mills, Hassocks

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

### Northern Arc, Burgess Hill

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

---

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

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

## **Conclusion**

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





## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 710

**Response Ref:** Reg19/710/6

**Respondent:** Mr N Burns

**Organisation:** Natural England

**On Behalf Of:**

**Category:** Statutory Consultee

**Appear at Examination?** x

Date: 28 September 2020  
Our ref: 324095



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

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

T 0300 060 3900

**BY EMAIL ONLY**

Dear Sir / Madam

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

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

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

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

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

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

**Comments on specific allocations**

**SA 7 - Cedars, Brighton Road, Pease Pottage**

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

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

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

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

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

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

**SA 19 – Land south of Crawley Down Road, Felbridge**

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

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

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

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

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

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

**SA 22 – Land north of Burleigh Lane, Crawley Down**

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

**SA 25 – Land west of Selsfield Road, Ardingly**

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

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

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

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

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

**SA 27 – Land at St. Martin Close, Handcross**

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

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

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

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

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

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

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

### **SA 32 – Withypitts Farm, Selsfield Road, Turners Hill**

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

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

## **Comments on Development Policies**

### **SA38: Air Quality**

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

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

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

## **General comments**

### **Biodiversity net gain**

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

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

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

## **Water efficiency**



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

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

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

### **Soil**

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

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

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

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

### **Comments on HRA**

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

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

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

### **Comments on SA**

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

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

---

<sup>1</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/906289/natural-england-action-plan-2020-21.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/906289/natural-england-action-plan-2020-21.pdf)

Should the DPD change significantly, please consult us again.

Yours faithfully

Nathan Burns  
Area Team 14 - Kent and Sussex

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 764

**Response Ref:** Reg19/764/4

**Respondent:** Mr P Rainier

**Organisation:** DMH Stallard

**On Behalf Of:** Reside Hurst Farm CD

**Category:** Developer

**Appear at Examination?** ✓



**From:** Da Silva, Lisa <Lisa.DaSilva@dmhstallard.com>  
**Sent:** 28 September 2020 17:59  
**To:** ldfconsultation  
**Subject:** Representations - Mid Sussex Site Allocations DPD Regulation 19 Consultation (DMH Stallard Ref:298182-8)  
**Attachments:** 22701075.pdf; 22110262.pdf; 22110258.pdf; 22110260.pdf; 22110256.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir / Madam,

**Mid Sussex Site Allocations DPD – Regulation 19 Consultation  
Land at Hurst farm, Turners Hill Road, Crawley Down (SHELAA Site ref: 743)  
On behalf of Reside Developments Limited**

Please find herewith, our representations in relation to the Mid Sussex Site Allocations DPD Regulation 19 consultation.

Kind regards

Lisa

---

Lisa Da Silva | Associate Planner | Tel: +44 1293 605098  
For and on behalf of DMH Stallard LLP  
Griffin House, 135 High Street, Crawley, West Sussex, RH10 1DQ



**IMPORTANT MESSAGE:**

**Our approach to client service continuity during the COVID-19 outbreak**

Our people are now working from home and you can email us and call us with all our usual contact details and we will continue to deliver our client service standards. Remote working and flexibility are very much at the core of DMH Stallard's culture and the way we work. Our offices are currently closed however, so please do not send us any documents by post or try to visit us. Your usual DMH Stallard contact will be able to advise you how best to deal with your specific needs and situation.

**IMPORTANT MESSAGE:**

Please be aware of cyber crime. DMH Stallard LLP will NOT notify changes to our bank account details by email. If you receive any communications suggesting that the firm's bank account details have changed, you should contact the firm via the number on the firm's website or headed notepaper immediately to confirm the details before making payment. Please be aware that a phishing email may contain a fraudulent phone number for DMH Stallard LLP. DMH Stallard LLP will not take responsibility if you transfer money to a wrong account.

DMH Stallard LLP is a limited liability partnership registered in England (registered number OC338287). Its registered office is at Griffin House, 135 High Street, Crawley, West Sussex, RH10 1DQ and it is authorised and regulated by the Solicitors Regulation Authority. The term partner is used to refer to a member of DMH Stallard LLP. A list of the members of the LLP may be inspected at the registered office.

[Please click here to see our disclaimer](#)

Please don't print this email unless you really need to.





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

Date 28 September 2020  
Your ref Site Ref #743  
Our ref 298182-8

Dear Sir / Madam,

**Mid Sussex Site Allocations DPD Pre-Submission Consultation – Regulation 19  
Hurst farm, Turners Hill Road, Crawley Down (SHELAA Site ref: 743)  
On behalf of Reside Developments Limited (Reside)**

DMH Stallard Planning act on behalf of Reside in relation to the promotion of land at Hurst Farm, Turners Hill Road, Crawley Down. The site has been promoted through the Call for Sites exercise and has been assessed as Site ref.743, the site area is shown on the attached plan.

In general it should be noted that Reside support the Council's commitment to the site allocation document in order to help provide a sufficient supply of land to meet the residual housing requirements as set out in the District Plan and to provide an overprovision of sites to ensure flexibility and a rolling 5 year housing land supply. However, it is submitted that the land at Hurst Farm should also be allocated.

The Mid Sussex District Plan sets out the development strategy for the District over the plan period, the strategy is to focus the development toward sustainable locations in accordance with the Settlement Hierarchy. In this regard Crawley Down is identified in the District Plan as a Category 2 settlement, the second tier of settlement behind the main towns of Burgess Hill, East Grinstead and Haywards Heath. Policy DP4 of the District Plan sets out that there is a minimum District housing requirement of 16,390 dwellings between 2014 – 2031. Policy DP4 sets out the spatial distribution of the District's housing requirement, allocating the majority of housing to category 1 and 2 settlements.

The Mid Sussex District Plan allocates strategic sites, however, there is a residual housing need over these allocations, as such policy DP4 Policy DP4 confirms that the Council commits to producing a Site Allocations DPD to identify further sites.

Griffin House 135 High Street Crawley West Sussex RH10 1DQ DX DX 57102 Crawley  
Main line 01293 605000 Direct line 01273 744452 Fax 01293 605080 Email [Peter.Rainier@dmhstallard.com](mailto:Peter.Rainier@dmhstallard.com)

Offices in London, Gatwick, Guildford, Brighton and Horsham. Website [www.dmhstallard.com](http://www.dmhstallard.com)

DMH Stallard LLP is a limited liability partnership registered in England (registered number OC338287). Its registered office is Griffin House, 135 High Street, Crawley, West Sussex, RH10 1DQ and it is authorised and regulated by the Solicitors Regulation Authority. The term partner is used to refer to a member of DMH Stallard LLP. A list of members may be inspected at the registered office. The firm is part of Law Europe and is represented around the world through its international network.



Policy SA10 of the SA DPD sets out how the Council will meet the residual housing need necessary to meet the identified housing target which is set out in the adopted District Plan. It states that the residual housing requirement, reflecting Neighbourhood Plans and windfall development is 1,280 dwellings. The policy, at Table 2.4, also demonstrates how the residual housing figure will be distributed throughout the district, in accordance with the settlement hierarchy.

We acknowledge that the Council have sought to distribute the houses towards higher category 1 tier settlements, but some of these are considered to have greater environmental impacts, than land at Hurst Farm.

It is noted that within the SA DPD only 2 sites have been allocated within Category 2 settlements, and only 1 in Crawley Down, this is despite the fact that Category 2 settlements are considered to be among the more sustainable settlements in the District.

The SA DPD instead elects to identify 4 further sites on the edges of category 1 settlements, of these, 3 are allocated for development, however, these sites are on land close to, or adjoining, the boundary of the South Downs National Park and are visible from viewpoints within. Whilst we acknowledge that the Council have sought to direct any shortfall to higher order settlements, the Council should place significant weight on the protection of nationally designated sites, this would then have directed the Council towards other more suitable sites within Category 2 settlements such as land at Hurst Farm.

We are extremely disappointed to see that land at Hurst Farm has not been included as an allocation in the Draft Site Allocations DPD. At present, on the basis of the representations contained herewith, we submit that the approach to the site selection process is unsound.

Policy DP6 of the District Plan identifies Crawley Down as a Category 2 Settlement, noting that these are *"Larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport."* They are therefore considered sustainable settlements, which could accommodate future development, this is reflected in the Council's identification of land to be allocated at Crawley Down; Land North of Burleigh Lane (SA22).

Table 2.4 of the SA DPD states that the residual housing requirement for category 2 settlements is 198, however, through the SA DPD, only 105 new homes are allocated.

The DPD advises that the under provision is met by development in Category 1 settlements, which have accommodated significant growth within the District Plan and disproportionately through the SA DPD; East Grinstead is the only Category 1 settlement with further residual housing need.

Of the sites, allocated in Category 1 settlements some are considered to have known constraints to development, including impacts on nationally important landscapes, such as the South Downs National Park, or have currently unknown access arrangements. Conversely, the residual housing requirement for category 2 settlements, such as Crawley Down, is 198 dwellings, and the SA DPD only allocates land in these settlements for 105 dwellings. The Council had a pool of sites, including land at Hurst Farm, which are suitable, achievable and deliverable, and could be identified in order to help meet the residual housing need of category 2 settlements. This would also reduce pressure on other settlements categories which are meeting more than their residual requirement and on less suitable sites.

Of the allocations within the SA DPD, approximately 548 dwellings are considered to be in locations which are visible from the South Downs National Park or the High Weald AONB, or are within the High Wealden AONB (153 dwellings). At paragraph 171 of the NPPF, it requires that LPA's allocate land with the least environmental or amenity value, further noting at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty of Areas of Outstanding Natural Beauty and National Parks, they are given the highest status of protection. These are landscapes which should clearly afford the greatest level of protection, yet they have been allocated for housing in place of more suitable sites, and on the edges of settlements which have already met their residual housing requirement. This process is considered unsound.

The SA DPD, through the SA, should consider a palette of non-AONB sites first, to ensure the protection of designations of a national importance, and only when the most appropriate sites have been considered, move towards the identification of AONB sites. Similarly, the Council have dismissed sites on minimal landscape grounds, but then seek to allocate significant parcels of land close to the South Downs National Park. We submit that sites, such as that at Hurst Farm, where there would be minimal landscape harm, should be considered above those which would have a detrimental affect on either the AONB or National Park.

Additionally, the SA DPD allocates 250 dwellings on land where access is currently unknown (according to the policies, which state that access needs to be explored) - land at Burleigh Lane, Crawley Down (SA 22) and land south of Crawley Down Road, Felbridge (SA 19). In comparison, land at Hurst Farm, can be delivered via an existing

access which is already considered acceptable, with no need to purchase additional land, and is therefore deliverable immediately.

#### **Land at Hurst Farm (Site Ref #743)**

We continue to have concerns regarding the site selection process, especially given that the site seems to have been discounted at a relatively early stage (Stage 3) and therefore failed to make the shortlist of sites for consideration. We note that the summary of reasons for discounting the site were; *'Inconsistent with the established nearby settlement form; potential for adverse effects on the rural character and setting of the adjacent listed Building (Westlands).'*

As set out in previous representations, those concerns are ill-founded and fundamentally flawed. The part of the site proposed for development is consistent with the nearby development form of the village immediately to the south. The site is largely previously developed land with utilitarian buildings extending across the site. Mature trees lie on all four boundaries resulting in a very well enclosed site where development would have no substantive impact on the character of the locality. Furthermore, the setting of the Listed Building to the north-east would be adequately protected.

The background documents within the evidence library published alongside the Site Allocations DPD includes Site Selection Paper 3: Housing, and Appendix B: Housing Site Proformas. We note that the proforma site assessments in this document are the final site assessments, however, in respect of Site 743 (Hurst Farm) it appears that the assessment to discount site 743 was taken on the basis of an earlier inaccurate version.

It should be noted that the SHELAA assessment for the The site at Hurst Farm, performs very well in terms of any objective assessment, as set out below;

#### ***Deliverability***

The site is promoted by Reside a well respected local developer with an excellent track record in Mid Sussex.

#### ***Site Location and character***

The site is a predominantly brownfield site on the edge of a category 2 settlement. Within the site there is substantial built form of utilitarian buildings across the site, including a farm shop with associated activity and car parking. Residential dwellings to the site frontage and a recently constructed small housing estate are located to the south. It should be noted that if this site is not allocated for residential development, the site could potentially be progressed via Prior Notification/Permitted Development

rights, however, this would be a less attractive/comprehensive manner through the change of use of some existing buildings for commercial/residential purposes.

The fact that this site is a brownfield site should weigh heavily in its favour, and brownfield sites / Previously Developed Land (PDL) should be considered over other greenfield sites in choosing site allocations. The NPPF echoes this and states at paragraph 117 that: "Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land"

### ***Landscape***

The site lies outside the High Weald AONB. The site is very well enclosed by established soft landscaping, including Ancient Woodland (AW) to the west and south. Appropriate buffers to the AW can and will be provided and all boundary trees will be retained. The AW buffers can be retained leaving the central part of the site available for development). Strong tree belts also lie to the north, resulting in a site which is exceptionally well contained and one where residential development could be assimilated into the wider landscape without impact on the character of the locality.

In addition, the fact that this site is brownfield on PDL rather than a greenfield site also helps to reduce any impact on the landscape, the proposed re-development of this site to residential would result in an improvement on the wider landscape, consequently it is considered that there is not likely to be a negative effect on countryside as the site will make efficient use of a brownfield site.

### ***Access and Highways***

The site benefits from a wide existing established access which farm vehicles, lorries and cars use on a daily basis when entering and leaving the site. No issues have been raised by WSCC Highways in relation to visibility and access.

### ***Sustainability/Access to Services***

Having measured the distances to the Village School and Health Centre we estimate that, at the industry accepted walking speed of 80m per minute, those facilities are 1km and 0.9km away, so 12 and 11 mins respectively, and similar to other services such as local shops, confirming that the site is well located within easy walking distance of facilities. It is also noteworthy that the residential sites immediately to the south, which are situated an almost identical distance to local facilities, have recently been considered to be sustainably located by the LPA/Planning Inspectorate/SoS. Furthermore, a pedestrian crossing is secured under those consents providing safe

access to the village centre to the east. It is, therefore considered evident that this site is also sustainably located.

### ***Flood Risk and Drainage***

The site is wholly located within Flood Zone 1 and is therefore a low risk of flooding. All forms of development are considered acceptable in principle in Flood Zone 1.

### ***Ecology***

Reside have commissioned an ecological survey (copy attached), which confirms that there are no barriers to development in relation to flora or fauna. The report concludes that; 'the site is dominated by areas of built form, hard-standing, bare ground and intensively managed grassland, all of which are of limited to no intrinsic ecological interest and which provide very limited opportunities to faunal species. Whilst the tree belts, individual trees and hedge within the site provide a degree of botanical interest, the primary interest is offered through the presence of mature woodland, with this comprising the wider study area, as well as part of the site's boundary. This woodland edge habitat provides modest opportunities for bats and birds in terms of foraging and roosting/nesting opportunities, as well as potential opportunities for Dormice. In contrast, the habitats within the site provide only very limited opportunities for these faunal groups, albeit some areas of ruderal vegetation offers a degree of potential opportunities for common reptiles. The site is considered unlikely to be of significant value to other protected or notable species, with specific survey work confirming the absence of Badgers and Great Crested Newts.'

### ***Heritage***

Reside have commissioned a detailed Heritage report (attached). The main issue for consideration is impact of the development upon the Listed Building to the north-east (Westlands). Owing to the orientation of Westlands, its secluded immediate setting, intervening vegetation screening views to and from the area of proposed new housing, and the change of use of the site since the mid-20th century, the report concludes that the site is not considered to contribute greatly to Westlands' significance. There will be no material impact on Westlands by the proposed development and there are no views between the area of proposed new housing and Westlands due to intervening vegetation in both summer and winter.

There is a considerable degree of traffic noise from the B2028, aircraft noise from planes going to and from Gatwick Airport, and general noise from the farm complex (movement of machinery, band sawing, chickens etc), audible from both the site itself and along the footpath past Westlands. As such, it is not felt that the change of use of the site to residential would significantly impact on the sense of remoteness and tranquillity Westlands experiences today; any noise impact would be neutral. Taking the

above into account, the heritage report comes to the conclusion that; 'it has been determined that the proposals will have an imperceptible impact on the setting of Westlands resulting in a negligible impact to the significance of the asset via a change in its setting. Therefore, it is concluded the impact of the proposed development would constitute the very lower end of less than substantial harm as defined by the NPPF.'

### ***Site Assessment - Summary***

It is acknowledged that a previous proposal for 45 dwellings on the site was refused by the Council in 2018, however, this was primarily on the grounds that the site was outside the defined settlement boundary, this would be overcome by the allocation of the site in the forthcoming Site Allocations DPD.

Other issues are addressed above, none of which in our view, constitute a barrier to planning permission or early delivery. The Council have already undertaken technical assessments of the site through the planning application process, supported by the evidence submitted as part of that process and enclosed herewith (ecology and heritage assessments). It has been demonstrated that the site is suitable and deliverable, it is within the control of a regional housebuilder and is therefore deliverable within the short-term, boosting local housing delivery.

Furthermore, the site is a brownfield site, redeveloping such sites over greenfield sites is considered to be favourable. It is considered that there is a need to prioritise brownfield land for development and encourage this wherever possible. With this in mind it is considered that the site would offer a more suitable option for allocation than those on greenfield land, or on sensitive land such as that adjoining the South Downs National Park or within the High Weald AONB.

### **SHEELA 519/SA 22**

The only site to be allocated within the SA DPD which is situated within Crawley Down is Land north of Burleigh Lane. Land north of Burleigh Lane, Crawley Down is proposed for allocation for 50 dwellings. In our view the site performs poorly when compared to Hurst farm for a number of reasons;

- 50 units is excessive in respect of the need required for Crawley Down (a smaller site such as Hurst Farm would be more appropriate).
- Deliverability is doubtful given acknowledged uncertainties in respect of vehicular access (much less certain than Hurst Farm)
- Landscape impact is significant given the relatively open boundaries particularly to the south (much greater impact upon character and visual amenity than Hurst Farm)



- Predominantly greenfield site in comparison to Hurst Farm being mainly brownfield.
- Impact on neighbouring Listed Building greater than at Hurst Farm.
- Impact in respect of public views much greater than at Hurst Farm, given the single-track rural nature of Burleigh Lane to the south.

### **Pre-application**

Reside have recently engaged in a pre-application process with MSDC officers and an information booklet with concept masterplan has been prepared in order to support the pre-application (copy enclosed). This has been informed by the technical advice of a range of consultants. The masterplan demonstrates how development can be accommodated on site taking account of all site constraints. A development of approximately 37 dwellings is proposed with a policy compliant mix (including 2-bed homes and single storey accommodation) in terms of tenure and size to meet local housing needs. The accompanying information booklet and concept masterplan demonstrates that this can be accommodated within the site.

Reside have also undertaken public consultation on the proposal via a leaflet drop to neighbouring residents, and overall the response on the proposal has been positive.

### **Conclusion**

We consider that the site at Hurst Farm is eminently suitable for development; its development would reflect the current pattern of development in the village and utilise a largely brownfield site containing large buildings and attracting activity. If taking a sequential approach, the allocation and development on brownfield sites must be considered preferable to Greenfield land. The allocation of brownfield sites and bringing these sites into a more appropriate use in sustainable locations, such as would be the case here, is a key provision in achieving sustainable development which lies at the heart of national and local planning policies.

It is considered that there is a need to prioritise brownfield land for development and encourage this wherever possible. With this in mind it is considered that the site would offer a more suitable option for allocation than those on greenfield land, or on sensitive land such as that adjoining the South Downs National Park or within the High Weald AONB. Allocating the land at Hurst Farm would relieve pressure on greenfield sites and other more sensitive locations close to, or within, the South Downs National Park and High Weald AONB.

In light of the evidence contained herein, it is considered that the site allocations process and the SA DPD site assessment of Hurst Farm is unsound. We therefore submit that the land at Hurst Farm should be identified as an additional site in the SA DPD. We would respectfully request the opportunity to speak on behalf of our clients at any future examination.

Yours faithfully



DMH Stallard LLP

Enclosures: Previous representation (Reg 18)  
Ecology Report  
Heritage Report  
Information Booklet with Concept Masterplan



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

Date 19<sup>th</sup> November 2019  
Your ref Site 743  
Our ref

Dear Sir / Madam

**Hurst farm, Turners Hill Road, Crawley Down (SHELAA Site ref: 743)  
Representations to the MSDC Draft Site Allocations DPD (Regulation 18)  
On behalf of Reside Developments Limited (Reside)**

DMH Stallard Planning act on behalf of Reside in relation to the promotion of land at Hurst Farm, Turners Hill Road, Crawley Down. The site has been promoted through the Call for Sites exercise and has been assessed as Site ref.743, the site area is shown on the attached plan.

We write in response to the consultation on the Draft Site Allocations DPD and to put forward additional information demonstrating the suitability of the site for residential development.

We are extremely disappointed to see that land at Hurst Farm has not been included as an allocation in the Draft Site Allocations DPD. We continue to have concerns regarding the site selection process, especially given that the site seems to have been discounted at a relatively early stage (Stage 3) and therefore failed to make the shortlist of sites for consideration. The summary of reasons for discounting the site were;

*'Inconsistent with the established nearby settlement form; potential for adverse effects on the rural character and setting of the adjacent listed Building (Westlands).'*

As set out in previous representations, those concerns are ill-founded and fundamentally flawed. The part of the site proposed for development is consistent with the nearby development form of the village immediately to the south. The site is largely previously developed land with utilitarian buildings extending across the site. Mature trees lie on all four boundaries resulting in a very well enclosed site where development would have no substantive impact on the character of the locality. Furthermore, the setting of the

Griffin House 135 High Street Crawley West Sussex RH10 1DQ DX DX 57102 Crawley  
Main line 01293 605000 Direct line 01293 605192 Fax 01293 605080 Email [katie.lamb@dmhstallard.com](mailto:katie.lamb@dmhstallard.com)

Offices in London, Gatwick, Guildford, Brighton and Horsham. Website [www.dmhstallard.com](http://www.dmhstallard.com)

DMH Stallard LLP is a limited liability partnership registered in England (registered number OC338287). Its registered office is Griffin House, 135 High Street, Crawley, West Sussex, RH10 1DQ and it is authorised and regulated by the Solicitors Regulation Authority. The term partner is used to refer to a member of DMH Stallard LLP. A list of members may be inspected at the registered office. The firm is part of Law Europe and is represented around the world through its international network.



Listed Building to the north-east would be adequately protected. The inaccurate initial appraisal of the site appears to have been accepted as such by the Council. The final version of the Housing Site Proformas has largely (although not fully) taken our criticisms on-board.

The background documents published alongside the Draft Site Allocations DPD includes Site Selection Paper 3: Housing, and Appendix B: Housing Site Proformas. We note that the proforma site assessments in this document are the final site assessments, however, in respect of Site 743 (Hurst Farm) it appears that the assessment to discount site 743 was taken on the basis of an earlier inaccurate version. The site at Hurst Farm, performs very well in terms of any objective assessment, as set out below;

### **Deliverability**

The site is promoted by Reside a well respected local developer with an excellent track record in Mid Sussex.

### **Site Location and character**

A predominantly brownfield site on the edge of a category 2 settlement. Substantial built form of utilitarian buildings across the site. Farm shop with associated activity and car parking. Residential dwellings to the site frontage and recently constructed small housing estate to the south. If not allocated for residential development, the site could potentially be progressed via Prior Notification/Permitted Development rights in a less attractive/comprehensive manner through the change of use of some existing buildings for commercial/residential purposes.

### **Landscape**

The site is very well enclosed by established soft landscaping, including Ancient Woodland (AW) to the west and south. Appropriate buffers to the AW can and will be provided and all boundary trees will be retained. The AW buffers can be retained leaving the central part of the site available for development). Strong tree belts also lie to the north, resulting in a site which is exceptionally well contained and one where residential development could be assimilated into the wider landscape without impact on the character of the locality.

The site lies outside the High Weald AONB.

## **Access and Highways**

The site benefits from a wide existing established access which farm vehicles, lorries and cars use on a daily basis when entering and leaving the site. No issues have been raised by WSCC Highways in relation to visibility and access.

## **Sustainability/Access to Services**

Having measured the distances to the Village School and Health Centre we estimate that, at the industry accepted walking speed of 80m per minute, those facilities are 1km and 0.9km away, so 12 and 11 mins respectively, and similar to other services such as local shops, confirming that the site is well located within easy walking distance of facilities. It is also noteworthy that the residential sites immediately to the south, which are situated an almost identical distance to local facilities, have recently been considered to be sustainably located by the LPA/Planning Inspectorate/SoS. Furthermore, a pedestrian crossing is secured under those consents providing safe access to the village centre to the east. It is, therefore, evident that this site is sustainably located.

## **Flood Risk and Drainage**

The site is within Flood Zone 1 – at low risk of flooding.

## **Ecology**

Reside have commissioned an ecological survey (copy attached), which confirms that there are no barriers to development in relation to flora or fauna. The report concludes that; 'the site is dominated by areas of built form, hard-standing, bare ground and intensively managed grassland, all of which are of limited to no intrinsic ecological interest and which provide very limited opportunities to faunal species. Whilst the tree belts, individual trees and hedge within the site provide a degree of botanical interest, the primary interest is offered through the presence of mature woodland, with this comprising the wider study area, as well as part of the site's boundary. This woodland / edge habitat provides modest opportunities for bats and birds in terms of foraging and roosting/nesting opportunities, as well as potential opportunities for Dormice. In contrast, the habitats within the site provide only very limited opportunities for these faunal groups, albeit some areas of ruderal vegetation offers a degree of potential opportunities for common reptiles. The site is considered unlikely to be of significant value to other protected or notable species, with specific survey work confirming the absence of Badgers and Great Crested Newts.'

## **Heritage**

Reside have commissioned a detailed Heritage report (attached). The main issue for consideration is impact of the development upon the Listed Building to the north-east (Westlands). Owing to the orientation of Westlands, its secluded immediate setting, intervening vegetation screening views to and from the area of proposed new housing, and the change of use of the site since the mid-20th century, the report concludes that the site is not considered to contribute greatly to Westlands' significance. There will be no material impact on Westlands by the proposed development and there are no views between the area of proposed new housing and Westlands due to intervening vegetation in both summer and winter.

There is a considerable degree of traffic noise from the B2028, aircraft noise from planes going to and from Gatwick Airport, and general noise from the farm complex (movement of machinery, band sawing, chickens etc), audible from both the site itself and along the footpath past Westlands. As such, it is not felt that the change of use of the site to residential would significantly impact on the sense of remoteness and tranquillity Westlands experiences today; any noise impact would be neutral. Taking the above into account, the heritage report comes to the conclusion that; 'it has been determined that the proposals will have an imperceptible impact on the setting of Westlands resulting in a negligible impact to the significance of the asset via a change in its setting. Therefore, it is concluded the impact of the proposed development would constitute the very lower end of less than substantial harm as defined by the NPPF.'

## **Summary**

It is acknowledged that a previous proposal for 45 dwellings on the site was refused by the Council in 2018, however, this was primarily on the grounds that the site was outside the defined settlement boundary, this would be overcome by the allocation of the site in the forthcoming Site Allocations DPD. Other issues are addressed above, none of which constitute a barrier to planning permission or early delivery. The Council have already undertaken technical assessments of the site through the planning application process, supported by the evidence submitted as part of that process and enclosed herewith (ecology and heritage assessments). It has been demonstrated that the site is suitable and deliverable, it is within the control of a regional housebuilder and is therefore deliverable within the short-term, boosting local housing delivery.

**It has been demonstrated that Site 743 (Hurst Farm, Crawley Down) is capable of accommodating a development of approximately 37 dwellings. This site should be allocated and brought forward in the short-term, boosting the Council's 5yr HLS position.**

## **Concept Masterplan**

A concept masterplan and promotional document has been prepared in order to support the allocation of the site (copy enclosed). This has been informed by the technical advice of a range of consultants. The masterplan demonstrates how development can be accommodated on site taking account of all site constraints. A development of approximately 37 dwellings is illustrated with a policy compliant mix (including 2-bed homes and single storey accommodation) in terms of tenure and size to meet local housing needs.

## **SHEELA 519/SA 22**

Land north of Burleigh Lane, Crawley Down is proposed for allocation for 50 dwellings. In our view the site performs poorly when compared to Hurst farm for a number of reasons;

- 50 units is excessive in respect of the need required for Crawley Down (a smaller site such as Hurst Farm would be more appropriate).
- Deliverability is doubtful given acknowledged uncertainties in respect of vehicular access (much less certain than Hurst Farm)
- Landscape impact is significant given the relatively open boundaries particularly to the south (much greater impact upon character and visual amenity than Hurst Farm)
- Predominantly greenfield site in comparison to Hurst Farm being mainly brownfield.
- Impact on neighbouring Listed Building greater than at Hurst Farm
- Impact in respect of public views much greater than at Hurst Farm, given the single-track rural nature of Burleigh Lane to the south.

## **Conclusion**

We consider that the site at Hurst Farm is eminently suitable for development; its development would reflect the current pattern of development in the village and utilise a largely brownfield site containing large buildings and attracting activity. We hope therefore, that the Council will identify Hurst Farm as an additional or more appropriate site, through the DPD process, in view of the evidence contained herein.

We would welcome the opportunity to discuss this site with you further.

Yours faithfully

A solid black rectangular box used to redact a signature.

DMH Stallard LLP



## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 765

**Response Ref:** Reg19/765/3

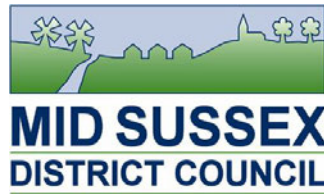
**Respondent:** Dr I Gibson

**Organisation:**

**On Behalf Of:**

**Category:** District Councillor

**Appear at Examination?** ✓



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

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

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

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

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

The Site Allocations DPD is available to view at:

[www.midsussex.gov.uk/planning-building/development-plan-documents/](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	<input type="text" value="DR"/>
First Name	<input type="text" value="IAN"/>
Last Name	<input type="text" value="GIBSON"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text" value="SELF"/>
Address Line 1	<input type="text" value="████████"/>
Line 2	<input type="text" value="████████████████"/>
Line 3	<input type="text" value="██████████████"/>
Line 4	<input type="text" value="██████████"/>
Post Code	<input type="text" value="██████"/>
Telephone Number	<input type="text" value="████████"/>
E-mail Address	<input type="text" value="████████████████████"/>



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

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

## Part B – Your Comments

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

Name or Organisation: IAN GIBSON

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

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

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

Paragraph	<input type="text"/>	Policy SA	21, 22, 26, 27, 33 & 32	Draft Policies Map	<input type="text"/>
-----------	----------------------	-----------	-------------------------	--------------------	----------------------

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

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

4b. Sound Yes ☐ No ☒

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

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

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

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

1. The Site Allocations DPD is inconsistent with the spatial strategy set out in Policies DP4 and DP6 of the Mid Sussex District Plan because it allocates sites in settlements that have already met and exceeded their minimum requirement housing 'target' without demonstrating that settlements that have not met their 'target' do not have sufficient sustainable sites to meet the Residual Housing Requirement. See appendix for detailed explanation.
2. The Site Allocations DPD is inconsistent with Policy DP16 of the Mid Sussex District Plan because it allocates a site in the North Weald 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.

1. Sites SA21, SA22, SA26, SA27 and SA33 should be deleted from the list of Additional Housing Allocations (SA11) and should not be allocated as they are all in settlements that have met and exceeded their DP6 target. Deleting these five sites will reduce the number of new dwelling sites provided by the Site Selection DPD by 129. The number of new dwelling sites that would then be provided (1,635) is still 355 (28%) more than the Residual Housing Requirement (1,280). Therefore, deleting the five sites does not increase the risk that the District Plan minimum Requirement (16,390) will not be achieved.
2. Site SA32 should be deleted from the list of Additional Housing Allocations (SA11) and should not be allocated as it lies within the AONB and is contrary to DP16. Deleting this site will further reduce the number of new dwelling sites provided by the Site Selection DPD by 16. The number of new dwelling sites that would still be provided (1,619) is still 339 (26%) more than the Residual Housing Requirement (1,280). Therefore, deleting the site does not increase the risk that the District Plan minimum Requirement (16,390) will not be achieved.

**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:

To provide clarification as required.

**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:

Ian Gibson

Date:

27<sup>th</sup> September 2020

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

## Comments on Draft Site Allocations DPD (Regulation 19) Consultation

The Mid Sussex District Plan sets out a clear spatial strategy for where new homes should be built based on the 27 towns, villages and hamlets ("settlements") in the District. The settlements are divided into four categories by size and District Plan Policy DP4 sets a target (a 'Minimum Requirement') for the number of new homes in each category. Policy DP6 then sets a target for the number of new homes that represents sustainable development for each of the 27 settlements. It is an inescapable fact that if every settlement met its DP6 target, then the District would meet its overall target of 16,390 new homes.

The number of new homes that each settlement will deliver over the plan period has been calculated by adding the number of new homes already built since 2014, the number for which planning permission has been granted and the number on sites allocated in Neighbourhood Plans. In April 2020 this arithmetic showed that 14 of the 27 settlements had met their DP6 'target'; as indicated by a "0" against the settlement in Table 3. of the Sustainability Appraisal Non-Technical Summary. In fact collectively these 14 settlements had exceeded their 'target' by over 670 new homes. The methodology used by Mid Sussex in to the DPD does not credit these excess homes against the DP4 targets for each settlement category. For example, if excess new homes were credited, the category 2 settlements have together delivered the full category 2 target despite the shortfall in Cuckfield.

It would be reasonable to assume that the settlements which have already met and exceeded their DP6 target would be spared any further site allocations if the DPD Residual Housing Requirement can be achieved without this. However, the methodology adopted by Mid Sussex did not test whether the DPD Residual Housing Requirement could be met from sites in settlements that had not met their DP6 target by April 2020. Instead five of the 'over-performing' settlements have been allocated sites totaling 129 new homes:

- Ansty - 12 new homes (Policy SA33)
- Ashurstwood - 12 new homes (Policy SA26)
- Crawley Down- 50 new homes (Policy SA22)
- Handcross- 30 new homes (SA27)
- Haywards Heath- 25 new homes (Policy SA21)

The Site Allocation DPD is therefore unsound because it is inconsistent with policies DP4 and DP6 of the District Plan.

It is relevant that DPD identifies sufficient sites for 1,764 new homes which is 484 (38%) more than the calculated Residual Housing Requirement (1,280). Clearly a small number of additional allocations would be prudent, but the current margin is excessive. It does, however give some flexibility to remove the 5 sites (SA21, SA22, SA26, SA27 and SA33) without prejudicing the ability to deliver the Residual Housing Requirement through the remaining sites which are all in settlements that have not met their DP6 target. This would permit the DPD to be considered 'sound'.

Dr Ian Gibson

Member for Crawley Down and Turners Hill Ward.  
Councillor Worth Parish Council,  
Councillor Turners Hill Parish Council,

**1107**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1107

**Response Ref:** Reg19/1107/1

**Respondent:** Mr & Mrs I Shaughnessy

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x



[REDACTED]

---

**From:** Ian Shaughnessy [REDACTED]  
**Sent:** 28 September 2020 21:09  
**To:** ldfconsultation; ldfconsultation  
**Cc:** [REDACTED]  
**Subject:** Objection to SA22 Crawley Down

**Categories:** SiteDPD, [REDACTED]

Dear Sir or Madam,

We would like to write to you to formally object to site SA22 (Land off Burleigh Lane, Crawley Down) within the site allocations dpd document.

We would ask you delete this site from your plans.

The reasons we would ask this are as follows:

1. The District Plan set a target of 874 new homes for Worth Parish (Cophthorne & Crawley Down). By April of this year, we understand the total number of houses built and planning permissions granted to developers was 908. The two villages have therefore already exceeded their District Plan target which was supposed to run until 2031.

It is not reasonable to ask Crawley Down to take more houses when other towns and villages have not yet met their targets. We believe the council has therefore failed to adequately assess all potential sites.

2. Local infrastructure does not support further development within Crawley Down. This year some Crawley Down residents failed to get their children into the village school and, with no further room to expand, this will mean more children in the village having to travel considerable distances to attend school creating more traffic on the roads.

3. Crawley Down Health Centre (The village GP surgery) is already very busy and we do not believe has any more capacity for these extra homes.

4. We believe the local sewage system will need a substantial update to accommodate more dwellings which is not feasible without considerable and unacceptable disruption to the local residents.

5. This proposed site represents an unacceptable extension to Crawley Down and, in our opinion, if unchecked will result in coalescence with Felbridge and East Grinstead.

6. We have not been formally written to by the council informing us of this document and proposals for new homes in Crawley Down within. We discovered this by word of mouth. We have not seen any alerts on the Council's website or in any other locally distributed publication. We therefore believe the Council has failed to consult properly with the wider public as, we believe, they are required to do.

7. This site will lead to the loss of rural land which will have a detrimental effect on local wildlife species. Most notably, but in no way exclusive, Deer are often seen on the proposed land and it will seriously affect their already diminished habitat.

8. Crawley Down has a rural feel to it which is one of its main appeals for residents. Further expansion of the village through building on this countryside would seriously erode the rural feel as it becomes in effect a small town but without the supporting infrastructure.

Thank you for reading our comments above. We ask that you note them as part of this consultation and request once again that you delete site SA22 from these plans.

Yours faithfully

Mr & Mrs I Shaughnessy



Sent from my iPad

**1374**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1374

**Response Ref:** Reg19/1374/2

**Respondent:** Mrs T Nelson

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Tracy Nelson [REDACTED]  
**Sent:** 27 September 2020 11:21  
**To:** ldfconsultation  
**Subject:** Site Allocations Development Plan

THERE IS NO FURTHER NEED FOR HOUSE BUILDING IN AND AROUND CRAWLEY DOWN VILLAGE.

I would like to take this opportunity to voice my opinion on various aspects of several sites in my local area which have been either proposed, or definitely earmarked, for housing developments.

With reference to both the Neighbourhood Plan formulated by and for Crawley Down Village and the Mid Sussex District Plan, it is obvious that taking the number of dwellings recently built combined with those sites already given permission on which to build residential properties, the number of required dwellings for the area in the period 2018 to 2031 has already been achieved and in fact exceeded. And all this with no further amenities/infrastructure being created.....

I speak up against permission being granted for SA22 - land behind Woodlands Close - 50 houses. This would be unfair development on the community when we HAVE found space for, and built, the designated number of homes whereas other villages/districts HAVE NOT. Wildlife in and around our village is abundant, herds of deer roaming in this very field up for discussion - they have a right to live in Crawley Down too! Due to the recent, and ongoing, Covid-19 crisis, Gatwick is downscaling not growing so no jobs are being created for which housing stock needs creating..... there is NO REASON at all for any further destruction of our green fields and semi rural community.

Crawley Down village cannot cope with any more residents - facilities (where they exist) are overstretched and the existing traffic situation particularly on the main B2028 Turners Hill Road can only get worse. Building has already taken place to the west of this busy through road - namely The Pheasantry and Wychwood - creating an unwelcome and previously guarded against (?) precedent. As an aside whilst mentioning these 2 new(ish) developments, 2 pedestrian crossings were meant to be constructed as part of the proviso for the house building permission granted - where are they? We are still waiting.....

Another big concern of mine, personally since I live on Huntsland , is the previous consideration given by the council in assessing the viability of Huntsland Farm ( SHELAA ref 1002 and also 688). Historically both these have been refused, dismissed and discounted as possible sites for dwellings. I applaud the Council's decision on both sites and hope most sincerely that this will remain the Council's decision should ANY future development be proposed or applied for on ANY of the land included under these 2 reference numbers.

Huntsland Farm is abundant in wildlife - deer, badger, bat, fox, birds, butterflies etc . This land area also includes areas of ancient woodland which deserve to remain surrounded by open fields not surrounded by or included in a housing development. The land is designated green field on which farming activities take place and should never in my opinion be converted/redesignated as brownfield.

I very much hope that my concerns will be read and considered, along with the same concerns voiced no doubt by many other residents of Crawley Down. The quality of life we all have here is worth preserving please, a semi rural community is what we bought into and would like it to remain as such.

Tracy Nelson

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

**1378**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1378

**Response Ref:** Reg19/1378/2

**Respondent:** Mrs E Grub

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

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

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

550 Imberhorne Farm  
200 Felbridge  
50 Crawley Down

Collectively, or individually, I object for several reasons:

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

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

- Unsound Assessment of proposed sites

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

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

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

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

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

Elizabeth Grub

[REDACTED]

Sent from my Samsung Galaxy smartphone.



1442

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1442

**Response Ref:** Reg19/1442/4

**Respondent:** Ms M Baldwin

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

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

Dear Sir/Madam,

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

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

Yours Sincerely  
Melanie Baldwin

**1487**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1487

**Response Ref:** Reg19/1487/4

**Respondent:** Mr A Fennell

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Anthony Fennell [REDACTED]  
**Sent:** 18 September 2020 11:06  
**To:** ldfconsultation  
**Subject:** Fwd: consultation  
**Attachments:** mid sussex consultation response.docx; ATT00001.htm

Dear Sir/Madam,

Please find attached my response to your consultation on houses being built in the east Grinstead area.

I'd be grateful if you could confirm receipt of this email.

Anthony Fennell

\*\*\*\*\*

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

Date: 18<sup>th</sup> September 2020

Dear Sir/Madam

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

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

*550 homes at Imberhorne Farm*

*200 homes at Felbridge*

*50 homes at Crawley Down*

*22 homes at East Grinstead Police Station.*

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

**Failure to Consult**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Unsound Assessment of Sites Alternative sites unreasonably discarded**

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

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

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

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

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

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

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

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

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

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

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

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

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

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

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

### **Unsustainable Traffic Congestion**

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Contrary to Neighbourhood Plan**

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours Sincerely

Anthony Fennell

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

1488

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1488

**Response Ref:** Reg19/1488/3

**Respondent:** Mr T Johnston

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Tim Johnston
<b>Address</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>	SA19 - SA22
<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
<b>Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD</b>	<p>I object to sides SP19, SP20 and SP22 on several grounds.</p> <p>Firstly on public consultation, The district council leadership decided not to advertise either of the site allocation consultations in their own Mid Sussex Matters magazine, which is distributed at taxpayer expense by the council's communication team 3 times a year to 73,000 homes in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages. I was unaware of the consultation.</p> <p>Secondly on assessment of sites. All sites assessed in East Grinstead were evaluated as 'high performing sites' and therefore allocated in the draft development plan. However, the overall performance assessment did not adequately account for the widely reported traffic constraints or the relevant neighbourhood plan policies. The site assessment section on highways, arguably the most relevant to the sites in East Grinstead, was left blank. Traffic around the area of the A22, A264 and Imberhorne lane is too bad already - which should rule out sites SP19 and SP20.</p> <p>Thirdly, traffic considerations make them unsuitable. The congestion figures for the A264 approach arm were measured as 3 mins 2 secs queuing delay in the AM peak. THAT IS WITHOUT THE TRAFFIC FROM OTHER SITES ALREADY APPROVED - around 2,000 dwellings.</p> <p>Fourthly, all are Contrary to Neighbourhood Plan. For sites SP19 and SP20, Policy EG2 was designed to resist development outside the built-up boundary and "to ensure that development does not result in the gradual accretion of development at the urban fringe". These developments clearly break that policy. Policy EG11 was designed to ensure that East Grinstead didn't have to takemass housing allocations like these without the necessary improvements to the local highways network. Again, this policy is broken.</p> <p>Site SP18 is in contravention of the Crawley Down plan.</p> <p>Local residents do not want to live in "East Craw-Sham", an urban conglomeration stretching from East Grinstead through Crawley to Horsham. Protect the strategic gaps between towns and villages.</p>

<p><b>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.</b></p>	<p>The three sites should be scrapped.</p>
<p><b>If you wish to provide further documentation to support your response, you can upload it here</b></p>	
<p><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></p>	<p>No, I do not wish to participate at the oral examination</p>
<p><b>Please notify me when-The Plan has been submitted for Examination</b></p>	<p>yes</p>
<p><b>Please notify me when-The publication of the recommendations from the Examination</b></p>	<p>yes</p>
<p><b>Please notify me when-The Site Allocations DPD is adopted</b></p>	<p>yes</p>
<p><b>Date</b></p>	<p>18/09/2020</p>

1577

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1577

**Response Ref:** Reg19/1577/2

**Respondent:** Mr and Mrs A+K Corsie

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x



[REDACTED]

---

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

Dear Sirs,

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

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

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

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

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

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

Annette & Ken Corsie - [REDACTED]

**1673**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1673

**Response Ref:** Reg19/1673/2

**Respondent:** Ms S Kipps

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** sue kipps [REDACTED]  
**Sent:** 27 September 2020 14:18  
**To:** ldfconsultation  
**Subject:** SITE SA22 PLEASE DELETE

I would like you to delete site SA22 from the district plan target which is supposed to last to 2031.

If Crawley Down has met its target why are we being asked or told to take more?

We already have existing planning permissions for another 60 and it is totally unfair and unreasonable top just keep on building.

Regards Sue Kipps

**1773**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1773

**Response Ref:** Reg19/1773/1

**Respondent:** MS N Saunders

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Nicky Saunders [REDACTED]  
**Sent:** 25 September 2020 08:04  
**To:** ldfconsultation  
**Cc:** gary saunders  
**Subject:** SA22

Hi,

This proposal needs to be stopped. The services such as schools, doctors etc. Already can't cope with the current people let alone even more 😞

Kind Regards,  
Nicky Saunders

Sent from my iPhone

**1775**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1775

**Response Ref:** Reg19/1775/2

**Respondent:** Ms K Hatton

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Kate Hatton [REDACTED]  
**Sent:** 25 September 2020 04:24  
**To:** ldfconsultation  
**Subject:** Site SA22

The District Plan set a target of 874 new homes for Worth Parish (Copthorne and Crawley Down). By April this year the total of houses built and planning permissions granted to developers in the two villages was 908. So the two villages have already EXCEEDED their District Plan target which was supposed to last until 2031. It is unfair to ask Crawley Down to take more houses when other towns and villages haven't met their target.

We also do not have the infrastructure to support more development. Crawley Down School and medical centre are already full, and the Co-op is far too small for such a large village.

I am therefore requesting that site SA22 be deleted.

Kind regards,  
Kate Hatton

**1783**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1783

**Response Ref:** Reg19/1783/1

**Respondent:** Mr D Berkshire

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x



[REDACTED]

---

**From:** David Berkshire [REDACTED]  
**Sent:** 25 September 2020 09:09  
**To:** ldfconsultation  
**Subject:** SA22

Dear sirs. Please delete the above development request. Our District Plan Target has already been exceeded.

Six years ago we moved to Crawley Down from a town because we wanted to be in a village environment. Crawley Down is rapidly becoming yet another "town".

I totally accept that this country needs additional housing, but I believe that we have already had more than our fair share of additional development.

Regards  
David Berkshire

Sent from my iPad

**1797**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1797

**Response Ref:** Reg19/1797/1

**Respondent:** Mr C Sherry

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** coordsvcs [REDACTED]  
**Sent:** 25 September 2020 11:37  
**To:** ldfconsultation  
**Cc:** cs@coordsvcs.co.uk  
**Subject:** Site SA22

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** AUDIT

Morning

Having exceeded the DP Target of 874 for Worth I request that Site SA22 is deleted.

regards

Chris Sherry

**1808**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1808

**Response Ref:** Reg19/1808/3

**Respondent:** Mr M Mitchell

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

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

One for planning...

---

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

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

Date: 24 September 2020

Dear Sir/Madam

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

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

*550 homes at Imberhorne Farm*

*200 homes at Felbridge*

*50 homes at Crawley Down*

*22 homes at East Grinstead Police Station.*

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

**Failure to Consult**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Unsound Assessment of Sites Alternative sites unreasonably discarded**

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

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

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

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

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

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

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

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

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

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

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

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

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

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

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

### **Unsustainable Traffic Congestion**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

### **Contrary to Neighbourhood Plan**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Yours faithfully

Mike and Val Mitchell

A black rectangular redaction box covering the signature area of the letter.

**1809**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1809

**Response Ref:** Reg19/1809/3

**Respondent:** Mrs V Mitchell

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

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

One for planning...

---

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

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

Date: 24 September 2020

Dear Sir/Madam

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

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

*550 homes at Imberhorne Farm*

*200 homes at Felbridge*

*50 homes at Crawley Down*

*22 homes at East Grinstead Police Station.*

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

**Failure to Consult**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Unsound Assessment of Sites Alternative sites unreasonably discarded**

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

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

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

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

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

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

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

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

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

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

Site Selection Criteria ID 196 – Crawley Down Road Felbridge

Site Selection Criteria ID 770 - Imberhorne Farm

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

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

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

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

### **Unsustainable Traffic Congestion**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Contrary to Neighbourhood Plan**

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Yours faithfully

Mike and Val Mitchell

[Redacted signature]

**1822**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1822

**Response Ref:** Reg19/1822/1

**Respondent:** Mrs & Mr H & D Bull

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Hayley Bull [REDACTED]  
**Sent:** 25 September 2020 15:03  
**To:** ldfconsultation  
**Subject:** Say no to SA22 development in Crawley Down

I do not agree with any further housing being built in Crawley Down. We have no room at our local school or doctors. We have reached our target. Leave our green spaces alone !

The District Plan set a target of 874 new homes for Worth Parish (Copthorne and Crawley Down). By April this year the total of houses built and planning permissions granted to developers in the two villages was 908. So the two villages have already EXCEEDED their District Plan target which was supposed to last until 2031. It is unfair to ask Crawley Down to take more houses when other towns and villages haven't met their target.

Hayley and Daniel Bull [REDACTED]

1854

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1854

**Response Ref:** Reg19/1854/1

**Respondent:** Mr M Hatton

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Outlook.com 2016 [REDACTED]  
**Sent:** 26 September 2020 23:33  
**To:** ldfconsultation  
**Subject:** Site SA22

The District Plan set a target of 874 new homes for Worth Parish (Copthorne and Crawley Down). By April this year the total of houses built and planning permissions granted to developers in the two villages was 908. So the two villages have already EXCEEDED their District Plan target which was supposed to last until 2031. It is unfair to ask Crawley Down to take more houses when other towns and villages haven't met their target.

We also do not have the infrastructure to support more development. Crawley Down School and medical centre are already full, and the Co-op is far too small for such a large village.

I am therefore requesting that site SA22 be deleted.

Kind regards,  
Murray Hatton

Sent from [Outlook](#)

**1877**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1877

**Response Ref:** Reg19/1877/4

**Respondent:** Mr A Jordan

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** ANDY JORDAN [REDACTED]  
**Sent:** 27 September 2020 09:06  
**To:** ldfconsultation  
**Subject:** Response to Proposed Development - Felbridge  
**Attachments:** Site Dev Objections.docx

Dear Sirs

Please find below a copy of my response to the proposed new building plans for Felbridge.

Copy attached

From:

Andrew Jordan

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Subject:

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

Dear Sirs

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

There are 4 main queries that I have:

1. There was a Strategic Gap between the Felwater and the properties along Crawley Down Road, to stop any development creep. Why is this now not being considered?

2. Pre lock down, in the AM rush hour it could on occasions take up to nearly 40 mins (I once measured 37 mins) to get from our house 125 Crawley Down Road to the Copthorne Road – approx. ½ mile, due to volumes of traffic and school ‘drop offs’

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

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

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

3. I thought there were to be no more significant developments until a Ring Road had been approved. Congestion around the A264 & A22 x-over is already unbearable.

The current traffic congestion represents a seriously negative impact on new business considering East Grinstead as a possible location.

Adding more housing and vehicles can only make this worse.

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

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

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

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

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

4. Flooding

The field behind our property floods regularly and the water does not drain away naturally.

It filters into our garden which then also floods front and rear – photos attached.

This water amounts 100’sk litres and eventually finds its way into drains.

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



The current set up is inadequate.

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

Yours sincerely

Andrew Jordan





From:

Andrew Jordan  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Subject:

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

Dear Sirs

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

There are 4 main queries that I have:

1. There was a Strategic Gap between the Felwater and the properties along Crawley Down Road, to stop any development creep. Why is this now not being considered?
2. Pre lock down, in the AM rush hour it could on occasions take up to nearly 40 mins (I once measured 37 mins) to get from our house 125 Crawley Down Road to the Copthorne Road – approx. ½ mile, due to volumes of traffic and school ‘drop offs’

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

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

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

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

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

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

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

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

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

4. Flooding

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

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

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

The current set up is inadequate.

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

Yours sincerely  
Andrew Jordan



**1895**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1895

**Response Ref:** Reg19/1895/2

**Respondent:** Ms J Gray

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 28 September 2020 11:48  
**To:** ldfconsultation  
**Subject:** Development PSA22

I have lived in Crawley Down for over 40 years and do not wish to see our so called 'village' become one massive housing estate.  
We cannot support any more houses!

Therefore, I am asking please delete Site SA22 from the Development Plan.

The District Plan set a target of 874 new homes for Worth Parish (Cophorne and Crawley Down). By April this year the total of houses built and planning permissions granted to developers in the two villages was 908. So the two villages have already exceeded their District Plan target which was supposed to last until 2031.  
It is unfair to ask Crawley Down to take more houses when other towns and villages haven't met their target.

Julie Gray

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1930

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1930

**Response Ref:** Reg19/1930/3

**Respondent:** Ms A Rijndorp

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

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

Dear Sirs,

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

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

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

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

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

Your comments would be welcomed.

Yours faithfully,  
Andrea Rijndorp

Sent from my iPad



## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1935

**Response Ref:** Reg19/1935/1

**Respondent:** Mr & Mrs P & S Barwell

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** shirleybarwell [REDACTED]  
**Sent:** 25 September 2020 23:18  
**To:** ldfconsultation  
**Subject:** Fwd: Say no to SA22 development in Crawley Down

Sent from Samsung tablet.

----- Original message -----

From: Hayley Bull [REDACTED]  
Date: 25/09/2020 20:16 (GMT+00:00)  
To: Mum Mobile [REDACTED]  
Subject: Fwd: Say no to SA22 development in Crawley Down

>>

>> We do not agree with any further housing being built in Crawley Down. We have no room at our local school or doctors. We have reached our target. Leave our green spaces alone !

>>

>> The District Plan set a target of 874 new homes for Worth Parish (Copthorne and Crawley Down). By April this year the total of houses built and planning permissions granted to developers in the two villages was 908. So the two villages have already EXCEEDED their District Plan target which was supposed to last until 2031. It is unfair to ask Crawley Down to take more houses when other towns and villages haven't met their target.

>>

>> Shirley and Peter Barwell [REDACTED]

1968

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 1968

**Response Ref:** Reg19/1968/1

**Respondent:** Ms N Harris

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Nathalie Harris [REDACTED]  
**Sent:** 26 September 2020 21:01  
**To:** ldfconsultation  
**Subject:** Objection to plans

Hello,

I'm writing to object to building plans in Crawley Down as we've already had our quota of building and there is no infrastructure to support further building.

I'm also objecting on the grounds of environment and wildlife as already the wildlife sites are diminished due to building meaning also less trees and vegetation and increase to impact on global warming and local environment problems.

I therefore ask for site SA22 to be deleted.

Nathalie Harris

2056

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2056

**Response Ref:** Reg19/2056/3

**Respondent:** Mr A Brooks

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Alan Brooks [REDACTED] on behalf of  
MSDC@crawleydown.idps.co.uk  
**Sent:** 27 September 2020 12:27  
**To:** Idfconsultation  
**Cc:** planningpolicy  
**Subject:** RE The Mid Sussex Regulation 19 Submission Draft Site Allocations Development  
Plan July 2020  
**Attachments:** RE The Mid Sussex Regulation 19 Submission Draft Site Allocations Development  
Plan July 2020.pdf; Site\_Allocations\_DPD\_Regulation\_19\_Response.pdf

Dear Sirs,  
Reference the Mid Sussex Regulation 19 Submission Draft Site Allocations Development Plan July 2020 Consultation,  
please find attached comments in respect of sites SA19, SA20, SA22 and SA32 plus general comment on the process.

I would appreciate confirmation of receipt before the deadline of 28/9/20 and that the documents have been  
forwarded to the relevant Inspector.

Regards

Alan Brooks



Virus-free. [www.avast.com](http://www.avast.com)

## RE The Mid Sussex Regulation 19 Submission Draft Site Allocations Development Plan July 2020

LDFconsultation@midsussex.gov.uk

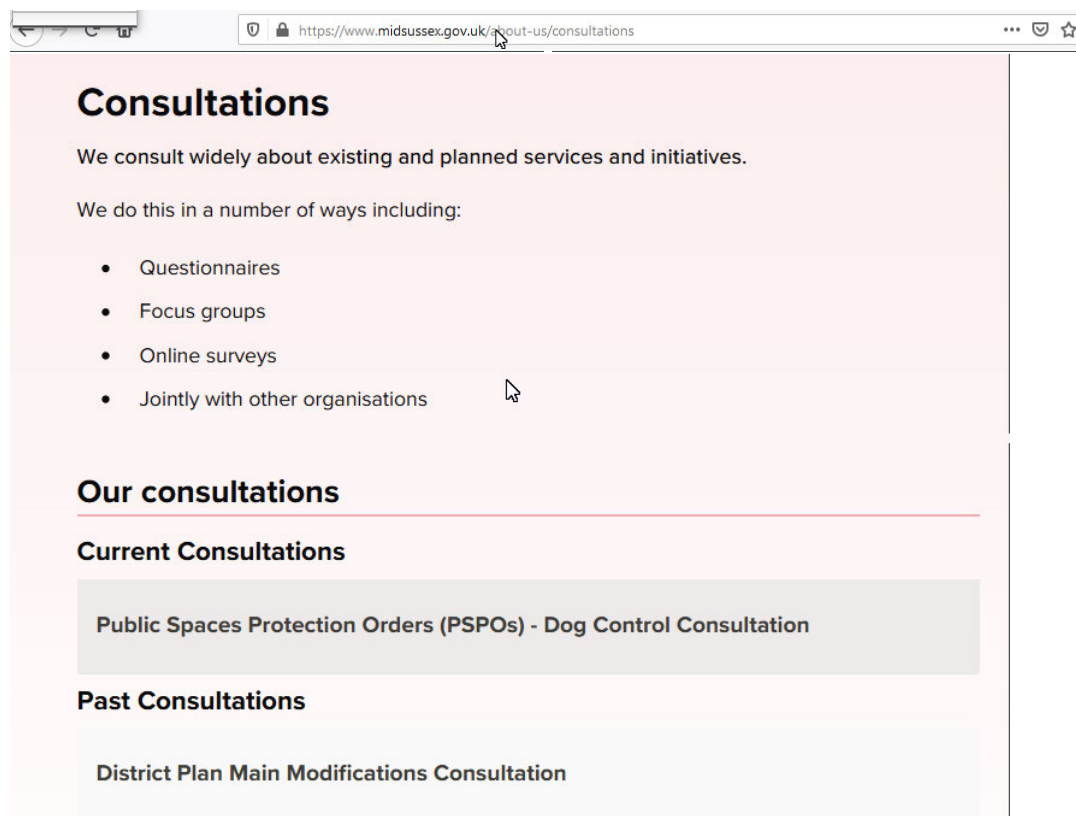
Copy: planningpolicy@midsussex.gov.uk requesting confirmation of receipt

### General

The Mid Sussex Regulation 19 Submission Draft Site Allocations Development Plan July 2020 is not in accordance with legal and procedural requirements; including the duty to cooperate, requirement to consult and publication of referenced documents on which the plan claims to have been based.

In the referenced document MSDC claim that *"The Draft site Allocations Document was subject to public consultation in Autumn 2019"*. Public consultation requires adequate publicity in order for any conclusions/results to be credible. MSDC have failed in that fundamental aspect and so the consultation must be considered void as must the Regulation 19 consultation process.

Due to the lack of effective publicity by MSDC, I was totally unaware of the Regulation 18 consultation so was unable to comment on the Site Allocations DPD Draft Plan, despite wanting to do so and have only recently been made aware of that and the Regulation 19 consultation due to social media. I would have expected the "consultation" to have been advertised in the MSDC magazine (Mid-Sussex Matters) distributed to every household in the District as an absolute minimum. However nothing was mentioned about either Regulation 18 or 19 consultation. Even the MSDC consultations web page fails to notify the public that there is an ongoing Regulation 19 consultation. Screenshot taken today (10:30am, 27/9/20) – one day before "consultation" closes:



Felbridge Parish Council confirm that they have not been consulted, despite the large housing allocation and that the consultation was not listed on 20/9/20 when they checked the consultations page.

MSDC claim to have met their obligation to consult with residents by issuing a single press release, but cannot verify that it was used by any of the referenced media. I'm informed that the Mid Sussex Times ran a story, but that is not distributed in the north of the district (the area expected to provide half of the housing!).

Traffic is a major issue in the East Grinstead locality and A22 congestion seriously affects local villages. MSDC and Tandridge jointly commissioned WSP to carry out a study into Felbridge A264/22 junction capacity and to look in detail at options to alleviate congestion. However, MSDC have chosen not to publish the findings of the recent WSP traffic study and are therefore considered to be withholding material evidence from the consultation process, preventing residents being informed of the expected consequences of development.

The NPPF requires that development plans MUST be

a) positively prepared

MSDC have failed to positively engage with landowners/developers offering large strategic sites such as Crabbet Park and Mayfield.

b) justified

Failed to properly take account of reasonable alternatives, and failure to show sites SA22, SA19, SA20 to be sustainable or deliverable and SA32 to comply with policy ref High Weald AONB

c) effective,

Failed to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead and the consequent severe impact on local villages The East Grinstead Neighbourhood Plan states that *"The constrained nature of East Grinstead's current infrastructure is by far the greatest challenge facing the town in the immediate future, with existing roads and junctions already over capacity."* That directly reflects into heavy traffic on the B2028 corridor.

d) consistent with national policy

Failed to demonstrate sustainability, failed to consult, failed to address infrastructure and other community needs. Failed Duty to Cooperate. Tandridge District Council (TDC) have confirmed to Felbridge Parish Council that they were not informed of the Regulation 19 consultation and have sought an extension to enable them to prepare a response. This is despite there being a Statement of Common Ground between MSDC and TDC

The document does not comply with NPPF or MSDC own requirements, it is not fit for purpose.

Additional housing along the B2028 corridor cannot be justified until the A22/A264 issues have been mitigated. Ongoing issues within the A22 and at the Felbridge junction mean that the B2028 will continue to be an overloaded rat run in dire need of maintenance.

The Tandridge District Council-MSDC SoCG confirms that both parties agree the necessity to implement highways improvements at four junctions on the A264 and A22 - the 'A22/A264 corridor



project'. The transport assessment does not include the benefits of the project and the source of the funding to complete the scheme has not been identified. West Sussex Highways response to the consultation was *'The DPD should acknowledge the possibility that improvements may not be deliverable at the Felbridge junction.'* Without commitment and funding line and a possible conclusion that no viable scheme exists to effectively mitigate the already severe road network. Any development in this area would further burden an already overloaded road network. Therefore the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

'Rat running' through rural roads and residential streets is already occurring due to the severe congestion at the Star junction of the A22 and A264. It is not a sustainable transport strategy to rely upon unsuitable rural roads and residential streets to handle the additional traffic resulting from a proposed site just because the A-road network has exceeded its capacity.

The DPD Transport Assessment attributes the severe capacity issues in East Grinstead and local villages to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test. NPPF paragraph 109 states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

The impact of traffic from sites proposed in the Site Allocations DPD cannot be treated independently from the impact of other sites allocated in the Local Development Plan. Yet MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. That cannot be the intended interpretation of NPPF Paragraph 109. The Site Allocations DPD is effectively part of the Local Development Plan so should not be considered separately.

It is claimed that "the District Plan was based on a comprehensive understanding of the issues facing the district". The biggest issue currently facing the District is fallout from the Covid19 pandemic. That has not been considered at all and should require a formal review of proposals/strategy/policy to date. The North of the District is heavily dependent on Gatwick and associated aviation/aerospace industries. The most optimistic forecasts for the local area would seem to indicate much higher unemployment than the rest of Mid-Sussex, some 3-5 years for aviation to recover to 70% of pre-Covid levels and for recovery not to really start until Covid is under control (late 2021?). All of this will directly affect housing need (and type required) in the area. The move to remote working will also affect infrastructure requirements.

In the Sustainability Appraisal conclusion it states that "All site allocations have a positive impact on the sustainability objective to ensure high and stable levels of employment so everyone can benefit from the economic growth of the District". No proof has been offered to support this general statement. Neither of the Crawley Down or Turners Hill sites would offer anything other than temporary employment. Recent office conversion to residential in East Grinstead is estimated to have cost at least 1000 jobs in East Grinstead Town Centre with another 500 residents requiring jobs (Felbridge Parish Council statement). MSDC do not monitor the amount of office space lost to residential conversions. Therefore, they cannot know how much office space is currently available in East Grinstead in order to inform planning decisions.

MSDC claim that a series of reasonable alternatives were developed to address assessed housing need. If additional housing is still required post Covid then Crabbett Park and the proposed Mayfield

development should not be airily dismissed. Mayfield would “hedge the bets” on aviation recovery and provide capability for both Crawley and Burgess Hill, yet MSDC have failed to engage with the developers unlike Horsham. Crabtree Park is adjacent to the Crawley BUA boundary for all intents and purposes and could provide 2300 houses with easy access to Crawley facilities and opportunities, yet appears to have been rejected on spurious and inaccurate grounds.

I fully support the call for infrastructure before houses and it is past time that MSDC recognise this and deal with it rather than ignoring it as too difficult.

For too long MSDC have used New Homes Bonus to shore up MSDC general finances instead of being used for its stated purpose of supporting communities most affected by development. Crawley Down is at breaking point due to lack of investment and maintenance of infrastructure, developers providing the “wrong” mix of housing for the community – just one which produces the most profit at the expense of community.

## **SA22**

I formally request that this site be deleted from the Site Allocations Development Plan.

The District Plan set a target of 874 new homes for Worth Parish (Cophorne and Crawley Down). By April 2020 the total of houses built and planning permissions granted to developers in the two villages was 908, there is an application for 39 off at Hurst Farm in Crawley Down in the pipeline, small scale proposals and windfall possibilities. The two villages have already EXCEEDED their agreed District Plan target which was supposed to last until 2031.

Contrary to the agreed allocation at Crawley Down, MSDC have now included Site SA22 - 50 extra houses behind Woodlands Close in Crawley Down.

The local school has only recently been expanded and is still having to turn village children away. There are at least 106 houses with planning permission yet to be built. NPPF (2018) paragraph 94 is quoted in supporting documents *“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should... give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”*. No consideration has been given to this requirement and implications thereof. It is not sustainable.

Access to SA22 via either Sycamore Lane or Woodlands Close is proposed. Development of the site would encroach into the gap between Crawley Down and Turners Hill, contrary to the Neighbourhood Plan objective of maintaining separate communities. The junction common to Woodlands Close and exit from Sycamore Close is already the subject of discussion at Worth PC and the issue has been raised with WSCC and MSDC. It is considered dangerous. Right of Way from Kiln Rd into the Burleigh Woods Estate (and Sycamore Close) crosses Woodlands Close/Woodlands Drive junction. Vehicles exiting Woodlands Drive have a blind bend to their right with no impediment to cars speeding into the Estate.

The document suggests a “proposed new BUAB”. This would appear to extend well beyond the current boundary to the East and the plan does not show the full extent of the proposed expansion. My understanding from previous discussions with MSDC in connection with the Neighbourhood Plan is that the formal BUAB cannot be altered without formal consultation. That has not happened and an incomplete proposal inside a draft document does not constitute formal consultation. Further,

both the Crawley Down Neighbourhood Plan (CDNP) and DP (DP12 and DP13) have policies specific to planning inside and outside the BUAB, which this diagram would appear to have the distinct possibility to undermine. On that basis the “proposed BUAB” should be entirely removed from the site allocations document and replaced with site boundary.

Upgrade to sewage infrastructure is stated as required. District Plan policy **DP42: Water Infrastructure and the Water Environment** should apply. However, history and experience has demonstrated that it doesn't!

South East Water has consistently stated that the existing foul water infrastructure would be inadequate to support additional development for every significant development in the village for the last 10 years or more. Nothing has been done to alleviate this situation and the new Burleigh Woods (Miller) Estate (of which Sycamore Lane forms a part) has suffered continual drainage problems since first occupation. Woodlands Close still has pitch fibre pipework which is approaching twice the design life. The pumping station in Hazel Way has been working at or over capacity for some years and there have been consequent environmental incidents.

The Burleigh Woods estate employs a buffer/pump system in a demonstrably unsuccessful attempt to limit foul water flow to manageable levels. MSDC have traditionally turned a blind eye to this problem in stipulating unenforceable Grampian conditions when granting planning permission – contrary to the Crawley Down Neighbourhood Plan (CDNP). Grampian conditions should be banned.

A number of natural springs and watercourses cross this area and flooding of adjacent areas is a distinct probability. The CDNP requires that surface water flow from the site into other areas be constrained to an equivalent level to that before development.

It is unfair and unreasonable to ask Crawley Down to take more houses when other towns and villages haven't met their target and directly contrary to information and assurances given to Crawley Down residents by MSDC representatives during and after preparation and adoption of the CDNP.

The NPPF requires that the Site Allocations Document deliver sustainable development. In the case of Crawley Down it does not.

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

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

Crawley Down only has limited employment local to the village. Main employment opportunities are supplied by Gatwick/Crawley, Burgess Hill, London/Croydon. East Grinstead offers limited employment which has decreased significantly with loss of office buildings recently. The extent of job loss in Crawley/Gatwick has yet to be assessed, but is forecast to be extremely significant. With the lack of public transport at times suitable for work and employment opportunities limited to further afield, personal transport is a necessity. More out-commuting and greater distance

commuting is inevitable. The decline in local employment and the rise of out-commuting is contrary to the stated Sustainability Objective so the site must qualify for a 'Significant Negative Impact'. Expansion of Crawley Down in current circumstances is not sustainable.

MSDC have adopted a fundamentally flawed policy in respect of categorisation under the "Settlement Hierarchy", whereby higher category settlements receive more housing as being more sustainable without assessing the viability of existing settlement facilities and services or viability/defined funding for expansion.

Crawley Down has been "assessed" as a sustainable community and therefore able to take more housing. The "sustainability assessment" performed appears to merely note the existence of facilities/infrastructure, not whether those facilities/infrastructure are currently viable and suitable for the local population, whether expansion of those facilities would be viable (and financed) within the proposed timescales etc. Schools, Health, Sewage, Communications and transport amongst others would fail those tests – making expansion unsustainable.

If the policy continues unmodified it would inevitably lead to failure of previously sustainable and viable communities and also allow marginally sustainable communities to fail. Policy should be to reinforce and support marginal communities with additional employment and housing opportunities, not discriminate against other communities.

#### **SA19 & SA20**

Encroachment into the gap between Crawley Down and East Grinstead, contrary to the Neighbourhood Plan objective of maintaining separate communities.

Development at East Grinstead should be limited until such time as the A22 issues are mitigated.

#### **SA32**

The list also includes 16 homes on Withypitts Farm in Turners Hill (site SA32). This will be in addition to the 44 homes on the Old Vicarage Yard site nominated in the Turners Hill Neighbourhood Plan.

The site allocation document states "Development in the High Weald AONB or within its setting will need to conserve and enhance the natural beauty and special qualities of the High Weald, as set out in the **High Weald Management Plan 2019-2024** and District Plan Policy **DP16: High Weald Area of Outstanding Natural Beauty**"

NPPF Duty to Co-operate also requires Mid Sussex to give consideration to potential impacts on the High Weald Area of Outstanding Natural Beauty (AONB). Adequate consideration and provision has not been given in this instance. Site SA32 is in the designated AONB and therefore should be excluded as not in accordance with national or local requirements for development approval.

## ACTIONS REQUESTED

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

1. The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement. Regulation 18 consultation should be repeated with adequate and appropriate publicity.
2. Housing needs and required spatial allocation to be reviewed, especially in view of collapse of the local aviation/aerospace industry and adverse effect on employment in the North Sussex area.
3. Policies in respect of Settlement Hierarchies and housing allocation on that basis be reviewed and viability of services assessed in determining suitability.
4. The WSP transport report should be published in full and its findings submitted for consultation. MSDC to use the most recent figures and assessments in determining traffic issues.
5. The proposed allocations at Crawley Down and Turners Hill should be withdrawn as they cannot be delivered sustainably.
6. MSDC should withdraw the DPD and carry out a full and proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield village.
7. In the event that the Inspector decides the DPD should progress to Examination then any allocations at Crawley Down or Turners Hill should be made contingent on providing funded and budgeted infrastructure improvements in respect of transport, education, health, sewage, water supply and community facilities as a minimum.
8. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead, Felbridge, Crawley Down, Copthorne or Turners Hill should be made contingent on delivering a viable and meaningful set of junction improvements along the A264-A22 corridor to mitigate the cumulative impact of local development since 2017.

A.M. Brooks

[REDACTED]

[REDACTED]

2065

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2065

**Response Ref:** Reg19/2065/12

**Respondent:** Mr A Black

**Organisation:** Andrew Black consulting

**On Behalf Of:** Denton - Horsham Road

**Category:** Promoter

**Appear at Examination?** x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)  
Consultation

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

September 2020

Project MSDC Draft Site Allocations DPD

ABC Reference ABC/0075/07a

Local Authority Mid Sussex District Council

Client Denton Homes

Issue Final

Author Andrew Black

Date September 2020

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



## Contents

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

## 1. Introduction

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

## 2. Site and Surroundings

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

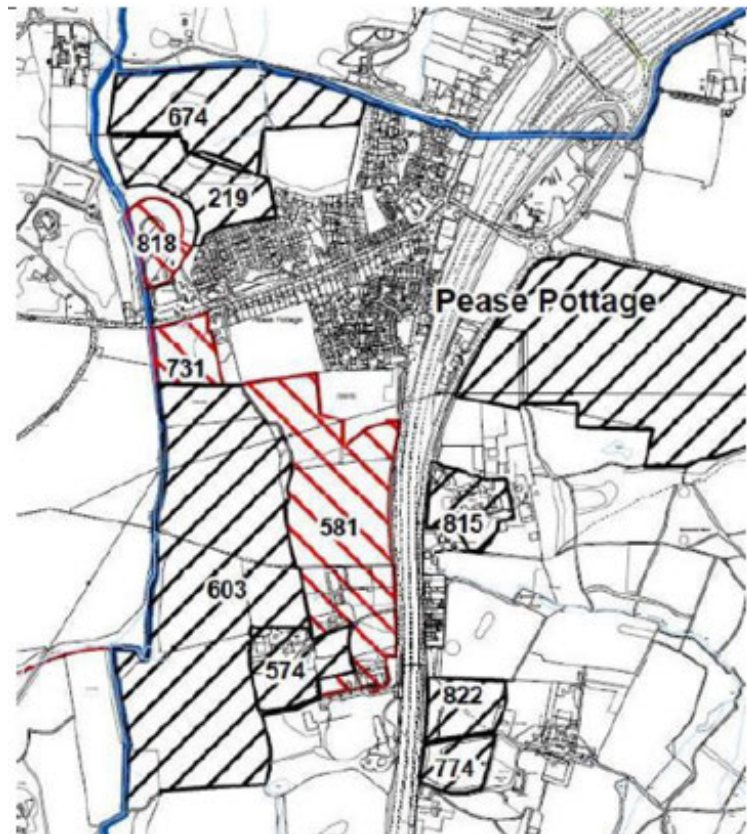


Figure 1 – SHELAA Extract

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

### Surrounding Developments and Proposed Allocations

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



Figure 2 – Riverdale Homes site layout

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



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



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

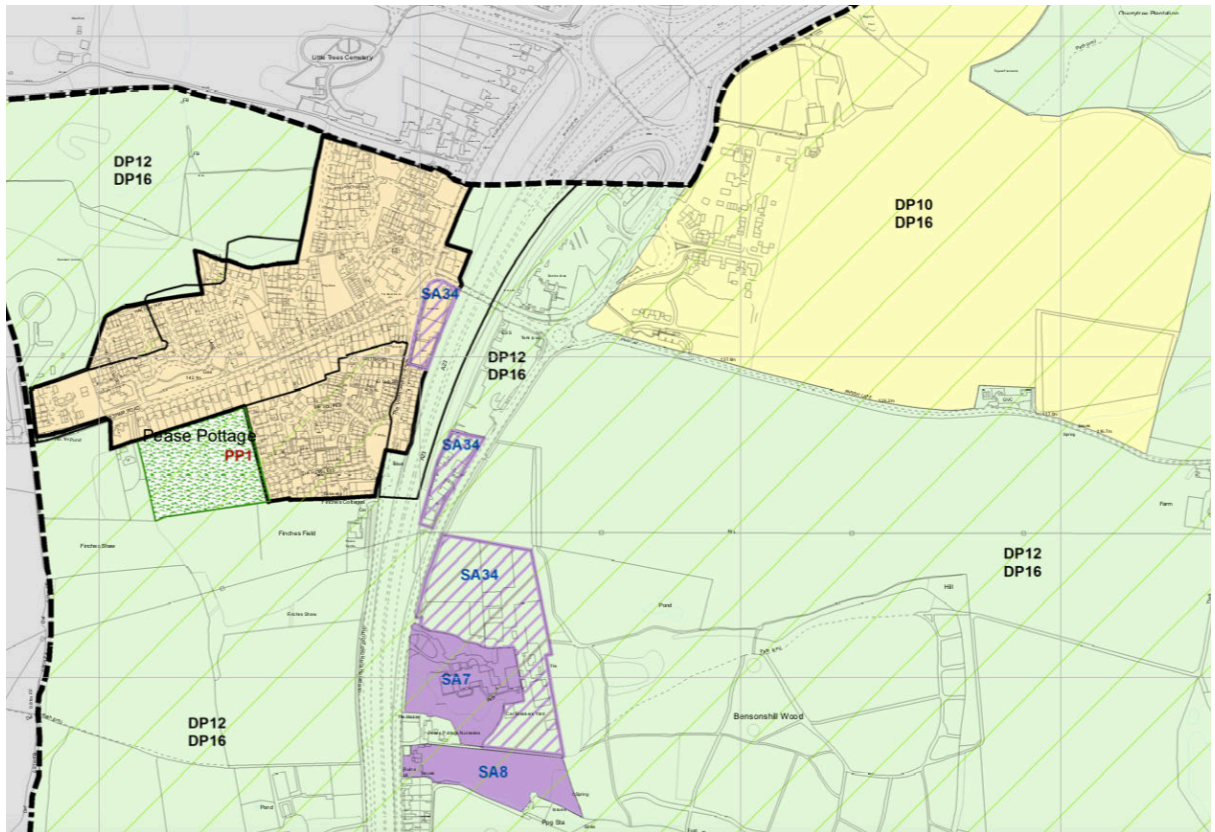


Figure 4 – SADPD Proposals Map

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

**Part 3 - Sustainability / Access to Services**

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

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

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

### 3. Housing Site Allocation Process

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

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

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

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

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

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

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

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

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

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



## Deliverability of Sites

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

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

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

*A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.*

*The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.*

*Paragraph: 019 Reference ID: 3-019-20190722*

*Revision date: 22 07 2019*

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

## Historic Environment

- 3.13 Several of the allocations within the DPD are in close proximity to heritage assets. Paragraph 193 of the framework sets out the approach to heritage assets as follows:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any*

*potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

- 3.14 In many instances the council themselves suggest that the development of housing on the sites is likely to have ‘less than significant harm’ on the heritage assets in question. Paragraph 196 of the framework sets out the approach which should be taken in this instance:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable*

- 3.15 The council has sought in their assessment of sites to grade the level of harm within the category of less than substantial harm. This is not appropriate way to suggest that this harm could be mitigated if it is at the lower end of ‘less than substantial harm’ is an incorrect interpretation of planning policy, legislation and guidance. The most recent authority on this matter is in the high court decision for *James Hall and Company Limited v City of Bradford Metropolitan District Council & Co-operative Group Limited & Dalehead Properties Limited* in a judgement handed down on 22 October 2019 ([2019] EWHC 2899) where the ruling confirmed that ‘negligible’ or ‘minimal’ harm still equates to ‘harm’ for the purposes of the heritage tests in the NPPF.
- 3.16 It is not considered that the harm caused to heritage assets has been adequately assessed within the Sustainability Appraisal for many of the proposed sites and further consideration is required of the sites in this regard. This would include assessing sites which would not have an impact on heritage assets through a robust application of reasonable alternatives within the Sustainability Appraisal.

## 4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

*The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:*

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

*Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.*

*The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.*

*Paragraph: 018 Reference ID: 11-018-20140306*

*Revision date: 06 03 2014*

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

*The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only*

*the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.*

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

*Option A – 20 'Constant Sites' – 1,619 dwellings*

*Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.*

*Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings*

- 4.8 Paragraph 6.52 of the SA concludes that:

*Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.*

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

## 5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

### **SA 12 Land South of 96 Folders Lane, Burgess Hill**

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

### **SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.**

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

### **SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill**

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

#### **SA 15 Land South of Southway, Burgess Hill**

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

*Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.*

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

#### **SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill**

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

#### **SA 17 Woodfield House, Isaacs Lane, Burgess Hill**

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

*There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.*

*Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.*

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

*Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.*

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

*Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.*

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

*The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.*

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

#### **SA 18 East Grinstead Police Station, College Lane, East Grinstead**

- 5.22 We have no comments to make in relation to this allocation.

#### **SA 19 Land south of Crawley Down Road, Felbridge**

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

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

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

*Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In*



*line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.*

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

#### **APPENDIX B : Gullege Farm, Imberhorne Lane**

*This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.*

#### **NPPF: LSH, high**

##### **Imberhorne Farm and Imberhorne Cottages**

*In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.*

*The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.*

#### **NPPF: LSH, high**

- 5.30 The potential harm to heritage is also referred to in the SA which states that:



*option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II\* listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

## **SA 21 Rogers Farm, Fox Hill, Haywards Heath**

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

*Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).*

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

*15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.*

*16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.*

*17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.*

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

#### **SA 22 Land north of Burleigh Lane, Crawley Down**

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

*Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.*

*Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down. NPPF: LSH, MEDIUM*

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

#### **SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield**

- 5.38 No comments.

#### **SA 24 Land to the north of Shepherds Walk, Hassocks**

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

#### **SA 25 Land west of Selsfield Road, Ardingly**

- 5.40 No comments.

#### **SA 26 Land south of Hammerwood Road, Ashurst Wood**

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

#### **SA 27 Land at St. Martin Close, Handcross**

- 5.42 No comments.

**SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes**

- 5.43 No comments.

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

- 5.44 No comments.

**SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common**

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

**SA 31 Land to the rear Firlands, Church Road, Scaynes Hill**

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

**SA 32 Withypitts Farm, Selsfield Road, Turners Hill**

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.


**SA 33 Ansty Cross Garage, Cuckfield Road, Ansty**

- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.


## 6. Conclusions

- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

## 7. Appendix 1 – SHELAA Extract – February 2020


Stage 1 Site Pro-Forma – All Sites			
<b>SHELAA Ref</b> 219		<b>Parish</b> Slaugham	
<b>Site Location</b> Land at former Driving Range, Horsham Road, Pease Pottage			
			
<b>Site uses</b>	Sports Facilities and Grounds		
<b>Gross Site Area (ha)</b>	3.97		
<b>Potential Yield</b>	75		
<b>Site History</b>			
<b>Absolute Constraint</b>	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
<b>Other Constraints</b>	Ancient Woodland	✓	
	Area of Outstanding Natural Beauty	✓	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development will not affect listed building/s	
	Access	Safe access to site already exists	
<b>Suitable</b>	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
<b>Availability</b>	Site submitted by site proponent to the SHELAA for assessment - considered available		
<b>Achievability</b>	There is a reasonable prospect that site could be developed within the Plan period		
<b>Timescale</b>	Medium-Long Term		

Stage 1 Site Pro-Forma – All Sites

<b>SHELAA Ref</b>	818		<b>Parish</b>	Slaugham
<b>Site Location</b>	Land north of the Former Golf House, Horsham Road, Pease Pottage			
				
<b>Site uses</b>	Car Parks			
<b>Gross Site Area (ha)</b>	1.7			
<b>Potential Yield</b>	41			
<b>Site History</b>				
<b>Absolute Constraint</b>	Flood Zone 2 or 3	✗		
	Site of Special Scientific Interest	✗		
<b>Other Constraints</b>	Ancient Woodland	✗		
	Area of Outstanding Natural Beauty	✓		
	Local Nature Reserve	✗		
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character		
	Scheduled Monument	✗		
	Listed Buildings	Development will not affect listed building/s		
	Access	Safe access to site already exists		
<b>Suitable</b>	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment			
<b>Availability</b>	Site submitted by site proponent to the SHELAA for assessment - considered available			
<b>Achievability</b>	There is a reasonable prospect that site could be developed within the Plan period			
<b>Timescale</b>	Medium-Long Term			



## 8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Pease Pottage		
ID	818	Land north of the Former Golf House, Horsham Road, Pease Pottage
		
Site Details		
Units:	41	Site Area (ha): 1.4
Part 1 - Planning Constraints		
1 - AONB	Wholly within – Moderate Impact	Moderate impact on AONB due to potential impact on Ancient Woodland. Impact may be low for apartments on site of existing buildings. Pond within Ancient Woodland to the north of the site and a drain to the east of the site. On western edge of the main village of Pease Pottage, currently occupied by an office and car parking. Offices within the Golf House immediately to the east with modern in depth development beyond. Horsham Road is a historic routeway. Ancient Woodland surrounds the site on three sides and may reduce capacity due to need to retain 15m buffers. Twentieth century clearance of woodland. Site not visible from public vantage points.
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	Adjacent	
4 - SSSI/SNCI/LNR	None	This site is not adjacent to any Sites of Special Scientific Interest or Local Wildlife Site
5 - Listed Buildings	None	There are no listed buildings within or adjacent to the site
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	AONB	Site is within the High Weald AONB (assessed under criterion 1)
9 - Trees/TPOs	Low/Medium	Trees along the south eastern boundary of the site.
Part 2 - Deliverability Considerations		
818	Land north of the Former Golf House, Horsham Road, Pease Pottage	

## Site Selection - Housing

10 - Highways		
11 - Local Road/Access	None	Safe access to site already exists.
12 - Deliverability	Reasonable prospect developability	Housebuilder in an option agreement with the landowner. Intend to submit an application if the site is given a draft allocation in the Site Allocations Document.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.

## Part 3 - Sustainability / Access to Services

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

## Part 4 - Other Considerations

<b>Neighbourhood Plan</b> Policy 1 Protecting AONB Policy 2 Protection of landscape Policy 3 Protection of the open countryside Aim 1 Preventing coalescence	<b>Minerals</b> Minerals considerations unnecessary as site does not progress past detailed assessment stage.
<b>Waste</b> Water and wastewater considerations unnecessary as site does not progress past detailed assessment stage.	<b>Environmental Health</b> Environmental health considerations unnecessary as site does not progress past detailed assessment stage.
<b>Sustainability Appraisal</b> Assessment indicates site is not a reasonable alternative and is therefore not tested through the SA.	<b>Notes</b>

## Part 5 - Conclusion

<b>Summary</b>	The assessment finds that the site is not suitable for allocation.
<b>Recommendation</b>	Site is not proposed for allocation.





2067

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2067

**Response Ref:** Reg19/2067/13

**Respondent:** Mr A Black

**Organisation:** Andrew Black consulting

**On Behalf Of:** Denton Homes - Butlers green

**Category:** Promoter

**Appear at Examination?** x



Mid Sussex District Council

Draft Site Allocations DPD (Regulation 19)  
Consultation

Representation on behalf of Denton Homes – Land  
North of Butlers Green Road, Haywards Heath

September 2020

Project	MSDC Draft Site Allocations DPD
ABC Reference	ABC/0075/07
Local Authority	Mid Sussex District Council
Client	Denton Homes
Issue	Final
Author	Andrew Black
Date	September 2020

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

## Contents

<b>1. Introduction</b>			
Error! Bookmark not defined.			
<b>2. Site and Surroundings</b>			
Error! Bookmark not defined.			
<b>3. Built up Area Boundary Review</b>			
Error! Bookmark not defined.			
<b>4. Housing Site Allocation Process</b>			
Error! Bookmark not defined.			
<b>5. Sustainability Appraisal</b>			
Error! Bookmark not defined.			
<b>6. Assessment of Proposed Sites.</b>			
Error! Bookmark not defined.			
<b>7. Conclusions</b>			
Error! Bookmark not defined.			
<b>8. Appendix 1 – SHELAA Extract – February 2020</b>			
Error! Bookmark not defined.			

## 1. Introduction

- 1.1 These representations for the Draft Site Allocations DPD (Regulation 19) Consultation (Herein referred to as the 'SADPD') are submitted by Andrew Black Consulting on behalf of Denton Homes regarding a within their control in Haywards Heath.
- 1.2 The site is known as *Land north of Butlers Green Road, Haywards Heath* (SHELAA ID 673).
- 1.3 It is understood that the SADPD has been produced in accordance with the Planning and Compulsory Purchase Act 2004, and other relevant regulations.
- 1.4 The NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:
  - a) *positively prepared*
  - b) *justified*
  - c) *effective, and*
  - d) *consistent with national policy.*
- 1.5 It is with this in mind that these representations are made.
- 1.6 The draft SADPD has been prepared using an extensive and legally compliant evidence base including a Sustainability Appraisal, Habitat Regulations Assessment, Community Involvement Plan, Equalities Impact Assessment, and various technical reports and studies. Of particular note is the Built Up Area Boundary and Policies Map Topic Paper (TP1) produced in August 2020.
- 1.7 The Site Allocations DPD proposes to allocate 22 sites to meet this residual necessary to meet the overall agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan.
- 1.8 These representations set out the detail of the Site and Surroundings and a response to the detailed parts of the SADPD.

## 2. Site and Surroundings

**2.1** The site is located to the North of Butlers Green Road in Haywards Heath.



Figure 1 – SHELAA Extract

2.2 The site was assessed as Suitable, Available and Achievable in the Medium to Long Term (The full extract of the SHELAA is set out in Appendix 1).

### 3. Housing Site Allocation Process

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

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

Figure 5 – Extract from MSDC Housing Land Supply Position Statement

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



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

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

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

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

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

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

### Deliverability of Sites

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

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

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

- 3.11 The Planning Practice Guidance provides a further explanation on how the deliverability of sites should be considered:

*A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.*

*The existence of planning permission can be a good indication of the availability of sites. Sites meeting the definition of deliverable should be considered available unless evidence indicates otherwise. Sites without permission can be considered available within the first five years, further guidance to this is contained in the 5 year housing land supply guidance. Consideration can also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.*

*Paragraph: 019 Reference ID: 3-019-20190722*

*Revision date: 22 07 2019*

- 3.12 It is with this in mind that the proposed sites within the Sites DPD are scrutinised within subsequent sections of this document. It is considered that many of the proposed sites do not fully accord with the definition of delivery and consideration of alternative sites is required.

## 4. Sustainability Appraisal

- 4.1 The SADPD is accompanied by a Sustainability Appraisal (SA) report which is a legal requirement derived from the Planning and Compulsory Purchase Act 2004 (Section 19). Section 39 of the Act requires documents such as the SADPD to be prepared with a view to contributing to the achievement of sustainable development.
- 4.2 The requirement for Strategic Environmental Assessment, in addition to the SA, is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 4.3 In line with best practice the SEA has been incorporated into the SA of the SADPD.
- 4.4 The planning practice guidance sets out detailed consideration as to how any sustainability should assess alternatives and identify likely significant effects:

*The sustainability appraisal needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the plan were not to be adopted. In doing so it is important to:*

- *outline the reasons the alternatives were selected, and identify, describe and evaluate their likely significant effects on environmental, economic and social factors using the evidence base (employing the same level of detail for each alternative option). Criteria for determining the likely significance of effects on the environment are set out in [schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#);*
- *as part of this, identify any likely significant adverse effects and measures envisaged to prevent, reduce and, as fully as possible, offset them;*
- *provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of the alternatives.*

*Any assumptions used in assessing the significance of the effects of the plan will need to be documented. Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan. They need to be sufficiently distinct to highlight the different sustainability implications of each so that meaningful comparisons can be made.*

*The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.*

*Paragraph: 018 Reference ID: 11-018-20140306*

*Revision date: 06 03 2014*

- 4.5 In response to this guidance and requirement, paragraph 6.16 of the Sustainability Appraisal states that:

*The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only*

*the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements). 20 sites that perform well individually and on a settlement basis, the residual housing need of 1,507 would be met with a small over-supply of 112 units.*

- 4.6 Paragraph 6.45 recognises that this small over-supply *may not be a sufficient buffer should sites fall out of the allocations process between now and adoption (for example, due to delivery issues, reduction in yield, or any other reasons identified during consultation or the evidence base).*

- 4.7 The SA therefore considers reasonable alternatives of option A, B and C as follows:

*Option A – 20 'Constant Sites' – 1,619 dwellings*

*Option B – 20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites) – 1,962 dwellings.*

*Option C – 20 'Constant Sites' + Haywards Heath Golf Court – 2,249 dwellings*

- 4.8 Paragraph 6.52 of the SA concludes that:

*Following the assessment of all reasonable alternative options for site selection, the preferred option is option B. Although option A would meet residual housing need, option B proposes a sufficient buffer to allow for non-delivery, therefore provides more certainty that the housing need could be met. Whilst option C also proposes a sufficient buffer, it is at the expense of negative impacts arising on environmental objectives. The level of development within option C is approximately 50% above the residual housing need, the positives of delivering an excess of this amount within the Site Allocations DPD is outweighed by the negative environmental impacts associated with it.*

- 4.9 It is not considered that this assessment of Option A, B and C is a sufficient enough assessment of reasonable alternatives as required by guidance and legislation. All of the options contain the '20 Constant Sites' with no derivation of alternative options such as those which seek to divert housing growth away from the AONB or designated heritage assets.

- 4.10 It is apparent that other sites other than the 20 Constant Sites will need to be assessed if the council is to adequately demonstrate that reasonable alternatives have been considered as required.

## 5. Assessment of Proposed Sites.

- 5.1 This section analyses each of the proposed allocations against the tests of deliverability as set out in the NPPF and the potential shortcomings of several of the sites which require significant consideration. The findings of *Appendix B: Housing Site Proformas* of the *Site Selection Paper 3* (Appendix B) and the conclusions of the Sustainability Appraisal (SA) are considered in detail.

### **SA 12 Land South of 96 Folders Lane, Burgess Hill**

- 5.2 Appendix B of the reg 18 SADPD set out that this site has *moderate landscape sensitivity and moderate landscape value. This site could be visible from the South Downs National Park*. The SA states that an LVIA is required to determine any impact on the national park. Given the weight that the NPPF requires to be placed on the protection of the national park, any impact must be measured prior to allocation. If it is deemed that mitigation would not minimise the harm caused, then the proposed allocation must fall away.
- 5.3 Appendix B of the reg 18 SADPD also set out that a TPO area lines the norther border and potential access route. It should be noted that an application was submitted in 2019 for the *erection of 43 dwellings and associated works* (DM/19/0276) but was withdrawn in September 2019 due to concerns over highways. The deliverability of this site is therefore not considered to be in accordance with the guidance set out in the framework.
- 5.4 Finally, whilst the priority for sites higher in the settlement hierarchy is acknowledged, this is site is very remote from the services offered by Burgess Hill. This is highlighted within the sustainability appraisal for the site which states that it is more than a 20 minute walk from the site to schools, GP and shops.

### **SA 13 Land East of Keymer Road and South of Folders Lane, Burgess Hill.**

- 5.5 As with SA12, this site is in close proximity to the national park and the conclusions as set out above apply equally to this site.
- 5.6 The SA sets out that this is the only site within Burgess Hill to have any impact on listed buildings where it is stated that development of this site would cause *less than substantial harm (medium) on High Chimneys (Grade II listed)*. This is not mentioned within appendix B and this therefore calls into question the consistency of assessment of the sites in this regard.
- 5.7 Given that site SA12 and SA13 are in close proximity to one another it is notable that the cumulative impact of the development of both of these sites has not been assessed for a number of ‘in-combination’ impacts such as highways and landscape impact.

### **SA 14 Land to the south of Selby Close, Hammonds Ridge, Burgess Hill**

- 5.8 There is a TPO at the front of this site which is potentially why access is proposed through the CALA Homes site (DM/17/0205). No evidence is submitted to suggest that this form of access is agreed or available. The section relating to Highways and Access within the SADPD simply states that this access *will need to be investigated further*.
- 5.9 The SA and appendix B both point towards the Southern Water Infrastructure which crosses the site. The wording in the DPD recommends that the layout of the development is considered to *ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible*. Given that the site is only 0.16ha it is therefore questionable whether there would be adequate space to develop the site for housing and provide accommodation for the sewage infrastructure crossing the site. The deliverability of this site has therefore not been adequately demonstrated.

- 5.10 As with SA12 and SA13 there are questions of the sustainability of the site given that the SA notes that it is more than a 20 minute walk to the school and GP.

#### **SA 15 Land South of Southway, Burgess Hill**

- 5.11 The SADPD describes the site as *overgrown and inaccessible land designated as a Local Green Space in the Burgess Hill Neighbourhood Plan*. It is unclear whether this site was ever previously in use as playing pitches and whether re-provision of this space would be required under Sport England policies.
- 5.12 Appendix B of the reg 18 SADPD points towards issues with relocation of existing parking on the site and states that:

*Private parking areas would need to be removed to provide a suitable access point with sufficient visibility. The parking spaces are visitor spaces over which the owners/developers of the subject land have rights to access it to serve new development onto Linnet Lane. Accordingly, a new access into the site can be provided any new development would include two visitor spaces as close as reasonably possible to the existing visitor spaces.*

- 5.13 It is clear that there are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

#### **SA 16 St. Wilfrids Catholic Primary School, School Close, Burgess Hill**

- 5.14 The SADPD sets out that the satisfactory relocation of St Wilfrid's Primary School to St Paul's Catholic College site is required before development can commence on the school part of the site. There is also a requirement to re-provide the emergency services accommodation in a new emergency service centre either on this site or elsewhere in the town.
- 5.15 Given that the allocation is for 300 dwellings and requires this relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10 year time period as set out.

#### **SA 17 Woodfield House, Isaacs Lane, Burgess Hill**

- 5.16 The SADPD sets out some significant landscape features on site which require retention and it is stated that:

*There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.*

*Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.*

- 5.17 Given that the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.
- 5.18 It is clear from the Sites DPD that access to site is envisaged to be from the Northern Arc where it is stated that:

*Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.*

- 5.19 This is also set out in appendix B of the reg 18 SADPD where it is stated that:

*Entrance drive to house. Access on bend with limited visibility. 50 mph road. Would involve removal of trees that are subject to TPO. Objection for tree officer. However, future access is anticipated to be provided via the Northern Arc. Whilst the specific details of this remain uncertain on the basis that the enabling development is still at an early stage, it is considered that the identified constraints will no longer apply.*

- 5.20 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services. This is highlighted within the SA where it is stated that:

*The impact of option (h) on these objectives (Health/Retail/Education) is uncertain; currently the site is a long distance from local services, however, this will change once the Northern Arc is built out.*

- 5.21 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

#### **SA 18 East Grinstead Police Station, College Lane, East Grinstead**

- 5.22 We have no comments to make in relation to this allocation.

#### **SA 19 Land south of Crawley Down Road, Felbridge**

- 5.23 As set out, this allocation is directly to the west of the land under the control of Vanderbilt Homes which is also adjoined to the east by land with the benefit of planning permission for 62 dwellings.

- 5.24 Given that the entire area will be included within the revised Built Up Area Boundary, then it is considered logical that the adjoining sites are also identified for allocation within the SADPD.

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

- 5.25 There is a requirement in the SADPD for this site to provide a detailed phasing plan with agreement from key stakeholders to secure:

- Land for early years and primary school (2FE) provision – 2.2 ha
- A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).

- 5.26 It is unclear when these requirements are to be provided by within the development of any site and whether it is considered that the site would be suitable for allocation should these uses not come forward.

- 5.27 There are clear concerns over the suitability of this site in terms of ecology as set out in appendix B of the reg 18 SADPD which states:

*Natural England have concerns over the high density of housing south of Felbridge. Hedgecourt SSSI is accessible from the proposed site allocations via a network of Public Rights of Way. In*



*line with paragraph 175 of the NPPF, Mid Sussex District Council should determine if allocations are likely to have an adverse effect (either individually or in combination) on SSSI's. The NPPF states that "if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused." We would be happy to provide further advice if requested, although this may need to be on a cost recovery basis. The LWS adjacent to the site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. We are unable to advise you on specific impacts as we have no details of the scale or type of proposed development consider further impacts of disturbance of the LWS and Ancient woodland arising from people and domestic pets, connectivity, light and noise pollution, appropriate buffer and cumulative impact. This site is adjacent to the Worth Way. The SHELAA should be redrawn to remove the section of LWS. The site is an important recreational route and therefore consideration needs to be given to additional recreational disturbance to its habitats. Further consideration be given to impacts of disturbance on LWS and Ancient Woodland from people and pets, impacts on connectivity, impacts of light and noise pollution, need for Ancient Woodland buffer. Cumulative impact with SHELAA 686 and 561.*

- 5.28 It is clear that the impacts upon ecology and the SSSI have not been adequately addressed.
- 5.29 As with other sites there is potential for impact upon local heritage assets of Gullege Farm, Imberhorne Farm and Imberhorne Cottages as set out below. The harm in terms of less than strategic harm is inappropriately weighted in the assessment as a means for justification of allocation.

*APPENDIX B : Gullege Farm, Imberhorne Lane*

*This isolated farmstead has historically had a rural setting and continues to do so today. The introduction of a substantial housing development to the north, east and south of the listed manor house would have a fundamental impact on the character of that setting and would detract from the way in which the special interest of this Grade II listed rural manor house and the of the historic farmstead is appreciated.*

**NPPF: LSH, high**

*Imberhorne Farm and Imberhorne Cottages*

*In its original incarnation Imberhorne Cottages was probably constructed as a dwelling providing accommodation between London and Lewes, on Lewes Priory lands. It may have acted as the manor house to the substantial manor of Imberhorne, which was owned by the Priory. It seems likely that the building became farm cottages when the new farmhouse (Imberhorne) was constructed in the early 19th century. The currently rural setting of both buildings within the Imberhorne farmstead informs an understanding of their past function and therefore contributes positively to their special interest.*

*The proposed development site would engulf the farmstead to the west, north and east and would have a fundamental impact on the character of the greater part of its existing of rural setting and on views from both listed buildings. It would adversely affect the manner in which the special interest of the two listed buildings within their rural setting is appreciated, including by those passing along the PROW to the north of the farmstead.*

**NPPF: LSH, high**

- 5.30 The potential harm to heritage is also referred to in the SA which states that:



*option (e) which is not constrained by a conservation area, but would have a less than substantial harm (high) on Gullege Farm (Grade II listed) and Imberhorne Farm and Imberhorne Cottages (Grade II\* listed). As this is a large site, there is potential to still achieve the yield whilst providing necessary mitigation to lower the impact on these heritage assets.*

- 5.31 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised in order to be realistic on the constraints to delivery including the requirement for provision of education on the site.

## **SA 21 Rogers Farm, Fox Hill, Haywards Heath**

- 5.32 This site is also significantly constrained by the presence of heritage assets. This is referenced in the SA which states that:

*Site option (b) is constrained in terms of impact upon a listed building; it would have a less than substantial harm (medium) on Cleavewater (Grade II listed) and The Old Cottage (Grade II listed).*

- 5.33 Appendix B also references these heritage assets together with an assessment of the likely impact as follows:

*Cleavewaters, Fox Hill there would be a fundamental impact not only on views from the building and associated farmstead but on the context and manner in which the farmhouse and farmstead are appreciated by those travelling along the road which runs between the farmstead and the site. **NPPF: LSH, MID***

*Olde Cottage, there would be some potential impact on views from the Cottage and its garden setting. The belt of woodland between the asset and the site is relatively narrow and development on the site is likely to be visible, particularly in winter. There would also be an impact on the setting in which the Cottage is appreciated by those approaching along the access drive from Ditchling Road. **NPPF: LSH, MID***

- 5.34 The impact on heritage assets and character of the area has been assessed in an appeal decision on the site (APP/D3830/W/17/3187318) issued in January 2019 following an application for up to 37 dwellings on the site (DM/16/3998).

*15 The combination of the buffer and local topography would mean that any development would be clearly visible on the approach down Lunce's Hill and perceived as a separate and distinct residential development. I am not persuaded that it would be seen within the context of an urban fringe setting as the appellant suggests. On the contrary it would be a harmful encroachment into the countryside and the rural character of the approach into the settlement would be irrevocably changed and harmed through the loss of this open land.*

*16 Overall, the proposal would result in an unacceptable suburbanisation of the appeal site that would fundamentally change the character and appearance of the rural setting of the settlement. The effects would also be exacerbated somewhat by the loss of part of the existing mature hedgerow for the access. Proposed mitigation, in the form of additional landscaping would restrict the visibility of the proposal from a number of viewpoints. However, it would take a substantial amount of time to mature and be dependent on a number of factors to be successful. Moreover, I am not persuaded that it would fully mitigate the visual impacts.*

*17 For these reasons, the proposal would not be a suitable site for housing in terms of location and would cause significant harm to the character and appearance of the area. It would therefore conflict with Policy C1 of the LP and Policies E5 and E9 of the HHNP. In addition to the requirements set out above, these policies also require new development to be permitted where it would protect, reinforce and not unduly erode the landscape character of the area. There would also be some conflict with Policies DP10 and DP24 which, seek to protect the countryside in recognition of its intrinsic character and beauty and promote well located and designed development.*

- 5.35 Overall it is not considered that the site represents a logical, justified or deliverable site and should not be considered for allocation within the Sites DPD.

#### **SA 22 Land north of Burleigh Lane, Crawley Down**

- 5.36 As with other proposed sites, it has been identified that the development of this site would cause harm to adjoining heritage assets. Appendix B of the reg 18 SADPD sets out the following:

*Burleigh Cottage is a Grade II listed 17th century building faced with weatherboarding and painted brick. Previously the building was the farmhouse for Sandhillgate Farm, and was renamed Burleigh Cottage in the mid 20th century. An outbuilding shown on historic maps dating from the mid 19th century appears to survive to the north east of the house, but otherwise the former farm buildings appear to have been lost. If in fact pre-dating 1948 this outbuilding may be regarded as curtilage listed. Sandhillgate Farm is recorded in the West Sussex Historic Farmstead and Landscape Character assessment, which is part of the HER, as an historic farmstead dating from the 19th century.*

*Burleigh Cottage is in a semi-rural location on the southern edge of Crawley Down.  
NPPF: LSH, MEDIUM*

- 5.37 Conclusions in relation to heritage made for other proposed allocations apply equally to this site.

#### **SA 23 Land at Hanlye Lane to the east of Ardingly Road, Cuckfield**

- 5.38 No comments.

#### **SA 24 Land to the north of Shepherds Walk, Hassocks**

- 5.39 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

#### **SA 25 Land west of Selsfield Road, Ardingly**

- 5.40 No comments.

#### **SA 26 Land south of Hammerwood Road, Ashurst Wood**

- 5.41 The site is within the AONB and it is considered it is inappropriate to allocate this site for development without thorough appraisal of reasonable alternatives as previously set out.

#### **SA 27 Land at St. Martin Close, Handcross**

- 5.42 No comments.

**SA28 Land South of The Old Police House, Birchgrove Road, Horsted Keynes**

- 5.43 No comments.

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

- 5.44 No comments.

**SA 30 Land to the north Lyndon, Reeds Lane, Sayers Common**

- 5.45 The sustainability of this site has been considered in the SA which sets out that the site is more than 20 minutes away from services such as GP and the School. It is therefore not considered that the development of this site would be justified in sustainability terms.
- 5.46 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

**SA 31 Land to the rear Firlands, Church Road, Scaynes Hill**

- 5.47 The site is located within the Building Stone (Cuckfield) Mineral safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

**SA 32 Withypitts Farm, Selsfield Road, Turners Hill**

- 5.48 No comments.
- 5.49 The site is located within the Brick Clay (Weald) Mineral Safeguarding Area. No further evidence has been provided which demonstrates that the site is required for further mineral extraction.

**SA 33 Ansty Cross Garage, Cuckfield Road, Ansty**


- 5.50 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted. The only difference between this and the other sites was that this scored slightly higher in the SA due to it being PDL. Whilst this is correct it is not considered that the PDL nature of this site makes it appropriate for allocation within the Sites DPD.

## 6. Conclusions


- 6.1 Detailed consideration of the sites identified for allocation within the SADPD show that there are some significant technical constraints and policy issues with many of the sites. These are matters which have been previously raised as part of regulation 18 representations and the council has done nothing to address these matters.
- 6.2 The analysis of the proposed allocations demonstrates there are some significant failings in the deliverability of the sites which requires reconsideration of the appropriateness of these allocations and selection of alternative sites.
- 6.3 The assessment of reasonable alternatives is significantly lacking and requires further retesting which would logically include this site. As a result, it is not considered that the SADPD is positively prepared or justified and therefore fails the test as set out in the NPPF as a result.
- 6.4 It is clear that the adoption of the SADPD is of significance importance to Mid Sussex in demonstrating a robust and deliverable five year housing land supply. It is therefore suggested that consideration is given to the allocation of the site as set out within these representations which can deliver much needed housing in the early part of the plan period.

## 7. Appendix 1 – SHELAA Extract – February 2020

**Stage 1 Site Pro-Forma – All Sites**

<b>SHELAA Ref</b>	673	<b>Parish</b>	Haywards Heath
<b>Site Location</b>	Land north of Butlers Green Road, Haywards Heath		
			
<b>Site uses</b>	Agriculture		
<b>Gross Site Area (ha)</b>	1.5		
<b>Potential Yield</b>	5		
<b>Site History</b>			
<b>Absolute Constraint</b>	Flood Zone 2 or 3	✗	
	Site of Special Scientific Interest	✗	
<b>Other Constraints</b>	Ancient Woodland	✗	
	Area of Outstanding Natural Beauty	✗	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development may potentially affect listed building/s - mitigation may be necessary	
	Access	Safe access is not available but potential exists to easily gain access	
<b>Suitable</b>	No known constraints - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
<b>Availability</b>	Site submitted by site proponent to the SHELAA for assessment - considered available		
<b>Achievability</b>	There is a reasonable prospect that site could be developed within the Plan period		
<b>Timescale</b>	Medium-Long Term		

## 8. Appendix 2 – Site Selection Paper Extract

Site Selection - Housing		
Haywards Heath		
ID	673 Land north of Butlers Green Road, Haywards Heath	
		
Site Details		
Units:	45	Site Area (ha): 1.5
Part 1 - Planning Constraints		
1 - AONB	N/A	The site is remote from the High Weald AONB
2 - Flood Risk	None	The site lies entirely within Flood Zone 1, the area of lowest fluvial flood risk.
3 - Ancient Woodland	None	The site is not affected by Ancient Woodland
4 - SSSI/SNCI/LNR	Local Wildlife Site - SWT Mitigation	
5 - Listed Buildings	Listed Building - Less Than Substantial Harm (High)	Butlers Green House, Grade II* Development would have a fundamental impact on the currently rural character of the setting of the house and listed structures. The existing degree of separation between the heritage assets and the eastern edge of the Cuckfield would be reduced, and the open and verdant nature of the house's setting eroded. NPPF:LSH, HIGH
6 - Conservation Area	None	There are no conservation areas within or adjacent to the site
7 - Archaeology	None	
8 - Landscape	Low/Medium	
9 - Trees/TPOs	None	Site is not affected by trees
Part 2 - Deliverability Considerations		
10 - Highways		
11 - Local Road/Access	Moderate - Improve	Safe access likely to be gained from Butlers Green road either from the roundabout or from the road itself.
673 Land north of Butlers Green Road, Haywards Heath		

Site Selection - Housing		
12 - Deliverability	Developable	Site is owned by housebuilder. Outline application March 2019.
13 - Infrastructure	Infrastructure capacity	Developer Questionnaire - normal contributions apply.
Part 3 - Sustainability / Access to Services		
14 - Education	15-20 Minute Walk	
15 - Health	Less Than 10 Minute Walk	
16 - Services	10-15 Minute Walk	
17 - Public Transport	Fair	
Part 4 - Other Considerations		
Neighbourhood Plan		Notes

**2093**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2093

**Response Ref:** Reg19/2093/2

**Respondent:** Mr D Hunter

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x



# RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

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

## PART A – PERSONAL DETAILS

---

Name

Mr Daniel Hunter

Address

[REDACTED]

Email

[REDACTED]

## PART B – REPRESENTATION

---

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

Site Allocations DPD



Sustainability Appraisal



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

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

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

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

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

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

Yes



No



I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD ...

SA19 – Land South of Crawley Down Road  
SA20 – Land South and West of Imberhome Upper School  
SA22 - Land off Burleigh Lane.

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

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

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

Allocation of sites SA19, SA20 and SA22 would ...

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

4) Lead to unsustainable traffic congestion with local junctions already over capacity

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.

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

Unsound because ...

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

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity). Paragraph 16 says that *“Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...”*
- ❖ MSDC’s Statement of Community Involvement requires that *“the community should be involved as early as possible in the decision making process when there is more potential to make a difference”* and that *“community involvement should be accessible to all those who wish to take part”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state that the press release was distributed to the following:
  - **TV outlets** – ITV Meridian News & BBC South East Today
  - **Radio Stations** – BBC Radio Sussex; BBC Radio Surrey; Burgess Hill Community Radio; Heart Radio; Meridian FM & More Radio
  - **Newspapers** – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
  - **New Agencies** – Dehaviland; Dods Monitoring & Press Association
  - **Magazines** – Cuckfield Life; East Grinstead Living; Hurst Life; Lindfield Life; RH Uncovered & Sussex Living
  - **Websites** – BBC News Online; Burgess Hill Uncovered & Crawley News 24
- ❖ However MSDC have failed to monitor whether the press release was used by these media outlets.
  - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just one entry in a weekly paper servicing the towns of Burgess Hill and Haywards Heath but that is not distributed in East Grinstead or Felbridge. No publicity in the local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

❖ **No alerts on the Council's website ...**

- Neither the main landing page nor the main 'Planning and Building' page make ANY reference to the consultation.
- The Council's dedicated 'Consultations' page advertises only a 'Public Spaces Protection Order – Dog Control Consultation', and says NOTHING about the Site Allocations consultation.

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

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- MSDC say that *"Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."*
- The Spring 2020 edition failed to mention the Site Allocations consultation but did alert readers to the review of the local plan not due to start until 2021.

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

Unsound because ...

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

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

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to its lack of 'Connectivity with existing settlements'. They say that ... "*The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
  - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
  - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

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

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

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

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is "*to provide opportunities for people to live and work in their communities, reducing the need for commuting*".



- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of the Mid Sussex Economic Profile Study (2018), says that *“There has been a significant loss of floor space to residential conversions particularly in East Grinstead.”* This study reports 19,440m<sup>2</sup> of commercial office space in East Grinstead.
- ❖ Since then East Grinstead’s stock of office space has continued to decline, with 12,000m<sup>2</sup> (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in June 2020.
  - The East Grinstead Business Association objected to the conversion, saying that we have lost *“7 existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”*
  - The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work
  - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ MSDC confirm that they do not monitor the amount of office floorspace lost through residential conversions, so have no evidence to show that the 772 homes proposed for East Grinstead and Felbridge are sustainable. Potentially, there could be 1,500 new residents and no new employment space.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

#### **4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity**

Unsound because ...

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

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

#### **WSP Study**

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
  - *“The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day.”*
  - The congestion figures for the A264 approach arm were measured in 2018 ...

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

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

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

## SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test ...
  - NPPF paragraph 109 states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
  - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District Plan.
  - MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. This is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
<b>Junction Capacity</b>	61%	65%	106.60%	101.40%



<b>Vehicle Queue</b>	2	3	48	33
<b>Queuing Delay</b>	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

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

### No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... NPPF paragraph 108 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

## 5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ Policies EG2 and EG2a are designed to resist development outside the built-up boundary and "to ensure that development does not result in the gradual accretion of development at the urban fringe". These policies conform to MSDC's own policies DP12 and DP13, which say ... *"The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & Felbridge built-up boundaries and are therefore against both Neighbourhood and District Plan policies [EG2, EG2a, DP12 & DP13].
- ❖ The supporting text to policy EG2 (at paragraph 4.9) explicitly calls for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without compensating improvements to the local highways network being delivered ... *"Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused"*.
- ❖ Policy EG11 fully supports policy DP21 which requires that ... *"development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks"*.

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

Unsound because ...

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

- ❖ Felbridge is a rural village in Surrey with a small strip of land south of the Crawley Down Road falling within the administrative boundary Mid-Sussex.
- ❖ TDC acknowledge in its Settlement Hierarchy Addendum 2018 that *"although the proximity of East Grinstead plays a role in Felbridge's sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)"*
- ❖ However, MSDC is treating the land south of the Crawley Down Road as an extension to East Grinstead without due regard for its village status or the gap between the two distinct communities.
- ❖ With no more frontage sites available along the Crawley Down Road, MSDC are allowing the extension of the village towards East Grinstead, with 120 homes recently approved as back land developments. With a current population of 532 homes, the existing commitments will increase the number of homes by nearly 25%. The village has no doctor's surgery, pharmacy, dentist, opticians and only a small convenience store. Infrastructure contributions and subsequent council taxes will go to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate SA19 as an additional back land site for 200 homes south of the Crawley Down Road would result in an increase in the number of homes by a further 30%; without any plans or funding to improve infrastructure that would mitigate the harm to the function and character of the village.
  - This is contrary to policy DP6 (Settlement Hierarchy) which allocates a much smaller proportion of housing requirement to Tier 3 medium sized villages.
  - The strategic aims of policy DP6 are ... *"To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and*

*prevents coalescence”, and “To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community”.*

- ❖ The proposed site is located outside the built-up boundaries of both Felbridge and East Grinstead. This is contrary to policy DP12 (Protection and enhancement of countryside) which says that ...*“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there”.*
- ❖ The site allocation is also contrary to the strategic aim of policy DP13 (Preventing Coalescence) ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence.”*
- ❖ The East Grinstead Neighbourhood Plan expressly lists the land to the south of Crawley Down Road as contrary to policies EG2 and EG2A to ensure development “does not result in the merging or coalescence of settlements and the gradual accretion of development at the urban fringe”.

## **7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down**

Unsound because ...

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

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (ie. the best and most versatile agricultural land).
  - District Plan DP12 says that *“Where identified, Grade 1, 2 and 3a agricultural land should be protected from development due to its economic importance and geological value. This is the land which is most flexible, productive and efficient and can best deliver future crops for food and non-food uses.”*
  - The Sustainability Appraisal reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
  - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
  - The rural setting of these listed buildings is important to their value as heritage assets and development on the site would overwhelm the buildings and result in significant harm
  - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also lies adjacent to a substantial area of ancient woodland which is already ‘hemmed in’ on two sides by residential and industrial development. Further development would serve to isolate the woodland from the surrounding countryside resulting in unnecessary habitat fragmentation ...
  - Ancient woodland is classified by National Planning Policy as an ‘unreplaceable habitat’ and NPPF paragraph 175 says *“development resulting in the loss or deterioration of irreplaceable habitats*

*(such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”*

- Natural England states that *“Ancient woodland and the wildlife it supports are particularly vulnerable to various impacts associated with nearby residential areas. These include recreational disturbance, fly tipping, light pollution, introduction of non-native plant species from garden waste, predation of wildlife by pet cats and pollution from dog faeces”*
- These harmful impacts can only be mitigated to a limited degree by the imposition of a buffer zone.
- ❖ The farmlands at the proposed SA20 site location provide an important breeding habitat for ‘red list’ bird species such as the Skylark and Yellowhammer with loss of habitat being the main reason for the sharp population decline.
  - The developer’s own Ecological Survey acknowledges that the Skylark *“requires more specialised ground nesting provisions”* and that the ability of the SANGS to compensate for the loss of farmland habitat is limited due to recreational disturbance.
  - NPPF paragraph 175 says that *“if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

## **PART D – ACTIONS I AM SEEKING**

---

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

1. The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.
2. The WSP transport report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

**2095**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2095

**Response Ref:** Reg19/2095/2

**Respondent:** Mrs S Hunter

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

# RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts:

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

## PART A – PERSONAL DETAILS

---

Name

Mr Daniel Hunter

Address

[REDACTED]

Email

[REDACTED]look.com

## PART B – REPRESENTATION

---

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

Site Allocations DPD



Sustainability Appraisal



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

Positively Prepared?



Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods RMC but is illegally retained by a Miller

Failure to properly take account of reasonable

Justified?

No

Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable

Effective?

No

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

Consistent with National Policy?

No

Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

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

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

Yes



No



I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD ...

SA19 – Land South of Crawley Down Road  
SA20 – Land South and West of Imberhome Upper School  
SA22 - Land off Burleigh Lane.

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

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

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

Allocation of sites SA19, SA20 and SA22 would ...

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

4) Lead to unsustainable traffic congestion with local junctions already over capacity

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 and SA22 would ...

- 6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

- 7) Result in loss of valued agricultural land, habitat and rural feel. And increase traffic and pressure on an already congested doctors surgery and does not take into consideration that Crawley Down has already met its development quota.



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

Unsound because ...

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

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity). Paragraph 16 says that *“Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...”*
- ❖ MSDC’s Statement of Community Involvement requires that *“the community should be involved as early as possible in the decision making process when there is more potential to make a difference”* and that *“community involvement should be accessible to all those who wish to take part”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign** ... MSDC state that the press release was distributed to the following:
  - **TV outlets** – ITV Meridian News & BBC South East Today
  - **Radio Stations** – BBC Radio Sussex; BBC Radio Surrey; Burgess Hill Community Radio; Heart Radio; Meridian FM & More Radio
  - **Newspapers** – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
  - **New Agencies** – Dehaviland; Dods Monitoring & Press Association
  - **Magazines** – Cuckfield Life; East Grinstead Living; Hurst Life; Lindfield Life; RH Uncovered & Sussex Living
  - **Websites** – BBC News Online; Burgess Hill Uncovered & Crawley News 24
- ❖ However MSDC have failed to monitor whether the press release was used by these media outlets.
  - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just one entry in a weekly paper servicing the towns of Burgess Hill and Haywards Heath but that is not distributed in East Grinstead or Felbridge. No publicity in the local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

❖ **No alerts on the Council's website ...**

- Neither the main landing page nor the main 'Planning and Building' page make ANY reference to the consultation.
- The Council's dedicated 'Consultations' page advertises only a 'Public Spaces Protection Order – Dog Control Consultation', and says NOTHING about the Site Allocations consultation.

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

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- MSDC say that *"Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."*
- The Spring 2020 edition failed to mention the Site Allocations consultation but did alert readers to the review of the local plan not due to start until 2021.

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

Unsound because ...

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

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

- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that "*planning policies should be flexible enough to accommodate needs not anticipated in the plan*".
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to its lack of 'Connectivity with existing settlements'. They say that ... "*The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps)*".
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
  - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
  - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

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

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

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

[Source: MSDC Housing Land Supply 'Completions and Commitments' 2020]
- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is "*to provide opportunities for people to live and work in their communities, reducing the need for commuting*".

- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of the Mid Sussex Economic Profile Study (2018), says that *“There has been a significant loss of floor space to residential conversions particularly in East Grinstead.”* This study reports 19,440m<sup>2</sup> of commercial office space in East Grinstead.
- ❖ Since then East Grinstead’s stock of office space has continued to decline, with 12,000m<sup>2</sup> (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in June 2020.
  - The East Grinstead Business Association objected to the conversion, saying that we have lost *“7 existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”*
  - The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work
  - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ MSDC confirm that they do not monitor the amount of office floorspace lost through residential conversions, so have no evidence to show that the 772 homes proposed for East Grinstead and Felbridge are sustainable. Potentially, there could be 1,500 new residents and no new employment space.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

#### **4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity**

Unsound because ...

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

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

#### **WSP Study**

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
  - *“The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day.”*
  - The congestion figures for the A264 approach arm were measured in 2018 ...

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

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

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

## SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test ...
  - NPPF paragraph 109 states that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*
  - The impact of traffic from sites proposed in the Site Allocations DPD is not separate from the traffic impact from sites allocated in the Local Development Plan. The Sites Allocation DPD is allocating sites within the District Plan as instructed by the inspector, in order to rectify MSDC's earlier failure to take account of Crawley's unmet need in its submitted draft District Plan.
  - MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. This is untenable.
- ❖ The SYSTRA model relies on adjusted traffic data from 2008. This significantly understates the existing levels of congestion at the A264/A22 junction in Felbridge when compared with the WSP model using data collected in 2018.

	SYSTRA Model		WSP Model	
	AM Peak	PM Peak	AM Peak	PM Peak
<b>Junction Capacity</b>	61%	65%	106.60%	101.40%



<b>Vehicle Queue</b>	2	3	48	33
<b>Queuing Delay</b>	15 secs	21 secs	3 mins 2 secs	1 min 55 secs

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

### No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... NPPF paragraph 108 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

## 5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ Policies EG2 and EG2a are designed to resist development outside the built-up boundary and "to ensure that development does not result in the gradual accretion of development at the urban fringe". These policies conform to MSDC's own policies DP12 and DP13, which say ... *"The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there."*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.

- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & Felbridge built-up boundaries and are therefore against both Neighbourhood and District Plan policies [EG2, EG2a, DP12 & DP13].
- ❖ The supporting text to policy EG2 (at paragraph 4.9) explicitly calls for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn't have to accept housing allocations like these without compensating improvements to the local highways network being delivered ... *"Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused"*.
- ❖ Policy EG11 fully supports policy DP21 which requires that ... *"development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks"*.

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

Unsound because ...

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

- ❖ Felbridge is a rural village in Surrey with a small strip of land south of the Crawley Down Road falling within the administrative boundary Mid-Sussex.
- ❖ TDC acknowledge in its Settlement Hierarchy Addendum 2018 that *"although the proximity of East Grinstead plays a role in Felbridge's sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)"*
- ❖ However, MSDC is treating the land south of the Crawley Down Road as an extension to East Grinstead without due regard for its village status or the gap between the two distinct communities.
- ❖ With no more frontage sites available along the Crawley Down Road, MSDC are allowing the extension of the village towards East Grinstead, with 120 homes recently approved as back land developments. With a current population of 532 homes, the existing commitments will increase the number of homes by nearly 25%. The village has no doctor's surgery, pharmacy, dentist, opticians and only a small convenience store. Infrastructure contributions and subsequent council taxes will go to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate SA19 as an additional back land site for 200 homes south of the Crawley Down Road would result in an increase in the number of homes by a further 30%; without any plans or funding to improve infrastructure that would mitigate the harm to the function and character of the village.
  - This is contrary to policy DP6 (Settlement Hierarchy) which allocates a much smaller proportion of housing requirement to Tier 3 medium sized villages.
  - The strategic aims of policy DP6 are ... *"To promote well located and designed development that reflects the District's distinctive towns and villages, retains their separate identity and character and*

*prevents coalescence”, and “To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community”.*

- ❖ The proposed site is located outside the built-up boundaries of both Felbridge and East Grinstead. This is contrary to policy DP12 (Protection and enhancement of countryside) which says that ...*“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there”.*
- ❖ The site allocation is also contrary to the strategic aim of policy DP13 (Preventing Coalescence) ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence.”*
- ❖ The East Grinstead Neighbourhood Plan expressly lists the land to the south of Crawley Down Road as contrary to policies EG2 and EG2A to ensure development “does not result in the merging or coalescence of settlements and the gradual accretion of development at the urban fringe”.

## **7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down**

Unsound because ...

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

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (ie. the best and most versatile agricultural land).
  - District Plan DP12 says that *“Where identified, Grade 1, 2 and 3a agricultural land should be protected from development due to its economic importance and geological value. This is the land which is most flexible, productive and efficient and can best deliver future crops for food and non-food uses.”*
  - The Sustainability Appraisal reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
  - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhorne Farm Cottages
  - The rural setting of these listed buildings is important to their value as heritage assets and development on the site would overwhelm the buildings and result in significant harm
  - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also lies adjacent to a substantial area of ancient woodland which is already ‘hemmed in’ on two sides by residential and industrial development. Further development would serve to isolate the woodland from the surrounding countryside resulting in unnecessary habitat fragmentation ...
  - Ancient woodland is classified by National Planning Policy as an ‘unreplaceable habitat’ and NPPF paragraph 175 says *“development resulting in the loss or deterioration of irreplaceable habitats*



*(such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”*

- Natural England states that *“Ancient woodland and the wildlife it supports are particularly vulnerable to various impacts associated with nearby residential areas. These include recreational disturbance, fly tipping, light pollution, introduction of non-native plant species from garden waste, predation of wildlife by pet cats and pollution from dog faeces”*
- These harmful impacts can only be mitigated to a limited degree by the imposition of a buffer zone.
- ❖ The farmlands at the proposed SA20 site location provide an important breeding habitat for ‘red list’ bird species such as the Skylark and Yellowhammer with loss of habitat being the main reason for the sharp population decline.
  - The developer’s own Ecological Survey acknowledges that the Skylark *“requires more specialised ground nesting provisions”* and that the ability of the SANGS to compensate for the loss of farmland habitat is limited due to recreational disturbance.
  - NPPF paragraph 175 says that *“if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”*

## **PART D – ACTIONS I AM SEEKING**

---

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

1. The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.
2. The WSP transport report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

**2115**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2115

**Response Ref:** Reg19/2115/1

**Respondent:** Mrs L O'Malley

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** lesley o'malley [REDACTED]  
**Sent:** 25 September 2020 20:18  
**To:** ldfconsultation  
**Subject:** Site SA22

I am opposing the development of Site SA22 on the grounds that Crawley Down has already exceeded its quota of houses built. That we do not have the infrastructure to accommodate further development, this includes lack of school places as an example, road layout and traffic congestion, inability to register at the local doctors to name just a few

Sent from Samsung Mobile on O2  
Get [Outlook for Android](#)

2152

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2152

**Response Ref:** Reg19/2152/1

**Respondent:** Mr M Francis

**Organisation:** Burleigh Woods Residents Management  
Company Ltd

**On Behalf Of:**

**Category:** Organisation

**Appear at Examination?** ✓

**From:** Worth Parish Council Clerk <clerk@worth-pc.gov.uk>  
**Sent:** 24 September 2020 10:24  
**To:** FRANCIS Matthew  
**Subject:** [EXTERNAL EMAIL] RE: Objection to SA22

Good morning Mr Francis,

Thank you for your email, which covers two issues.

The site SA22 is being considered for development as part of a MSDC consultation currently taking place. You can find more information including how to comment via this link

<https://www.midsussex.gov.uk/planning-building/development-plan-documents/#topic-site-allocations-document>

You also have given evidence of issues with your management company – I am aware of these as I have been in dialogue with your brother, as you know.

The Parish Council is not generally in favour of management companies, but unfortunately there is nothing that I can do to assist. I see that you have copied in our District Councillors; I too will bring this to their attention, in case there is anything that they can do.

Regards,

Jennifer Nagy  
Clerk to the Council

Worth Parish Council  
1st Floor The Parish Hub  
Borers Arms Road  
Copthorne  
West Sussex  
RH10 3ZQ  
Tel: 01342 713407

Our emails are checked before sending but we take no responsibility for inadvertent transmission of viruses. We advise that email is not secure or confidential. If you have received this message in error you are asked to destroy it and advise us please. Our emails are confidential to the intended recipient, are our property and may not be utilised, copied or transmitted to third parties.

## **CORONAVIRUS**

### **WASH YOUR HANDS MORE OFTEN FOR 20 SECONDS**

#### **Use soap and water or a hand sanitiser when you:**

- Get home or into work
- Blow your nose, sneeze or cough
- Eat or handle food



**KEEP YOUR DISTANCE – NO CLOSER THAN 2 metres**

**Protect yourself & others**

For more information go to [nhs.uk/coronavirus](https://nhs.uk/coronavirus)

---

**From:** FRANCIS Matthew [REDACTED]

**Sent:** 23 September 2020 23:46

**To:** Worth Parish Council Clerk <clerk@worth-pc.gov.uk>; Ian Gibson (Cllr) <Ian.Gibson@midsussex.gov.uk>; Worth Parish Council Clerk <clerk@worth-pc.gov.uk>; phillip.coote@midsussex.gov.uk; roger.webb@midsussex.gov.uk

**Cc:** [REDACTED]  
[REDACTED]

**Subject:** Objection to SA22

**Importance:** High

---

This message contains OPEN information that is non-sensitive and can be freely accessed by individuals inside and outside of THALES.

Sensitivity: Not selected

---

Good evening all,

It has come to my attention that land adjacent to our estate is being made available for development? The residents of the Burleigh Woods estate strongly object to any further development of this land!

We are still waiting for the developer Miller Homes to hand control of the estate to the residences!! This should have been completed over 3 years ago!! The Site has been mismanaged from the start both the developer and their previous management company HML. I can provide details on request but the environment agency, public health England and the Tree protection team have all been involved over the last 5 years.

HML have been sacked and a new management has been chosen for us with no consultation with the residents at all. The new firm is RMG (Residential Management Group).

We received notification via post on 18<sup>th</sup> September 2020 (see attached RMG letter.jpg)

I received an email from HML on 26<sup>th</sup> October 2020 to say that they were no longer managing the estate ( RE: Bramble Way )

One of the committee members contacted RMG as we are unable to create online accounts, we also requested information on the site management plan for the site going forward ( see attached Ref [REDACTED] )

As you can see the site has not been managed for the whole of September at least! We have not seen a gardener for over 6 weeks now!!! The Swales (Drainage are over growing again)

The Committee demands a fixed handover date for our development. There should be 3 directors of the Burleigh Woods Residents Management Company Ltd by LAW!! Julie Jackson (Miller director) is the sole director!!

I would like a response before the weekend or I will have to escalate the situation to the media.....

We have taken every route to avoid this action including a meeting with our local MP just prior to lockdown ( Jeremy Quin )

I look forward to your response,

Matt Francis

---

**Matthew Francis**



Thales UK Limited

[www.thalesgroup.com](http://www.thalesgroup.com)

**THALES**

Follow us  

*Please consider the environment before printing a hard copy of this email.*

**There are simple preventative measures to protect yourself and those around you**



The information contained in this e-mail is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this e-mail. Such unauthorised use may be unlawful. If you have received this e-mail in error, please inform the originator immediately and delete it and all copies from your system.

Thales UK Limited. A company registered in England and Wales. Registered Office: 350 Longwater Avenue, Green Park, Reading, Berks RG2 6GF. Registered Number: 868273

Please consider the environment before printing a hard copy of this e-mail.

The information contained in this e-mail is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this e-mail. Such unauthorised use may be unlawful. If you have received this e-mail in error, please inform the originator immediately and delete it and all copies from your system.

Thales UK Limited. A company registered in England and Wales. Registered Office: 350 Longwater Avenue, Green Park, Reading, Berks RG2 6GF. Registered Number: 868273

Please consider the environment before printing a hard copy of this e-mail.

---

**From:** Sam Francis [REDACTED]  
**Sent:** 18 September 2020 12:53  
**To:** Julie Jackson [REDACTED]  
**Cc:** Natalie Drummond [REDACTED] Worth Parish Council Clerk <[clerk@worth-pc.gov.uk](mailto:clerk@worth-pc.gov.uk)>; FRANCIS Matthew [REDACTED]  
**Subject:** [EXTERNAL EMAIL] RE: HML?

Hi Julie and Natalie,

I hope you are both well today. We have received a letter from HML saying we need to pay them money within 7 days. We had a letter through from them previously, stating to stop any further payments.

Please can you advise? As they are no longer the managing agent. I don't want to pay and then have another bill sent through, nor do I want debt against my name.

Residents are also very unhappy, that we were not consulted on the new management agent, or that the site handover has not even been discussed. It has been nearly 3 years since this was meant to take place. We feel there has been mismanagement by Miller Homes and HML and are seeking advice on this. You have not kept in touch with us; with any sort of update and you are the Director. The only update we have had, is a letter from a new management company.

I have included Worth Parish Council, so they can be kept aware of your actions.

Kind regards



Sam Francis  
[REDACTED]  
[REDACTED]  
[REDACTED]

**IR35**



**CYBER  
ESSENTIALS**

[Click here to see our latest employment opportunities](#)

Gold Group is a limited company registered in England and Wales, registration No: 3901909  
You can view our Client [Terms of Business](#). A copy of our privacy policy can be found [here](#)

IMPORTANT: The views expressed are that of the author and may not necessarily constitute or imply its endorsement or recommendation by Gold Group Limited. This message is private and confidential, if you are not the intended recipient, please alert us by replying to the sender and delete the e-mail from your system.

---

**From:** Sam Francis  
**Sent:** 21 August 2020 16:46  
**To:** 'Julie Jackson' [REDACTED]  
**Cc:** Natalie Drummond [REDACTED]  
**Subject:** RE: HML?

Hi Julie,

Thanks for the response, I think all residents are more interested in taking over the site above else, so a time frame on that would be much appreciated.

Have a lovely weekend.

Kind regards

| Sam Francis





**IR35**



**CYBER  
ESSENTIALS**

[Click here to see our latest employment opportunities](#)

Gold Group is a limited company registered in England and Wales, registration No: 3901909  
You can view our Client [Terms of Business](#). A copy of our privacy policy can be found [here](#)

IMPORTANT: The views expressed are that of the author and may not necessarily constitute or imply its endorsement or recommendation by Gold Group Limited. This message is private and confidential, if you are not the intended recipient, please alert us by replying to the sender and delete the e-mail from your system.

---

**From:** Julie Jackson [REDACTED]  
**Sent:** 21 August 2020 16:28  
**To:** Sam Francis [REDACTED]  
**Cc:** Natalie Drummond [REDACTED]  
**Subject:** Re: HML?

Sam,

We will communicate changes to all the residents in due course once plans have been finalised

Regards

Julie



Miller House, First Floor, 2 Lochside View, Edinburgh, EH12 9DH

**miller homes**

*the place to be*

Miller Homes Limited Registered in Scotland - SC255429

2 Lochside View, Edinburgh Park, Edinburgh, EH12 9DH

Disclaimer: The Information in this e-mail is confidential and for use by the addressee(s) only. It may also be privileged. If you are not the intended recipient please notify us immediately on +44 (0) 870 336 5000 and delete the message from your computer: you may not copy or forward it, or use or disclose its contents to any other person. We do not accept any liability or responsibility for: (1) changes made to this email after it was sent, or (2) viruses transmitted through this email or any attachment.


>>> Sam Francis [REDACTED] 21/08/2020 11:07 >>>  
Morning Julie,

Happy Friday.

We have been contacted by some committee members regarding an email received from HML, saying that they will no longer be our management agent from September.




Please can you let us know who is taking over? And when we will likely be taking over the site? It has been circa 3 years in waiting. 😊 every year we are told it will be this year, so keen to understand the plan?

Kind regards



Sam Francis

**IR35**



[Click here to see our latest employment opportunities](#)

Gold Group is a limited company registered in England and Wales, registration No: 3901909  
You can view our Client [Terms of Business](#). A copy of our privacy policy can be found [here](#)

IMPORTANT: The views expressed are that of the author and may not necessarily constitute or imply its endorsement or recommendation by Gold Group Limited. This message is private and confidential, if you are not the intended recipient, please alert us by replying to the sender and delete the e-mail from your system.

**From:** FRANCIS Matthew [REDACTED]  
**Sent:** 28 September 2020 21:17  
**To:** ldfconsultation  
**Cc:** Ian Gibson (CIlr); Worth Parish Clerk 1;  
jeremy.quin.mp@parliament.uk.readnotify.com  
**Subject:** Objection to SA22 Crawley Down proposed development  
**Attachments:** sa223-proposed-site-access.pdf; SA22+Crawley+Down.pdf; [EXTERNAL EMAIL] RE: Objection to SA22; site-allocations-consultation-form.doc

**Importance:** High

**Categories:** SiteDPD, Estelle

This message contains OPEN information that is non-sensitive and can be freely accessed by individuals inside and outside of THALES.

Sensitivity: Not selected

Please find my objections to this attached along with supporting documentation.

I am happy to be contacted on this matter day or night. My phone number is [REDACTED]

Matt

**Matthew Francis**

Thales UK Limited

[www.thalesgroup.com](http://www.thalesgroup.com)

THALES

Follow us | :

Please consider the environment before printing a hard copy of this email.

There are simple preventative measures to protect yourself and those around you



The information contained in this e-mail is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this e-mail. Such unauthorised use may be unlawful. If you have received this e-mail in error, please inform the originator immediately and delete it and all copies from your system.

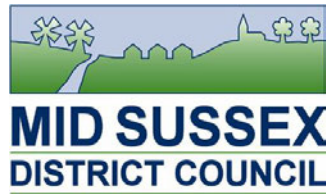
Thales UK Limited. A company registered in England and Wales. Registered Office: 350 Longwater Avenue, Green Park, Reading, Berks RG2 6GF. Registered Number: 868273

Please consider the environment before printing a hard copy of this e-mail.

The information contained in this e-mail is confidential. It is intended only for the stated addressee(s) and access to it by any other person is unauthorised. If you are not an addressee, you must not disclose, copy, circulate or in any other way use or rely on the information contained in this e-mail. Such unauthorised use may be unlawful. If you have received this e-mail in error, please inform the originator immediately and delete it and all copies from your system.

Thales UK Limited. A company registered in England and Wales. Registered Office: 350 Longwater Avenue, Green Park, Reading, Berks RG2 6GF. Registered Number: 868273

Please consider the environment before printing a hard copy of this e-mail.



## **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

**E-mail:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

OPEN

Oaklands Road  
Haywards Heath  
West Sussex  
RH16 1SS

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

OPEN

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

---

**1. Personal Details**

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Matthew"/>
Last Name	<input type="text" value="Francis"/>
Job Title (where relevant)	<input type="text"/>
Organisation (where relevant)	<input type="text"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="REDACTED"/>
Line 2	<input type="text" value="REDACTED"/>
Line 3	<input type="text"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="REDACTED"/>
Telephone Number	<input type="text" value="REDACTED"/>
E-mail Address	<input type="text" value="REDACTED"/>



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation

OPEN

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.

OPEN



## 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:**

Burleigh Woods Residents Management Company LTD

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

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

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

Paragraph

Policy SA

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.

Access to this proposed site should not be granted. I have been in a battle with the developer Miller Homes for over 3 years now.

This relates to the developers refusal to hand over the land deeds to the Residents. This should have occurred over 3 years ago. They have actively miss managed the estate alongside the original management company enforced on us HML. The environment agency, public health England & the Tree protection officers have all been involved since early 2017 and continue to be to this day.

**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.

Site Access via Sycamore Lane is not approved by the Burleigh Woods Management Company LTD.

Not a single committee member was consulted on the proposed site access arrangement.

After speaking to the committee this proposed site access arrangement has been rejected by the entire committee.

Any attempt by Miller Homes to push this proposal through will be met with legal action by us.

**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:

I have been in a battle with Miller Homes and their management company HML for about 5 years now.

The foul water pumping station installed was defective from day 1 due to it being second hand and with issues. This led to foul water pouring out of the drains for over 3 days. It was reported straight away but after 3 days of nothing I contacted the environment agency. Only at that point did anything happen. This continued for years until southern water were forced to adopt it. We now have pump trucks turn up every week to pump it out. They are picking up the cost to fix the pump when the developer knew there was an issue.

We were charged to fix issues with street lighting, the report for the engineer concluded that the developer performed the first fix but never connected the street lights to the mains.

The ancient woodland was never managed or maintained even though we as residents were being charged for it. This led to several properties in Hazel Way being flooded I believe.

This seems to be a national issue and needs to be discussed.

**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

☒

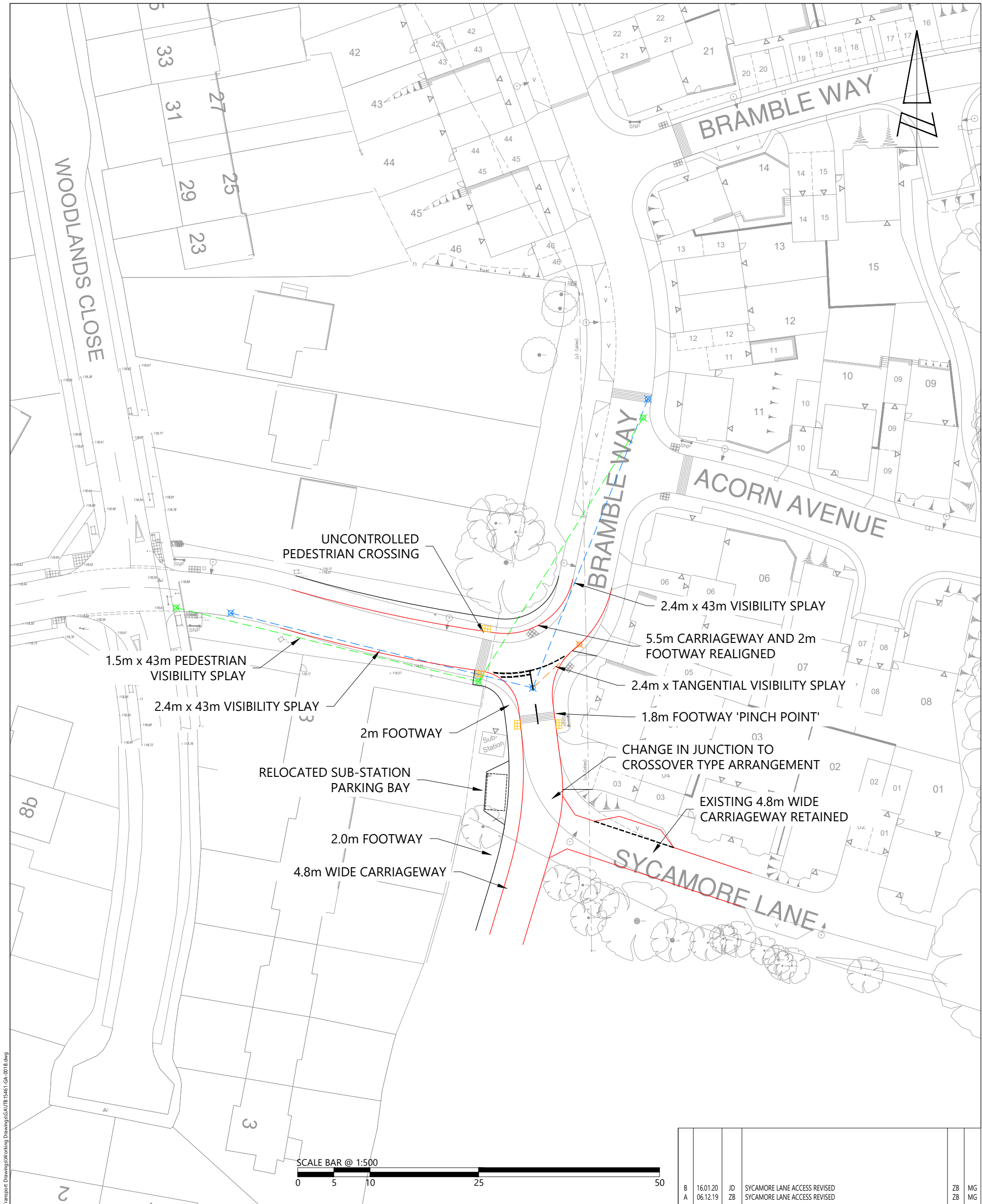
Signature:

Matthew Francis

Date:

28/09/2020

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



T:\Project\15000 Series\15461TB Land South of Sycamore Lane, Crawley Down\Tech\Acad\Transport Drawings\Working\GA\TB15461-GA-001B.dwg

REPRODUCED FROM THE ORDNANCE SURVEY MAP WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE. LICENCE No. 100044286. © CROWN COPYRIGHT RESERVED.

DRAWING ISSUED FOR FEASIBILITY CONSIDERATION AND PLANNING PURPOSES ONLY. DRAWING NOT TO BE USED FOR CONSTRUCTION. I-TRANSPORT LLP ACCEPT NO RESPONSIBILITY FOR ERRORS MADE BY OTHERS IN SCALING FROM THIS DRAWING. MEASUREMENTS SHOULD BE TAKEN FROM FIGURED DIMENSIONS ONLY. CDM REQUIREMENTS CONSIDERED AT FEASIBILITY STAGE ONLY. FURTHER CONSIDERATION REQUIRED BY DETAILED DESIGN TEAM.

CLIENT:

MILLER HOMES

SCALE BAR @ 1:500

0 5 10 25 50

B	16.01.20	JD	SYCAMORE LANE ACCESS REVISED	ZB	MG
A	06.12.19	ZB	SYCAMORE LANE ACCESS REVISED	ZB	MG
REV	DATE	BY	DESCRIPTION	CHK	APD
STATUS:  PRELIMINARY					
DRAWN:  ZB			CHECKED:  ZB	APPROVED:  MG	
PROJECT No:  ITB15461			SCALE @ A3:  1:500	DATE:  29.11.19	
DRAWING No:  ITB15461-GA-001					REV:  B



Grove House, Lutyens Close, Chineham  
Basingstoke, Hampshire, RG24 8AG

Tel: 01256 338640

www.i-transport.co.uk

TITLE:

PROPOSED SITE ACCESS ARRANGEMENT

PROJECT:

LAND SOUTH OF SYCAMORE LANE,  
CRAWLEY DOWN

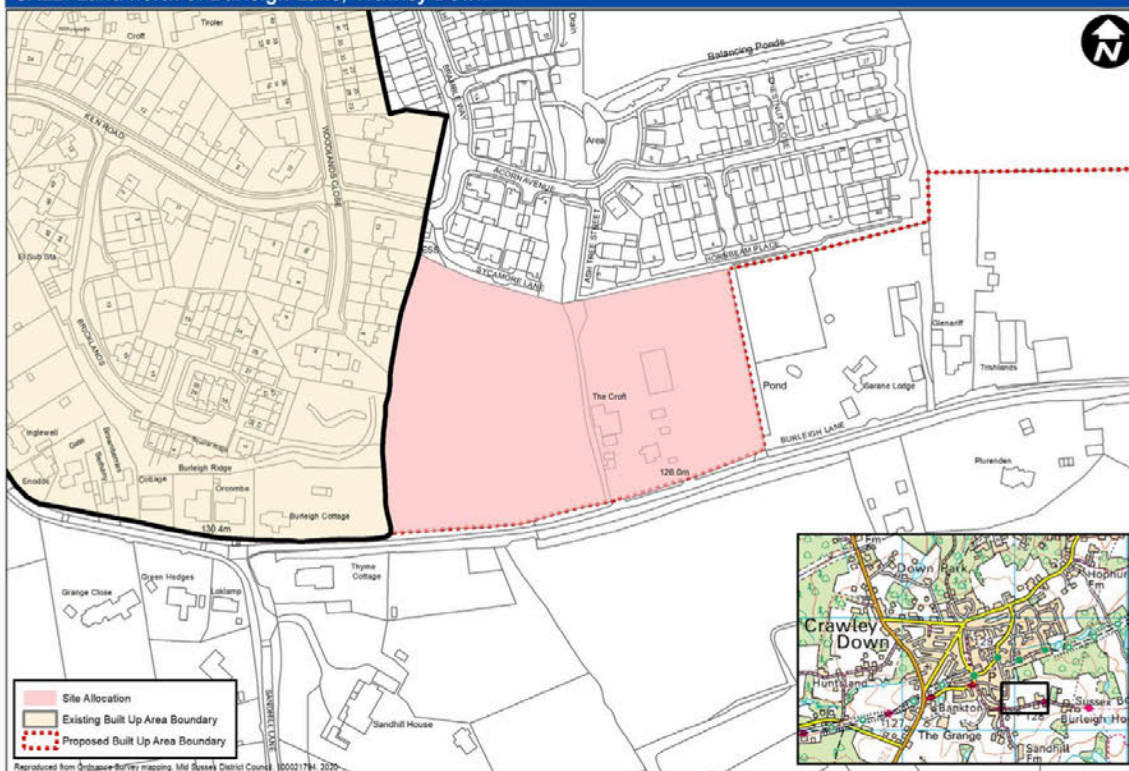


## SA 22

### Land north of Burleigh Lane, Crawley Down

<b>SHELAA:</b>	519	<b>Settlement:</b>	Crawley Down
<b>Gross Site Area (ha):</b>	2.25	<b>Number of Units:</b>	50 dwellings
<b>Description:</b>	Housing allocations		
<b>Ownership:</b>	Private landowner		
<b>Current Use:</b>	Former commercial site now overgrown and unused	<b>Indicative Phasing:</b>	1 to 5
<b>Delivery Mechanisms:</b>	Private landowner in partnership with developer		

SA22: Land north of Burleigh Lane, Crawley Down



## Objectives

- To deliver a high quality, landscape led, sustainable extension to Crawley Down, which respects the character of the village and the surrounding countryside, and which is comprehensively integrated with the settlement so residents can access existing facilities.

## Urban Design Principles

- Concentrate higher density development towards the northern part of the site to reflect the existing settlement pattern, with a lower density towards the southern edges to help create a successful transition with Burleigh Lane.
- Orientate development to have a positive active frontage in relation to the existing settlement, attractive tree boundaries and to define open spaces and routeways.
- Seek to enhance the connectivity of the site with Crawley Down village by providing pedestrian and/or cycle links to Sycamore Lane, Burleigh Way and adjacent existing networks.

## Landscape Considerations

- Retain and enhance existing mature trees and hedgerows on the site and around the boundaries and incorporate these into the landscaping structure for the site to limit impacts on the countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.



- Protect the rural character of Burleigh Lane and views from the south by minimising loss of trees and hedgerows along the southern boundary and reinforcing any gaps with locally native planting.
- Protect the character and amenity of existing public footpaths and seek to integrate these into the Green Infrastructure proposals for the site.

#### Social and Community

- Provide a Locally Equipped Accessible Play Space (LEAP) that is inclusive to the local community.

#### Historic Environment and Cultural Heritage

- Provide appropriate mitigation to protect the rural setting of the Grade II listed Burleigh Cottage adjacent to the west of the site by creating a sufficiently sized landscape buffer of open space between the listed building and the new development. Provide a hedgerow/ tree belt screening between the open space and the development to protect the rural setting of Burleigh Cottage. The mitigation strategy should be informed by a Heritage Impact Assessment.
- Protect the rural character of Burleigh Lane and the setting of Burleigh Cottage by retaining the stone gateways on Burleigh Lane along the southern boundary of the site.

#### Air Quality / Noise

- No site specific sensitivities identified.

#### Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity. Avoid any loss to biodiversity through ecological protection and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.

#### Highways and Access

- Provide access from Sycamore Lane or Woodlands Close. Detailed access arrangements will need to be investigated further.
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

#### Flood Risk and Drainage

- Existing surface water flow paths cross the site and there is a watercourse adjacent to the east of the site. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required.
- Design Surface Water Drainage to minimise run off to adjacent land, to incorporate SuDS and to ensure that Flood Risk is not increased.

#### Contaminated Land

- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.

#### Utilities

- Upgrade to the Sewerage infrastructure network is required. Occupation of development should be phased to align with the delivery of sewerage infrastructure in liaison with the service provider.

2159

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2159

**Response Ref:** Reg19/2159/1

**Respondent:** Mr J Runc

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** james runc [REDACTED]  
**Sent:** 28 September 2020 08:03  
**To:** ldfconsultation  
**Subject:** Objection to SA19, SA20 & SA22 planning application  
**Attachments:** Site\_Allocations\_DPD\_Regulation\_19\_Response.pages

To whom it may concern,

Please find attached an objection to planning applications SA19, SA20 and SA22.

Regarding SA22, Crawley Down Village is already vastly over populated and the existing Infrastructure cannot cope with the the existing number of residents residing here, let alone the allowance for further more households. The site will border Burleigh Woods Development where children already living here have been refused a place in the village primary school as it is grossly oversubscribed despite the fact that they have doubled their intake of children this year. Which has meant some residents have had to travel as far as Godstone & Oxted for a school placement, This clearly demonstrates that the village and the neighbouring areas infrastructure is already so far overstretched. Some residents are having to travel far for their children to attend school and there is also no availability for new applications to the doctors surgery as they are at capacity.

Please consider the attached as a strong objection to the proposed planning applications.

Kind regards,  
James Runc

Sent from my iPhone

Begin forwarded message:

Sent from my iPhone



2165

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2165

**Response Ref:** Reg19/2165/4

**Respondent:** Mrs & Mr J & J Hayler

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** JudyF Hayler [REDACTED]  
**Sent:** 28 September 2020 21:06  
**To:** ldfconsultation  
**Subject:** Consultations SA20, SA19, SA18 & SA22  
**Attachments:** Mid sussex planning officer 28Sept2020.doc

**Categories:** SiteDPD, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
28<sup>th</sup> September 2020

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

**Re: Consultations on Proposals SA20, SA19, SA18 & SA22 – East Grinstead, Felbridge and Crawley Down**

Dear Sirs

We wish to register our objection to the above proposals - for the building of 500 houses on Imberhorne Farm, 200 houses in Felbridge, development of housing at East Court at the former East Grinstead police station and 50 houses on farmland on the southern edge of Crawley Down - for the following reasons:

There has been a failure to consult the local community. Most local residents have only been made aware of this consultation following local posters attached to trees adjacent to the areas concerned, on the local footpaths and bridleways.

Development of housing of this magnitude within the locality to East Grinstead will have a major impact on the local infrastructure, roads, schools and health provision. It is already challenging to get registered with a GP in East Grinstead as their list are regularly closed due to capacity. The A22 and A264 are roads with major congestion due to the amount of local and through traffic. We believe this proposal is contrary to the neighbourhood plan.

As a frequent user of the Worth Way and connecting bridleways and footpaths between East Grinstead, Felbridge and Crawley Down, we know these areas well. These proposals will have an unacceptable impact on the area. Since the lockdown in March the usage of these areas by local walkers, runners, cyclists and horse riders has increased substantially. We need areas of open land between East Grinstead and the nearby villages more than there is a demand for

housing. The area has diverse flora and fauna which will be directly impacted and this area is very close to the 7km zone of influence of Ashdown Forest.

Please consider this letter as an objection to this consultation and we call on the council to reject the proposals.

Yours sincerely

Judy F Hayler

John D Hayler

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
28<sup>th</sup> September 2020

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

**Re: Consultations on Proposals SA20, SA19, SA18 & SA22 – East Grinstead, Felbridge and Crawley Down**

Dear Sirs

We wish to register our objection to the above proposals - for the building of 500 houses on Imberhorne Farm, 200 houses in Felbridge, development of housing at East Court at the former East Grinstead police station and 50 houses on farmland on the southern edge of Crawley Down - for the following reasons:

There has been a failure to consult the local community. Most local residents have only been made aware of this consultation following local posters attached to trees adjacent to the areas concerned, on the local footpaths and bridleways.

Development of housing of this magnitude within the locality to East Grinstead will have a major impact on the local infrastructure, roads, schools and health provision. It is already challenging to get registered with a GP in East Grinstead as their list are regularly closed due to capacity. The A22 and A264 are roads with major congestion due to the amount of local and through traffic. We believe this proposal is contrary to the neighbourhood plan.

As a frequent user of the Worth Way and connecting bridleways and footpaths between East Grinstead, Felbridge and Crawley Down, we know these areas well. These proposals will have an unacceptable impact on the area. Since the lockdown in March the usage of these areas by local walkers, runners, cyclists and horse riders has increased substantially. We need areas of open land between East Grinstead and the nearby villages more than there is a demand for housing. The area has diverse flora and fauna which will be directly impacted and this area is very close to the 7km zone of influence of Ashdown Forest.

Please consider this letter as an objection to this consultation and we call on the council to reject the proposals.

Yours sincerely

Judy F Hayler

John D Hayler

**2280**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2280

**Response Ref:** Reg19/2280/2

**Respondent:** Mrs E Russell

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Lizzie Russell [REDACTED]  
**Sent:** 28 September 2020 20:14  
**To:** ldfconsultation  
**Subject:** Strong Objection to local planning applications SA19, SA20 & SA22  
**Attachments:** Site\_Allocations\_DPD\_Regulation\_19\_Response.pdf  
**Categories:** SiteDPD, [REDACTED]

To whom it may concern,

Please find attached an objection to planning applications SA19, SA20 and SA22.

Regarding SA22 specifically, the objection for this is based upon the village of Crawley Down already being completely over-populated/overwhelmed. The village already struggles with the amenities available with the local school, doctors, dentist amongst other services not being able to cope/take on all village residents that request it. The school has already rejected at least 12 pupils from this Sept 20 Reception intake, due to over subscribed numbers, all of whom were in walking distance of the school and live in the village. A large number of residents cannot also register at the village doctors due to over-population already.

As well as the above, the local environment has not been taken into consideration with loss to wildlife/habitation and light pollution. Along with already over-whelmed roads, where the infra-structure is already failing with numerous cracks, potholes and congestion constantly. The access to SA22 is not sustainable for the volume of houses on plan and would be detrimental to the village and all that live here

It is also noted that on the website, there is no mention of SA22 on the original site/forms and only when contacted have the village residents been given the details around SA22 and adding it to the form. The current website still does not mention SA22, which is an unfair representation of the planning request and does not give residents a fair objection process.

Please consider the attached as a strong objection to the proposed planning applications specifically SA22.

Kind Regards

Elizabeth Russell

# RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details

Part B – Representation

Part C – Expanded Arguments to Support Representation

Part D – Actions I am seeking

## PART A – PERSONAL DETAILS

Name	Mrs Elizabeth Russell
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	██████████

## PART B – REPRESENTATION

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

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

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

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh
----------------------	-----------------------------	---



Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

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

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

Yes ☒ No ☐

I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD ...

SA19 – Land South of Crawley Down Road  
 SA20 – Land South and West of Imberhorne Upper School  
 SA22 - Land off Burleigh Lane.

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

- 1) The Council has failed to consult properly with the wider public and surrounding residents. The website also does not mention on the original form talk of SA22, and only when raised by residents has this form been updated but still not on the website – giving SA22 unfair representation as there is no mention of this on the website for residents to object too.
- 2) The council have already exceeded their district plan target for Crawley Down Village which was supposed to last until 2031.

Allocation of sites SA19, SA20 and SA22 would ...

3) Negatively impact the already overstretched village infrastructure.

The primary school is vastly oversubscribed already with village residents living within 500m of the school not being offered a place. As well as waiting lists for the local doctors/dentists. SA22 would impact this even further.

Other amenities such as water/electricity are already under pressure to deal with the no. of additional houses built in the village which already has a negative impact on residents most weeks with power outages/burst pipes/blockages and water pressure issues. As well as connectivity to phone lines/internet already being over-whelmed.

4) Lead to unsustainable traffic congestion with local junctions already over capacity with the majority of all local roads displaying numerous cracks/potholes.

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 and SA22 would ...

6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

7) Result in loss of valued agricultural land, habitat and rural surroundings. Increased traffic and pressure on an already congested village amenities. This application does not take into consideration that Crawley Down has already met its development quota.

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

Unsound because ...

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

## 2.

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity). Paragraph 16 says that *“Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...”*
- ❖ MSDC’s Statement of Community Involvement requires that *“the community should be involved as early as possible in the decision making process when there is more potential to make a difference”* and that *“community involvement should be accessible to all those who wish to take part”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state that the press release was distributed to the following:
  - **TV outlets** – ITV Meridian News & BBC South East Today
  - **Radio Stations** – BBC Radio Sussex; BBC Radio Surrey; Burgess Hill Community Radio; Heart Radio; Meridian FM & More Radio
  - **Newspapers** – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
  - **New Agencies** – Dehaviland; Dods Monitoring & Press Association
  - **Magazines** – Cuckfield Life; East Grinstead Living; Hurst Life; Lindfield Life; RH Uncovered & Sussex Living
  - **Websites** – BBC News Online; Burgess Hill Uncovered & Crawley News 24
- ❖ However MSDC have failed to monitor whether the press release was used by these media outlets.
  - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just one entry in a weekly paper servicing the towns of Burgess Hill and Haywards Heath but that is not distributed in East Grinstead or Felbridge. No publicity in the

local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

❖ **No alerts on the Council's website ...**

- Neither the main landing page nor the main 'Planning and Building' page make ANY reference to the consultation.
- The Council's dedicated 'Consultations' page advertises only a 'Public Spaces Protection Order – Dog Control Consultation', and says NOTHING about the Site Allocations consultation.

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

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- MSDC say that *"Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."*
- The Spring 2020 edition failed to mention the Site Allocations consultation but did alert readers to the review of the local plan not due to start until 2021.

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

Unsound because ...

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

## **3.**

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

ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.



- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to its lack of 'Connectivity with existing settlements'. They say that ... *"The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
  - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
  - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

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

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

### 4.

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

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

- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *“to provide opportunities for people to live and work in their communities, reducing the need for commuting”*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of the Mid Sussex Economic Profile Study (2018), says that *“There has been a significant loss of floor space to residential conversions particularly in East Grinstead.”* This study reports 19,440m<sup>2</sup> of commercial office space in East Grinstead.
- ❖ Since then East Grinstead’s stock of office space has continued to decline, with 12,000m<sup>2</sup> (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in June 2020.
  - The East Grinstead Business Association objected to the conversion, saying that we have lost *“7 existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”*
  - The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work
  - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ MSDC confirm that they do not monitor the amount of office floorspace lost through residential conversions, so have no evidence to show that the 772 homes proposed for East Grinstead and Felbridge are sustainable. Potentially, there could be 1,500 new residents and no new employment space.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

#### **4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity**

Unsound because ...

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



## 5.

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

### WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
  - *"The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day."*
  - The congestion figures for the A264 approach arm were measured in 2018 ...


○

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

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

### SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test ...
  - NPPF paragraph 109 states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*



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

	SYSTRA Model			WSP Model	

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

#### No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... NPPF paragraph 108 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

## 5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

## 6.

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ Policies EG2 and EG2a are designed to resist development outside the built-up boundary and “to ensure that development does not result in the gradual accretion of development at the urban fringe”. These policies conform to MSDC’s own policies DP12 and DP13, which say ... *“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there.”*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & Felbridge built-up boundaries and are therefore against both Neighbourhood and District Plan policies [EG2, EG2a, DP12 & DP13].
- ❖ The supporting text to policy EG2 (at paragraph 4.9) explicitly calls for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn’t have to accept housing allocations like these without compensating improvements to the local highways network being delivered ... *“Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused”.*
- ❖ Policy EG11 fully supports policy DP21 which requires that ... *“development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks”.*



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

Unsound because ...

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

## 7.

- ❖ Felbridge is a rural village in Surrey with a small strip of land south of the Crawley Down Road falling within the administrative boundary Mid-Sussex.
- ❖ TDC acknowledge in its Settlement Hierarchy Addendum 2018 that *“although the proximity of East Grinstead plays a role in Felbridge’s sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)”*
- ❖ However, MSDC is treating the land south of the Crawley Down Road as an extension to East Grinstead without due regard for its village status or the gap between the two distinct communities.
- ❖ With no more frontage sites available along the Crawley Down Road, MSDC are allowing the extension of the village towards East Grinstead, with 120 homes recently approved as back land developments. With a current population of 532 homes, the existing commitments will increase the number of homes by nearly 25%. The village has no doctor’s surgery, pharmacy, dentist, opticians and only a small convenience store. Infrastructure contributions and subsequent council taxes will go to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate SA19 as an additional back land site for 200 homes south of the Crawley Down Road would result in an increase in the number of homes by a further 30%; without any plans or funding to improve infrastructure that would mitigate the harm to the function and character of the village.
  - This is contrary to policy DP6 (Settlement Hierarchy) which allocates a much smaller proportion of housing requirement to Tier 3 medium sized villages.
  - The strategic aims of policy DP6 are ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence”, and “To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community”.*
- ❖ The proposed site is located outside the built-up boundaries of both Felbridge and East Grinstead. This is contrary to policy DP12 (Protection and enhancement of countryside) which says that ...*“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there”.*
- ❖ The site allocation is also contrary to the strategic aim of policy DP13 (Preventing Coalescence) ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence.”*

- ❖ The East Grinstead Neighbourhood Plan expressly lists the land to the south of Crawley Down Road as contrary to policies EG2 and EG2A to ensure development “does not result in the merging or coalescence of settlements and the gradual accretion of development at the urban fringe”.

## 7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

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

## 8.

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (ie. the best and most versatile agricultural land).
  - District Plan DP12 says that *“Where identified, Grade 1, 2 and 3a agricultural land should be protected from development due to its economic importance and geological value. This is the land which is most flexible, productive and efficient and can best deliver future crops for food and non-food uses.”*
  - The Sustainability Appraisal reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
  - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
  - The rural setting of these listed buildings is important to their value as heritage assets and development on the site would overwhelm the buildings and result in significant harm
  - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also lies adjacent to a substantial area of ancient woodland which is already ‘hemmed in’ on two sides by residential and industrial development. Further development would serve to isolate the woodland from the surrounding countryside resulting in unnecessary habitat fragmentation ...
  - Ancient woodland is classified by National Planning Policy as an ‘unreplaceable habitat’ and NPPF paragraph 175 says *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”*
  - Natural England states that *“Ancient woodland and the wildlife it supports are particularly vulnerable to various impacts associated with nearby residential areas. These include recreational disturbance, fly tipping, light pollution, introduction of non-native plant species from garden waste, predation of wildlife by pet cats and pollution from dog faeces”*



- These harmful impacts can only be mitigated to a limited degree by the imposition of a buffer zone.
- ❖ The farmlands at the proposed SA20 site location provide an important breeding habitat for 'red list' bird species such as the Skylark and Yellowhammer with loss of habitat being the main reason for the sharp population decline.
  - The developer's own Ecological Survey acknowledges that the Skylark *"requires more specialised ground nesting provisions"* and that the ability of the SANGS to compensate for the loss of farmland habitat is limited due to recreational disturbance.
  - NPPF paragraph 175 says that *"if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."*

## **PART D – ACTIONS I AM SEEKING**

---

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

1. The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.
2. The WSP transport report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

**2281**

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2281

**Response Ref:** Reg19/2281/2

**Respondent:** Mrs J Groom

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

[REDACTED]

---

**From:** Jane Groom [REDACTED]  
**Sent:** 28 September 2020 20:13  
**To:** ldfconsultation  
**Subject:** Objection to local planning applications SA22, SA19 and SA20  
**Attachments:** Site\_Allocations\_DPD\_Regulation\_19\_Response (1)[100102].docx  
**Categories:** SiteDPD, [REDACTED]

Dear Sirs/Madam

Please find attached an objection to planning applications SA19, SA20 and SA22.

Regarding SA22, Crawley Down Village has now become greatly over developed with totally inadequate supporting Infrastructure. The GP surgeries are oversubscribed and unable to cope with new applications as they are at capacity, the school is hugely oversubscribed despite an increase in intake, and this scholastic year local children are having to attend schools as far away as Godstone, and being forced to drive to Turners Hill School rather than being able to walk through quiet roads to the local school. An outrage in these times of global warming concern.

The village cannot cope with a further increase in residents – the area has already become so congested with roads in and out of Turners Hill, Felbridge, East Grinstead and Crawley consistently queued for miles, even during the quieter lockdown period. This infrastructure is at breaking point. Locally Felbridge has already seen the impact of constant over development with a consistent traffic jam through the village day and night.

Please consider the attached as a strong objection to the proposed planning applications.

Sincerely yours

Jane Groom

Sent from [Mail](#) for Windows 10



Virus-free. [www.avg.com](http://www.avg.com)

# RESPONSE TO SUBMISSION SITES ALLOCATIONS DPD REGULATION 19

This document has four parts: Part A – Personal Details

Part B – Representation

Part C – Expanded Arguments to Support Representation

Part D – Actions I am seeking

## PART A – PERSONAL DETAILS

Name	Mrs Jane Groom
Address	<div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div> <div>██████████</div>
Email	████████████████████

## PART B – REPRESENTATION

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

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

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

Positively Prepared?	<input type="checkbox"/> No	Failure to positively engage with landowners/developers offering large strategic sites. Access to SA22 requires access to land which legally be under control by Burleigh Woods
----------------------	-----------------------------	---



Justified?	<input type="checkbox"/> No	Failure to properly take account of reasonable alternatives, and failure to show sites SA19, SA20, SA22 to be sustainable or deliverable
Effective?	<input type="checkbox"/> No	Failure to demonstrate strategic highway matters to be deliverable to resolve severe traffic constraints in East Grinstead
Consistent with National Policy?	<input type="checkbox"/> No	Sites SA19, SA20 and SA22 are not sustainable in accordance with policies in the framework

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

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

Yes ☒ No ☐

I am OBJECTING to the Site Allocations DPD and Sustainability Appraisal, and in particular to following proposed allocations being included in the Site Allocations DPD ...

SA19 – Land South of Crawley Down Road  
 SA20 – Land South and West of Imberhorne Upper School  
 SA22 - Land off Burleigh Lane.

I consider them to be unsustainable and in conflict with National Planning Policy and the Local Development Plan [Mid Sussex District Plan & East Grinstead Neighbourhood Plan] for the following reasons:

- 1) The Council has failed to consult properly with the wider public and surrounding residents.
- 2) The council have already exceeded their district plan target for Crawley Down Village which was supposed to last until 2031.

Allocation of sites SA19, SA20 and SA22 would ...

3) Negatively impact the already overstretched village infrastructure. The primary school is vastly oversubscribed already with village residents living within 500m of the school not being offered a place. SA22 would impact this even further.

4) Lead to unsustainable traffic congestion with local junctions already over capacity

5) Be contrary to national planning policies & the Local Development Plan

Allocation of site SA19 and SA22 would ...

6) Represent an unacceptable extension to Crawley Down, Felbridge village and result in coalescence with East Grinstead

Allocation of site SA22 would ...

7) Result in loss of valued agricultural land, habitat and rural surroundings. Increased traffic and pressure on an already congested doctors surgery and school. This application does not take into consideration that Crawley Down has already met its development quota.

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

Unsound because ...

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

## 2.

- ❖ The National Planning Policy Framework [NPPF] requires councils to carry out public consultation on plans that is transparent and front-loaded (ie. at the earliest opportunity). Paragraph 16 says that *“Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...”*
- ❖ MSDC’s Statement of Community Involvement requires that *“the community should be involved as early as possible in the decision making process when there is more potential to make a difference”* and that *“community involvement should be accessible to all those who wish to take part”*.
- ❖ MSDC claim to have met their obligation to consult with residents by; Issuing a single press release; Email alerts (to the few people with prior knowledge of the consultation and so had registered their email address); ad-hoc comments on the Council’s social media channels; posts on the Council’s website; and exhibition boards in the public library (for a few days during the Regulation 18 consultation period and nothing at all for the Regulation 19 consultation).
- ❖ The evidence shows that these communication channels have been wholly inadequate in reaching residents and hard-to-reach groups.
- ❖ **Ineffective Press Release Campaign ...** MSDC state that the press release was distributed to the following:
  - **TV outlets** – ITV Meridian News & BBC South East Today
  - **Radio Stations** – BBC Radio Sussex; BBC Radio Surrey; Burgess Hill Community Radio; Heart Radio; Meridian FM & More Radio
  - **Newspapers** – East Grinstead Courier; Mid Sussex Times; The Argus & West Sussex County Times
  - **New Agencies** – Dehaviland; Dods Monitoring & Press Association
  - **Magazines** – Cuckfield Life; East Grinstead Living; Hurst Life; Lindfield Life; RH Uncovered & Sussex Living
  - **Websites** – BBC News Online; Burgess Hill Uncovered & Crawley News 24
- ❖ However MSDC have failed to monitor whether the press release was used by these media outlets.
  - Officers can only say that they *“were aware that the Mid Sussex Times ran a story on 30th July regarding the consultation.”* Just one entry in a weekly paper servicing the towns of Burgess Hill and Haywards Heath but that is not distributed in East Grinstead or Felbridge. No publicity in the

local East Grinstead paper despite the DPD proposing over half of the homes to be allocated in East Grinstead and Felbridge.

❖ **No alerts on the Council's website ...**

- Neither the main landing page nor the main 'Planning and Building' page make ANY reference to the consultation.
- The Council's dedicated 'Consultations' page advertises only a 'Public Spaces Protection Order – Dog Control Consultation', and says NOTHING about the Site Allocations consultation.

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

- MSDC's own magazine is distributed at taxpayers' expense 3 times a year to 73,000 households in Burgess Hill, East Grinstead, Haywards Heath and Mid Sussex villages.
- MSDC say that *"Wherever possible, details of forthcoming consultations are included within the magazine, this is our preference as it reaches every household in the district. However publication dates and consultation dates do not always coincide."*
- The Spring 2020 edition failed to mention the Site Allocations consultation but did alert readers to the review of the local plan not due to start until 2021.

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

Unsound because ...

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

## **3.**

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

ready access to Crawley's extensive services, infrastructure and employment opportunities using sustainable transport.



- ❖ Developers Mayfield have put forward a proposal for a new, sustainable, mixed-use, garden village south of Crawley (Mayfields Market Town) in which the developer has undertaken to provide a comprehensive range infrastructure services before the site is occupied. Whilst Horsham DC have engaged positively with Mayfield, MSDC have failed to do so.
- ❖ MSDC say that all sites in the DPD must be 'contiguous with an existing settlement' as set out in policy DP6. This policy was not designed to take account of housing shortfalls in neighbouring authorities and is insufficiently flexible. NPPF paragraph 81 says that *"planning policies should be flexible enough to accommodate needs not anticipated in the plan"*.
- ❖ MSDC officers confirm that the site at Crabbett Park was rejected solely due to its lack of 'Connectivity with existing settlements'. They say that ... *"The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps)"*.
- ❖ This is an error in fact - the site at Crabbett Park is less than 100m from the built-up boundary of Crawley, meaning that the selection process was unsound and the site rejected on spurious grounds.
- ❖ The sites in East Grinstead & Felbridge were evaluated as 'high performing sites' without any evidence being presented to show that the assessment took account of the widely reported traffic constraints or relevant neighbourhood plan policies.
  - The site assessment section on 'highways', arguably the most relevant to the sites along the A264/A22 corridor, was left blank.
  - No evidence is offered to show that policies EG2, EG2a or EG11 were genuinely considered or that they played any role in the overall assessment of sites.

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

Unsound because ...

- ☒ Unsustainable separation of homes and employment space

### 4.

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

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

- ❖ The proposed sites are required to meet a housing shortfall in Crawley for about 1,500 new homes. Nearly half of these are proposed for sites in East Grinstead, Crawley Down and Felbridge. Alternative and more sustainable development sites on the edge of Crawley have been dismissed without proper consideration.
- ❖ The proposed site allocations at East Grinstead, Crawley Down and Felbridge run counter to District Plan strategic objectives to support sustainable economic growth. A stated aim of Policy DP1 is *“to provide opportunities for people to live and work in their communities, reducing the need for commuting”*.
- ❖ The DPD proposes 9 new employment sites elsewhere in the district but none in East Grinstead or Felbridge.
- ❖ Felbridge is a medium sized village with very limited employment opportunities and East Grinstead has suffered a very significant loss of employment space since the beginning of the plan period.
- ❖ A key finding of the Mid Sussex Economic Profile Study (2018), says that *“There has been a significant loss of floor space to residential conversions particularly in East Grinstead.”* This study reports 19,440m<sup>2</sup> of commercial office space in East Grinstead.
- ❖ Since then East Grinstead’s stock of office space has continued to decline, with 12,000m<sup>2</sup> (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in June 2020.
  - The East Grinstead Business Association objected to the conversion, saying that we have lost *“7 existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”*
  - The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work
  - Large sites do not contribute towards the MSDC windfall targets but unplanned homes on this scale should count towards the number of homes the Site Allocations DPD is required to provide
- ❖ MSDC confirm that they do not monitor the amount of office floorspace lost through residential conversions, so have no evidence to show that the 772 homes proposed for East Grinstead and Felbridge are sustainable. Potentially, there could be 1,500 new residents and no new employment space.
- ❖ Increasing traffic congestion and loss of employment space act as significant constraints on economic growth and investment. Another stated aim of Policy DP1 is *“to promote a place which is attractive to a full range of businesses, and where local enterprise thrives”*.

#### **4. Allocation of sites SA19, SA20 and SA22 would lead to unsustainable traffic congestion with local junctions already over capacity**

Unsound because ...

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



## 5.

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

### WSP Study

- ❖ An Executive Summary Report dated October 2019 was published by Tandridge District Council but this report has NOT been disclosed by MSDC. It is understood that MSDC is refusing permission to release the full report for consultation.
- ❖ The WSP Executive Summary concludes that the A264/A22 junction in Felbridge is currently operating over capacity ...
  - *"The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day."*
  - The congestion figures for the A264 approach arm were measured in 2018 ...


○

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

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

### SYSTRA Report

- ❖ The MSDC strategic transport study predicts that most major junctions in East Grinstead and surrounding area will be over-capacity by the end of the plan period BEFORE considering the additional impact of the proposed allocations.
- ❖ The SYSTRA model predicts that the 772 houses being proposed for East Grinstead and Felbridge will significantly increase the current levels of 'rat running' along residential streets and country lanes.
- ❖ The SYSTRA model attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test ...
  - NPPF paragraph 109 states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*



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

	SYSTRA Model		WSP Model	

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

#### No Deliverable Mitigation

- ❖ To mitigate the impact of the proposed allocations in East Grinstead, MSDC makes vague references to an 'A264/A22 corridor improvement project' and a project to deliver unspecified 'Bus priority along the A22'. There are no deliverable or specific proposals in the Infrastructure Delivery Plan and no secure funding.
- ❖ WSP were jointly commissioned to investigate improvement options on the A264/A22 in 2018 but MSDC have chosen not published the findings. The WSP Executive Summary calls into question the deliverability of the sites at East Grinstead and Felbridge.
- ❖ There are no proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites in East Grinstead and Felbridge, either alone or in combination with sites already committed in the Local Development Plan.
- ❖ This Site Allocation DPD is therefore contrary to national policy ... NPPF paragraph 108 states that *"In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree."*

## 5. Allocation of sites SA19, SA20 and SA22 would be contrary to the NPPF and the Local Development Plan

Unsound because ...

- ☒ Sites SA19, SA20 and SA22 are in conflict with Neighbourhood and District Plan policies
- ☒ Proposed site allocations at Felbridge, Imberhorne Farm and Crawley Down are outside the East Grinstead/Felbridge/Crawley Down built-up boundaries and are therefore against policies EG2, EG2a, DP12 and DP13
- ☒ In the absence of demonstrable proposals to resolve the local junction capacity issues, the site allocations in East Grinstead, Crawley Down and Felbridge are in conflict with policies EG11 and DP21

## 6.

- ❖ At a review of Neighbourhood Plan policies on 3rd May 2018 following the adoption of the District Plan, MSDC confirmed that apart from policy EG5, the Neighbourhood Plan was in conformity.
- ❖ Policies EG2 and EG2a are designed to resist development outside the built-up boundary and “to ensure that development does not result in the gradual accretion of development at the urban fringe”. These policies conform to MSDC’s own policies DP12 and DP13, which say ... *“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there.”*
- ❖ It is not clear why MSDC believe the houses to meet the housing shortfall in Crawley are best located in the countryside in the gap between the Felbridge and East Grinstead and Crawley Down and Turners Hill outside their urban boundaries when sustainable sites adjacent to Crawley have not been properly evaluated.
- ❖ The proposed site allocations SA19, SA20 and SA22 are outside the East Grinstead, Crawley Down & Felbridge built-up boundaries and are therefore against both Neighbourhood and District Plan policies [EG2, EG2a, DP12 & DP13].
- ❖ The supporting text to policy EG2 (at paragraph 4.9) explicitly calls for development to be refused in the areas of countryside at Imberhorne Farm and south of the Crawley Down Road ... precisely the location of the proposed sites SA19, SA20 and SA22
- ❖ Policy EG11 was designed to ensure that East Grinstead didn’t have to accept housing allocations like these without compensating improvements to the local highways network being delivered ... *“Proposals, which cause a severe cumulative impact in terms of road safety and increased congestion, which cannot be ameliorated through appropriate mitigation will be refused”.*
- ❖ Policy EG11 fully supports policy DP21 which requires that ... *“development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. This includes the provision of efficient and sustainable transport networks”.*



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

Unsound because ...

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

## 7.

- ❖ Felbridge is a rural village in Surrey with a small strip of land south of the Crawley Down Road falling within the administrative boundary Mid-Sussex.
- ❖ TDC acknowledge in its Settlement Hierarchy Addendum 2018 that *“although the proximity of East Grinstead plays a role in Felbridge’s sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)”*
- ❖ However, MSDC is treating the land south of the Crawley Down Road as an extension to East Grinstead without due regard for its village status or the gap between the two distinct communities.
- ❖ With no more frontage sites available along the Crawley Down Road, MSDC are allowing the extension of the village towards East Grinstead, with 120 homes recently approved as back land developments. With a current population of 532 homes, the existing commitments will increase the number of homes by nearly 25%. The village has no doctor’s surgery, pharmacy, dentist, opticians and only a small convenience store. Infrastructure contributions and subsequent council taxes will go to centrally to MSDC in Haywards Heath with no plans to improve meagre services in the village.
- ❖ The proposal to allocate SA19 as an additional back land site for 200 homes south of the Crawley Down Road would result in an increase in the number of homes by a further 30%; without any plans or funding to improve infrastructure that would mitigate the harm to the function and character of the village.
  - This is contrary to policy DP6 (Settlement Hierarchy) which allocates a much smaller proportion of housing requirement to Tier 3 medium sized villages.
  - The strategic aims of policy DP6 are ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence”, and “To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community”.*
- ❖ The proposed site is located outside the built-up boundaries of both Felbridge and East Grinstead. This is contrary to policy DP12 (Protection and enhancement of countryside) which says that ...*“The primary objective of the District Plan with respect to the countryside is to secure its protection by minimising the amount of land taken for development and preventing development that does not need to be there”.*
- ❖ The site allocation is also contrary to the strategic aim of policy DP13 (Preventing Coalescence) ...*“To promote well located and designed development that reflects the District’s distinctive towns and villages, retains their separate identity and character and prevents coalescence.”*

- ❖ The East Grinstead Neighbourhood Plan expressly lists the land to the south of Crawley Down Road as contrary to policies EG2 and EG2A to ensure development “does not result in the merging or coalescence of settlements and the gradual accretion of development at the urban fringe”.

## 7. Allocation of SA19, SA22 would result in loss of agricultural land and habitat, harm the setting of heritage assets and result in coalescence with the village of Felbridge and Crawley Down

Unsound because ...

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

## 8.

- ❖ Site allocations SA20 is surrounded by high yielding agricultural land that justifies an Agricultural Land Classification Grade of 3a (ie. the best and most versatile agricultural land).
  - District Plan DP12 says that *“Where identified, Grade 1, 2 and 3a agricultural land should be protected from development due to its economic importance and geological value. This is the land which is most flexible, productive and efficient and can best deliver future crops for food and non-food uses.”*
  - The Sustainability Appraisal reports that the Council currently lacks data to distinguish Grade 3 from 3a agricultural land and assumes a default classification of 3 without evidence.
  - The planning assessment proforma rates the SA20 site location as having a ‘positive impact’ on the Landscape without any explanation or evidence to support the officers’ opinion.
- ❖ Site allocation SA20 is adjacent to the Grade II Listed Gulledge Farmhouse and Imberhome Farm Cottages
  - The rural setting of these listed buildings is important to their value as heritage assets and development on the site would overwhelm the buildings and result in significant harm
  - District Plan policy DP34 says that *“Special regard is given to protecting the setting of a listed building”*
- ❖ The proposed site also lies adjacent to a substantial area of ancient woodland which is already ‘hemmed in’ on two sides by residential and industrial development. Further development would serve to isolate the woodland from the surrounding countryside resulting in unnecessary habitat fragmentation ...
  - Ancient woodland is classified by National Planning Policy as an ‘unreplaceable habitat’ and NPPF paragraph 175 says *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”*
  - Natural England states that *“Ancient woodland and the wildlife it supports are particularly vulnerable to various impacts associated with nearby residential areas. These include recreational disturbance, fly tipping, light pollution, introduction of non-native plant species from garden waste, predation of wildlife by pet cats and pollution from dog faeces”*



- These harmful impacts can only be mitigated to a limited degree by the imposition of a buffer zone.
- ❖ The farmlands at the proposed SA20 site location provide an important breeding habitat for 'red list' bird species such as the Skylark and Yellowhammer with loss of habitat being the main reason for the sharp population decline.
  - The developer's own Ecological Survey acknowledges that the Skylark *"requires more specialised ground nesting provisions"* and that the ability of the SANGS to compensate for the loss of farmland habitat is limited due to recreational disturbance.
  - NPPF paragraph 175 says that *"if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."*

## **PART D – ACTIONS I AM SEEKING**

---

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

1. The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.
2. The WSP transport report should be published in full and its findings submitted for consultation.
3. The proposed allocations at East Grinstead, Crawley Down and Felbridge should be withdrawn as they cannot be delivered sustainably.
4. MSDC should withdraw the DPD and carry out a proper evaluation of sustainable sites close to Crawley including Crabbet Park and Mayfield.
5. In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering the junction improvements identified in Atkins 3 and the WSP studies.
6. I do not wish to take part in the Examination but I support the arguments made by the Infrastructure First Group and would like them to represent me at the Examination.

2406

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2406

**Response Ref:** Reg19/2406/1

**Respondent:** Mrs B Queenan

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x

<b>Name</b>	Barbara Queenan
<b>Address</b>	[REDACTED]
<b>Phone</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Name or Organisation</b>	Barbara Queenan
<b>Which document are you commenting on?</b>	Site Allocations DPD
<b>Sites DPD Policy Number (e.g. SA1 - SA38)</b>	SA22
<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
<b>Please outline why you either support or object (on legal or soundness grounds) to the Site Allocations DPD</b>	We do not want this development to go ahead as there has been to many new properties which more infrastructure in the area, please keep some green space available for walkers and wildlife to enjoy we need our green space for mental health
<b>If you wish to provide further documentation to support your response, you can upload it here</b>	
<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

2469

## Site Allocations DPD: Regulation 19 Consultation Response

**Policy:** SA22

**ID:** 2469

**Response Ref:** Reg19/2469/2

**Respondent:** Ms C Runc

**Organisation:**

**On Behalf Of:**

**Category:** Resident

**Appear at Examination?** x



[REDACTED]

---

**From:** Charlotte Runc [REDACTED]  
**Sent:** 30 September 2020 15:38  
**To:** ldfconsultation  
**Subject:** Re: Strong Objection to local planning applications SA22, SA19 and SA20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** [REDACTED]

Dear [REDACTED]

Apologies I will re-save in a different format and send across however it will have to be tomorrow if that's ok as away from the computer and can't convert on my phone.

Kind Regards

Charlie

Sent from my iPhone

On 30 Sep 2020, at 10:44, ldfconsultation <ldfconsultation@midsussex.gov.uk> wrote:

Dear Ms Runc,

Thank you for your email, unfortunately I've been unable to open the attachment. I'd be most grateful if you could please check and re-send a copy.

Kind regards,

[REDACTED]  
Senior Planning Officer  
Planning Services

[REDACTED] <http://www.midsussex.gov.uk>

**N.B. My working days are Tuesday – Thursday inclusive.**

-----  
Submit your planning application online.  
<http://www.planningportal.gov.uk>  
-----

How are we doing? We always welcome your [feedback](#)

Working together for a better Mid Sussex  
-----

---

**From:** Charlotte Runc [REDACTED]  
**Sent:** 28 September 2020 07:38  
**To:** ldfconsultation <ldfconsultation@midsussex.gov.uk>  
**Subject:** Strong Objection to local planning applications SA22, SA19 and SA20

Hello

Please find attached an objection to planning applications SA19, SA20 and SA22.

Regarding SA22, Crawley Down Village is already vastly over populated and the existing Infrastructure cannot cope with the the existing number of residents residing here, let alone the allowance for further more households.

The site will border Burleigh Woods Development where children already living here have been refused a place in the village primary school as it is grossly oversubscribed despite the fact that they have doubled their intake of children this year. This clearly demonstrates that the village infrastructure is already so far overstretched. Some residents are having to travel far for their children to attend school and there is also no availability for new applications to the doctors surgery as they are at capacity.

Please consider the attached as a strong objection to the proposed planning applications.

Kind regards,  
Charlotte Runc

Sent from my iPhone

The information contained in this email may be subject to public disclosure under the Freedom of Information Act 2000. Unless the information contained in this email is legally exempt from disclosure, we cannot guarantee that we will not provide the whole or part of this email to a third party making a request for information about the subject matter of this email. This email and any attachments may contain confidential information and is intended only to be seen and used by the named addressees. If you are not the named addressee, any use, disclosure, copying, alteration or forwarding of this email and its attachments is unauthorised. If you have received this email in error please notify the sender immediately by email or by calling +44 (0) 1444 458 166 and remove this email and its attachments from your system. The views expressed within this email and any attachments are not necessarily the views or policies of Mid Sussex District Council. We have taken precautions to minimise the risk of transmitting software viruses, but we advise you to carry out your own virus checks before accessing this email and any attachments. Except where required by law, we shall not be responsible for any damage, loss or liability of any kind suffered in connection with this email and any attachments, or which may result from reliance on the contents of this email and any attachments.