

Site Allocations DPD

MSDC 01:

Response to Inspector's Initial Questions (ID-01)

March 19th 2021

1. Science and Technology Park

1.1 In relation to policy SA9 for a science and technology park, I need to understand how this proposal relates to the adopted District Plan policy DP1?

Policy DP1 of the District Plan sets the broad location for the Science and Technology Park and proposed allocation SA9 takes the implementation of that policy forward by refining the broad location to a specific site within it. Details of the policy development are set out below.

Adopted District Plan policy DP1: Sustainable Economic Development notes that the Coast to Capital Strategic Economic Plan identifies “a broad location to the west of Burgess Hill” for a Science and Technology Park and makes clear that the broad location is marked on the District Plan policies map (see extract below). Sites DPD policy SA9 allocates a specific site and sets policy requirements at “Land north of the A2300” which is within the “West of Burgess Hill” broad location. Policy SA9 is therefore consistent with policy DP1.

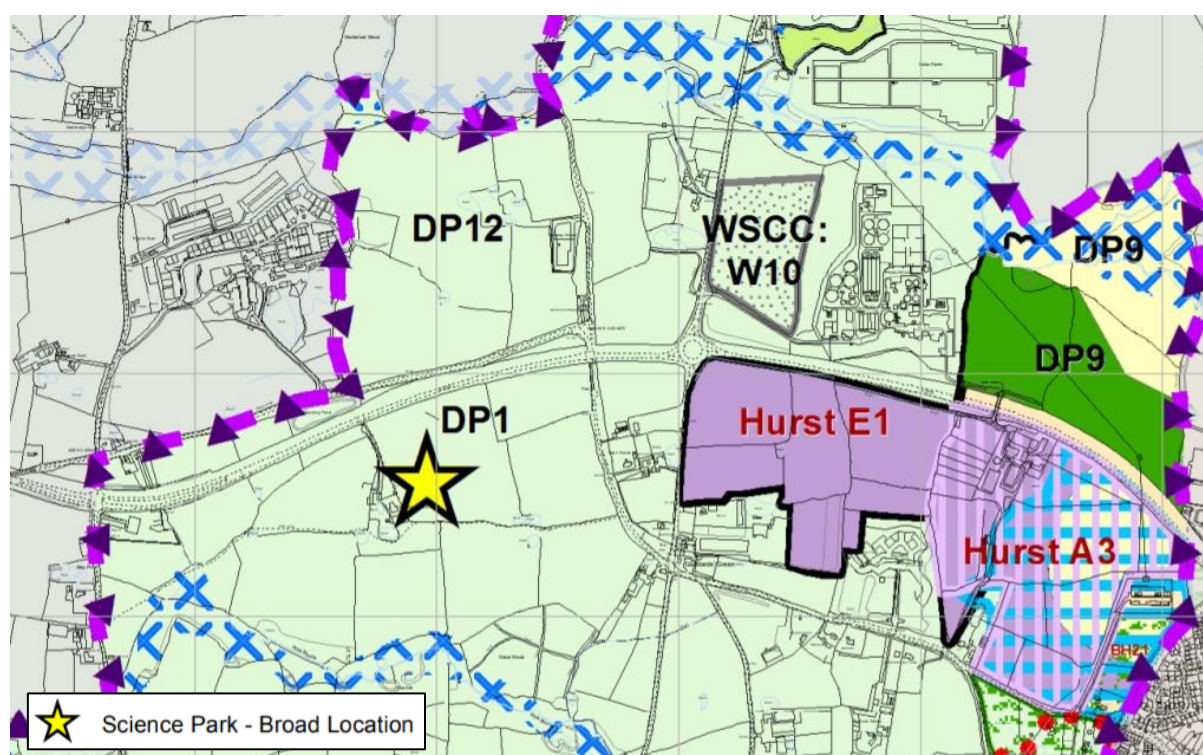


Figure 1: Extract from District Plan Policies Map

The inclusion of a broad location for a Science and Technology Park within the District Plan was based on a number of factors:

- The identification of this location within Coast to Capital’s Local Enterprise Partnership’s “Strategic Economic Plan” (2014) which recognised the positive impact on the wider region and beyond.
- The need to deliver the Council’s objectives for economic growth; desire to provide potential for high GVA jobs in a location which contains a highly skilled and educated workforce, to reduce out-commuting; and encouraging high quality development of land and premises to meet the needs of a 21st century businesses, and supporting the development of knowledge clusters and high-tech industries.

- The adjacent allocation of 3,500 dwellings at the Northern Arc – therefore providing significant employment opportunities in close proximity to the Council's largest strategic allocation within the District Plan
- The findings of the Burgess Hill Employment Sites Study [E3] which concluded the potential, feasibility and market for a Science and Technology Park of this scale in this location.

The justification for the broad location west of Burgess Hill is set out under question 1.3 below. The evidence related to need, scale and location was examined during the preparation of the District Plan and ultimately found 'sound' by the District Plan Inspector.

The Council considered it important to refine the broad location set out in DP1 to a specific site within the Sites DPD for the following reasons:

- To provide certainty through an allocation and to ensure deliverability.
- To set out detailed policy requirements in order to seek and secure mitigation. This relates particularly to transport/highways and the need for master planning and phasing.
- To provide certainty for those looking to invest in or occupy the site, and to support any future funding bids, by clearly demonstrating the Council's preferred site.

Following adoption of the District Plan, two alternative options were presented to the Council during its Call for Sites process. Both alternative options fall within the broad location specified in DP1. The justification for selecting the site which forms SA9 is set out under question 1.3 below. The Sites DPD therefore includes the Council's preferred specific site for a Science and Technology Park, which has been determined through the Site Selection Process [SSP4].

SA9 is therefore clearly consistent with policy DP1 of the adopted District Plan.

1.2 What were the reasons for locating it at some distance from an urban area, and at an even greater distance from a railway station?

The principle of locating a Science and Technology Park in the location "West of Burgess Hill" was established by policy DP1 of the District Plan. The identification of a specific site within this broad location is therefore in accordance with the principles established within the adopted District Plan, which considered alternative locations (see 1.3 below).

Policy DP1 sets out the aspiration for a Science and Technology Park in order to achieve the 2,500 jobs identified within the Coast to Capital Strategic Economic Plan. The 2,500-job growth aspiration therefore requires a significant land take (100,000m² floorspace, approximately 50ha). To function effectively, attract occupiers and create a business community and knowledge cluster, a site of the size identified in SA9 is required.

Whilst the Science and Technology Park might currently appear to be distant from Burgess Hill, it is only 250m from the boundary of the Northern Arc, the largest strategic allocation in the District Plan for 3,500 homes which is currently under construction. A 15ha District Plan employment allocation, "The Hub" (which is currently partly occupied) lies adjacent to the Science and Technology Park on its south-eastern boundary, separated only by the A2300.

Therefore, the Council is of the view that the site is not at a distance from an urban area.

The location of the Science and Technology Park, adjacent to the District Plan's largest strategic site, contributes towards meeting the District Plan Strategic Objective 8 "To provide opportunities for people to live and work within their communities, reducing the need for commuting".

The site promoter's Positioning Document submitted as part of their representation [#688 – Vail Williams] sets out the benefits and opportunities of being so well-connected to the Northern Arc. This includes multiple sustainable transport options which include pedestrian and cycle connectivity with the Northern Arc as well as bus and train connections via Burgess Hill town centre. The Science and Technology Park therefore adds to the sustainable urban extension being delivered at the Northern Arc and addresses further opportunities to improve connectivity and green links.

Mid Sussex District Council and West Sussex County Council working with the Coast to Capital Local Enterprise Partnership, have secured a £22.8m funding package for sustainable transport improvements for Burgess Hill. This forms part of the Burgess Hill Growth Programme and is being delivered through the Place and Connectivity Programme. It incorporates a package of projects aimed at creating safe, direct and attractive walking and cycling routes and high-quality public spaces to encourage people to choose to walk, cycle and use public transport. The project is fully funded, and elements of the programme are already complete or under construction. The schemes will improve pedestrian and cycle links from Burgess Hill and Wivelsfield stations to the Northern Arc, The Hub and Science and Technology Park. More information is available at www.burgesshill.net/transport/sustainable-transport.

A project group has been established consisting of Mid Sussex District Council, the site promoter, West Sussex County Council and Highways England to develop the highways and access mitigation for the Science and Technology Park. An important part of this work is the Mobility Strategy which includes a Public Transport Strategy. A Statement of Common Ground (SoCG) between the parties was agreed in November 2020, and submitted [DC17], which sets out the agreed position in relation to the mobility strategy.

In relation to Burgess Hill station, section 2.3 of the SoCG details the proposed public transport provision to improve connectivity between the site and Burgess Hill train station. This includes the extension of existing bus routes and/or a new shuttle service between the site and the station and potential to extend the proposed Northern Arc bus routes to the site. This will ensure public transport connectivity within the town itself for local journeys but also accommodate those travelling from further afield by train (e.g. from Brighton).

To conclude, site allocation SA9:

- Is in accordance with the broad location determined through the District Plan process;
- Is not at a distance from homes and other employment locations being delivered to the south and east of the allocation;
- Will be well connected through sustainable transport measures to Burgess Hill, including to the station.

1.3 Why is its location at policy SA9 preferable to any alternative (either District-wide or regional) locations?

The adopted District Plan established the broad location for the Science and Technology Park and the evidence base for the Site Allocations DPD sets out the justification for this specific site.

District Plan – Consideration of Options

The District Plan evidence and examination (details of which are set out below) looked in detail at the principles, district-wide alternatives and consideration of regional impacts which concluded that the broad location West of Burgess Hill was the most appropriate location.

The Coast to Capital Local Enterprise Partnership recognised Burgess Hill as a strategic growth location within its Strategic Economic Plan (SEP, 2014), which supported the proposal for a high-quality Science and Technology Park alongside additional employment provision within the Burgess Hill area (notably the 25ha of employment land at The Hub (A2300) and the Northern Arc). The Strategic Economic Plan stated that provision of these “will create more sustainable communities within Mid Sussex by improving job prospects within the district and reducing the need for commuting”.

In relation to the Science and Technology Park, the SEP recognised the positive impact it would have on the wider region and beyond, supporting high-end economic and business growth across the Coast to Capital and South East Local Economic Partnership areas. The SEP was updated in 2018 (“Gatwick 360”), recognising the plans in place for Burgess Hill following adoption of the District Plan.

The Burgess Hill Employment Sites Study (March 2015) [E3] examined the feasibility and potential for a Science and Technology Park to be developed in the broad location west of Burgess Hill. It concluded that there was sufficient demand for such a use in principle.

A specific study “Science and Technology Park: Potential Locations Assessment” (June 2016) [E4] expanded on this. It concluded that, whilst there are a number of potential locations within central Mid Sussex that could be suitable for such a site, the preferential location was in the broad location on the A2300 west of Burgess Hill. It concludes that this maximises the future spatial growth potential of Burgess Hill, has excellent transport accessibility links, and therefore a close relationship with existing and future labour force.

The findings of these two studies led to the inclusion of a broad location west of Burgess Hill within policy DP1: Sustainable Economic Development.

Finally, Site Selection Paper 4 [SSP4, para 5.6 – 5.44] explains that the broad location identified in DP1 was based upon a submission of a site south of the A2300 (SHELAA reference #801 “Land at Dumbrell’s Farm”). This site was assessed within the evidence base accompanying the District Plan. No other alternative sites of this scale or use had been promoted for assessment at the time the District Plan was adopted.

Since the identification of the broad location for the Science and Technology Park in the District Plan, the development of Burgess Hill has become a flagship project for both Homes England and the District Council. The Burgess Hill Strategic Growth Programme is the now the most ambitious programme of change anywhere in the sub region. The programme will deliver 5,000 new homes, over 15,000 jobs, major improvements to key roads, new primary and secondary schools, increased GP capacity, new leisure facilities and full - fibre digital infrastructure.

The Burgess Hill Growth Programme has secured a huge amount of public and private financial investment in the form of £415.39m public sector investment and £643.3m private sector contribution to enable this ambitious growth programme to take place. The delivery of the Science and Technology Park, as set out in SA9 is a critical element of the growth programme.

Site Allocations DPD – Consideration of Options

The work to support the Sites DPD has focused on identifying a specific location, given the alternative options put forward for the Council's consideration.

During the initial Call for Sites process for the Sites DPD, a second option to the north of the A2300 was proposed (SHELAA reference #949 "Land to the north of the A2300"). This option is also within the broad location "West of Burgess Hill" established in policy DP1 of the District Plan. The Council assessed both options through the Site Selection process [SSP4] to arrive at its preferred option. This process concluded Land to the north of the A2300 as the preferred option and therefore this forms the site proposed for allocation as SA9. The Sustainability Appraisal [SUS1, paragraph 7.18 – 7.22] also assesses both options as reasonable alternatives and arrives at the same conclusion.

The Site Selection process involved assessing the two options against 19 employment criteria. As the results of this assessment were finely balanced, an additional set of 14 supplementary questions were posed to the two site promoters to establish a distinct preferred option.

Site Selection Paper 4 [SSP4, paragraphs 5.16 – 5.44] concluded that the site north of the A2300 would have fewer impacts on the highways network, particularly as an access scheme could be delivered within land owned by the promoter. In addition, the northern site represents a scheme with better connectivity to the Northern Arc (as described within question 1.2 above) and would be able to utilise existing and proposed pedestrian and cycle connections to improve connectivity.

Whilst an objection was received by the promoters of the site south of the A2300 at Regulation 18 stage, no such response was received at Regulation 19 stage. The Council is led to believe that the site south of the A2300 is no longer being actively promoted for a Science and Technology Park. The site to the north of the A2300, which forms SA9, is therefore not only the Council's preferred option but is now the only reasonable option for consideration.

The Northern West Sussex Economic Growth Assessment Update (2019) [E2] was commissioned by Mid Sussex District Council, Crawley Borough Council and Horsham District Council. It refers (paragraphs 10.57 – 10.59) to the role the Science and Technology Park plays within the market area. No objections were received at Regulation 19 from neighbouring/sub-regional authorities to this site, similarly there was no objection in principle to its inclusion within the District Plan.

Therefore, in summary, the location of the allocation at SA9 is the preferred location because:

- It lies within the Burgess Hill strategic growth location identified in the Coast to Capital Local Enterprise Partnership's Strategic Economic Plan (SEP);
- The SEP supported the proposal for a high-quality Science and Technology Park in this location as it sits alongside additional employment provision within the Burgess Hill area;
- The SEP recognised the positive impact locating the Science and Technology Park in this location would have on the wider region and beyond, supporting high-end economic and business growth across the wider area;
- The Burgess Hill Employment Sites Study (March 2015) [DP EP36] identified that this location would be feasible and viable;
- A specific study "Science and Technology Park: Potential Locations Assessment" (June 2016) [DP EP37] concluded that this was the preferred location for such a

development as it maximises the future spatial growth potential of Burgess Hill, has excellent transport accessibility links, and therefore a close relationship with existing and future labour force; and

- Two sites were promoted in the 'broad location' for a Science and Technology Park and Site Selection Paper 4 [SSP4, paragraphs 5.16 – 5.44] concluded that the site north of the A2300 was the preferred option.

1.4 What are the highways implications for policy SA9, especially in relation to Burgess Hill and the A23?

The highways implications for Site Allocation SA9 have been carefully considered and the work undertaken is set out below. Mid Sussex District Council (MSDC) appointed transport consultants (SYSTRA) to develop a new transport model for Mid Sussex to be used to determine the impact of the Sites DPD on the capacity of the highway network. This work has been carried out in partnership with West Sussex County Council as Highways Authority (WSCC HA) and has involved testing various development scenarios throughout the plan making process; the model has also been validated by Highways England (HE).

At Regulation 18 stage, the Strategic Transport Assessment [T6] identified 2 junctions that were forecast to be 'severe', primarily related to the Science and Technology Park (SA9):

- A23 / A2300 Southbound On-Slip, Burgess Hill; and
- A272 / B2036, Ansty

A revised Strategic Transport Assessment [T7] prepared for the Regulation 19 Sites DPD identifies, and models, proposed mitigations related to the Science and Technology Park (S&TP) which primarily consists of a widening to the A23 southbound to three lanes from A2300 Southbound Off-slip to B2118/Mill Lane Off-Slip. The model concludes that this mitigation would be successful in removing 'severe' impacts at the two locations above. Therefore, it can be demonstrated that there is, in principle, mitigation to resolve the issue.

A Transport and Mobility Working Group has been established, consisting of MSDC, WSCC HA, HE and the site promoter. The group has met on a regular basis to discuss detailed mitigation requirements, including design, extent and phasing. The working group agreed a Statement of Common Ground in December 2020 [DC17] which agreed that in-principle solutions exist and sets out the approach to agreeing a final mitigation package.

Since the Statement of Common Ground was agreed, the site promoter has carried out detailed traffic modelling work to determine a wider package of highway mitigation associated with the impacts of the S&TP, focusing on the Hickstead junction interchange (east and west), the A2300 and at the mini roundabout at Ansty (set out in more detail in the table at 3.1.1 of DC17). These designs have been developed in consultation with WSCC HA and HE.

The group are keen to straddle the transport issues behind allocation and application and are working together to illustrate that deliverable solutions exist to mitigate the wider DPD highways impact and those of the S&TP, given its scale. A balance should however be struck in order to determine what is necessary to demonstrate an 'adequate and proportionate' evidence base in accordance with paragraph 31 of the NPPF and what is by contrast necessary to support a planning application. The council is confident the evidence as set out in the Statement of Common Ground [DC17] is more extensive and thorough than

would be considered proportionate, however are keen to continue working with both HE and WSCC HA to frontload the application process and aid delivery.

In accordance with draft policy requirements SA9 and SA GEN, sustainable travel measures have been prioritised ahead of physical mitigation schemes and as such a detailed Mobility Strategy has been prepared by the site promoter in collaboration with and agreed by the Transport and Mobility Working Group, to set out proposed and agreed sustainable measures and interventions to reduce reliance on the private car and therefore reduce the impacts of the site on the A23/A2300 junction and the surrounding network. Details of this are set out in the agreed Statement of Common Ground [DP17] and has been agreed by all parties.

The target of the Mobility Strategy will be to achieve an overall mode-shift of 10%, which is likely to be realised as an average across the whole development, with a specific focus on greater mode-shift from key origin locations. The Mobility Strategy is far broader and more comprehensive than the three measures modelled in the Strategic Transport Assessment [T7] which assumed a 3% modal shift away from the car.

Drawing on the same principles used in the strategic transport modelling, the Mobility Strategy identifies key origins and destinations of travel associated with the S&TP. The most significant proportion of the future workforce are expected to live in Burgess Hill (28%), this includes the projected growth associated with the nearby Northern Arc development; the second highest proportion are likely to live in Brighton & Hove (13%).

Targeting Burgess Hill (and the Northern Arc) will have the greatest impact on the overall trip numbers to the S&TP and using effective demand management options, coupled with employee incentives, a target of 50% modal shift from Burgess Hill has been demonstrated to be realistic.

A wide range of measures are identified including walking and cycling infrastructure, realistic incentives for non-car travel from the surrounding Burgess Hill area, on-site car club scheme and significant potential bus improvement services which is supported by a bus viability study. If the target modal shifts from key locations are achieved, the overall development trip numbers will be reduced by a significant proportion, as noted above

In addition to the sustainable travel mitigation package, the site promoter has also developed some initial designs for the A23 lane-gain to address the issues classified as 'severe' in the Strategic Transport Assessment at A23 / A2300 Southbound On-Slip. This builds upon the "in-principle" solution identified within that assessment report. Two options have been prepared, along with draft costings for the proposals. Highways England are now considering which of these solutions they consider to be their preferred solution with this position to be concluded in April 2021.

A further stage of work has been undertaken by SYSTRA to assess the strategic effect of the proposed physical highway mitigation package in the Strategic Transport Model; this ensures the outcomes are consistent with the agreed Sites DPD Development Scenario. The target trip reduction set out in the agreed Mobility Strategy will then be applied to the strategic model outputs by the site promoter who will also undertake further junction capacity modelling to assess how key junctions' performance will be affected by any changes in strategic traffic routing resulting from the overall proposed physical mitigation package to help inform the future phasing strategy for the S&TP development and necessary mitigation.

In consultation with the Transport and Mobility Working Group the policy wording for SA9 now requires that the development of the Science and Technology Park progress “in accordance with an allocation wide Masterplan and Phasing Strategy which will have been approved by the LPA in consultation with WSCC HA and HE”. The policy also requires a detailed phasing strategy as part of any planning application which sets out all the transport mitigation required. It prioritises sustainable travel measures over physical mitigation schemes to enable each phase of the development to be delivered including measures to mitigate impacts on the local and Strategic Road Network. Work is already being developed as part of the working group and as agreed in the Statement of Common Ground [DP17] to determine key triggers to inform the phasing strategy.

Having undertaken a full and detailed assessment of the highway impacts associated with the Science and Technology Park, the Council concludes that:

- Although “severe” impacts were identified from the development, WSCC HA and HE have confirmed that the in-principle mitigation measure proposed, would resolve the impact identified at the 2 junctions;
- The relevant parties are working co-operatively and effectively to agree a detailed mitigation strategy;
- Policy SA9 includes caveats and safeguards to ensure that each phase of the Science and Technology Park will only proceed once WSCC HA and HE are satisfied; and
- The Working Group is allowing issues to be front loaded into the allocation process and that the transition to planning application consultation can be enhanced and effective with all key stakeholders inputting into evidence and mitigation assessments as early as possible.

2. High Weald Area of Outstanding Natural Beauty (AONB)

2.1 Given the importance of AONB as a national policy constraint with the highest status of protection in the English town and country planning system in relation to landscape and scenic beauty, what is the justification for allocating substantial numbers of dwellings in the AONB within Mid Sussex?

The Council recognises the importance of the AONB and its status within national policy and has given this due consideration during the preparation of the District Plan and in assessing sites for allocation within the Sites DPD. The Council suggests that some development must practically occur in the AONB, e.g. to support social needs and the rural economy, but only where it will be compatible with the objective of conserving and enhancing the AONB and where it does not cause a significant adverse impact to that landscape designation. Indeed, the policies which propose allocations within the AONB include specific policy wording requiring schemes to conserve and enhance the AONB and minimise impacts on its special qualities, as set out in the High Weald AONB Management Plan.

The Council does not consider that substantial numbers of dwellings have been allocated within the AONB. Of the 22 housing sites proposed within the Sites DPD, six of these are within the AONB, totalling 188 dwellings. This represents only 1.1% of the 16,874 plan-period supply set out in policy SA10 (table 2.3). Housing growth in the AONB from all sources (District Plan allocations, Neighbourhood Plan allocations, completions, commitments and Sites DPD sites) across the whole plan period totals 1,492 dwellings. The allocations proposed within the Sites DPD therefore makes up only a small proportion of this.

The NPPF states that “the scale and extent of development within these designated areas should be limited” (paragraph 172). Given the High Weald AONB covers 50% of the plan area, the 188 dwellings (1.1% of the overall housing requirement) proposed within the Sites DPD is a limited level of growth and is therefore in accordance with paragraph 172.

The High Weald AONB was taken into account by the Inspector when considering and setting the District Plan development strategy. The District Plan Examination examined the need for and potential impact of housing growth on the AONB. The Inspector concluded:

“... suggestions made during the examination that this level of development will cause significant harm to the AONB and National Park or to heritage assets and ancient woodland are not well founded” [DPD8, paragraph 51]

The District Plan Inspector goes on to state:

“Further allocations are likely to be needed in the future Site Allocations DPD to meet the housing requirement. There are locations within the District of lesser landscape value, in relatively sustainable locations near to settlements and close to main transport routes. Some settlements lie within the AONB and may be appropriate for modest housing schemes, but there is no evidence that meeting the housing requirement will necessitate major development in the AONB other than that already permitted by the Council at Pease Pottage, or that it would harm the National Park”. (paragraph 52)

It is clear from this that the District Plan Inspector considered some development in the AONB would be acceptable although noted that meeting the Plan requirement would not require *major development* in the AONB. It should be noted that none of the sites proposed for allocation in the Sites DPD are ‘major’ developments and more detail on this is provided in the response to the Inspector’s Question 2.4 below.

Whilst the AONB is a protected landscape, neither the NPPF nor District Plan policy DP16: High Weald Area of Outstanding Natural Beauty rule out development within it. The High Weald AONB Management Plan 2019-2024 recognises the role that settlements within the AONB have in accommodating housing growth. Objective S2 of the High Weald AONB Management Plan is to protect the historic pattern and character of settlement and a proposed action is 'Seek to prioritise the delivery of new housing primarily through small-scale development and a mix of housing sizes that responds to local needs' [O4].

Therefore, it is clear that the AONB High Weald Unit advises that some development will be required in villages in the AONB to meet local need.

As explained in detail below the Council was cognisant of the District Plan Inspector's report and the High Weald AONB Unit's advice in developing its spatial distribution policies DP4 and DP6. Policies DP4: Housing and DP6: Settlement Hierarchy set out the spatial distribution, with DP4 setting this at settlement category level and DP6 providing further detail at settlement level. The Submission version of the District Plan did not include a spatial distribution at settlement level, and the District Plan inspector considered this was necessary to provide:

"a strategic direction for the Site Allocations DPD, neighbourhood plans, or for development management. There was a significant risk that unbalanced growth could take place in inappropriate locations or that growth in sustainable locations would be suppressed" [DPD8, para 32]

The calculation of the distribution of growth is explained in more detail in the Parish OAN Distribution Methodology [H3]. This paper was prepared as evidence for the District Plan to provide a clear and robust methodology for the distribution of the housing requirement to deliver a sustainable development strategy and forms the basis of policy DP6. The approach was based on a basic principle of distributing the district's total housing requirement proportionately in relation to settlement size with adjustments made to account for 'policy-on' factors such as District Plan allocations, commitments, and the High Weald AONB.

As set out in [H3] (paragraphs 28 and 29), there are 11 settlements within the District that lie mostly or wholly within the AONB. It was acknowledged that these settlements' position in the AONB may mean that meeting housing need may not be achievable. In acknowledgement of the great weight given to the protection of the AONB, the methodology explains that the distribution of housing need to AONB settlements was discounted by 50%, with the remainder re-allocated to settlements outside the AONB on a proportionate basis.

The District Plan inspector concluded in his report [DPD8, para 33] *"The methodology applied by the Council in this regard, and the resulting distribution, ..., is fair and sound"* and therefore forms the basis for the figures in DP4 and DP6 and subsequent allocations within the Sites DPD.

As demonstrated in the Major Development Topic Paper [TP1], the Council is satisfied that it has been able to deliver the District Plan Strategy, including modest housing schemes within the AONB without causing harm to protected landscape. Overall, none of these proposals is considered to amount to "major" development in the AONB (see response to question 2.4 below), therefore the allocations are consistent with paragraph 172 of the NPPF in this respect.

The robust site selection process as set out in Site Selection Paper 2 [SSP2] has meant that only those sites that can be developed in accordance with the requirements of paragraph 172 of the NPPF have been allocated. Built development is also a characteristic of the AONB and the policy requirements of the proposed allocations seek safeguards to minimise

harm, e.g. through the use of landscape-led masterplans whilst still maintaining the economic and social wellbeing in AONB settlements, in line with the AONB Management Plan objectives.

There are no objections to the principle of the development on the sites allocated in the Sites DPD from Natural England or the High Weald AONB Unit.

The Council therefore concludes that:

- Only a limited number of units representing a small proportion of the total housing requirement and a tiny percentage of the total of the AONB land in the District is being proposed as housing allocations in the Sites DPD (in circumstances where half the district is within the AONB);
- The District Plan Inspector recognised that some development would be required in the AONB;
- The High Weald AONB Unit recognises that there is a role for small scale housing to meet the needs of local settlements which is a relevant consideration given that 11 settlements in Mid Sussex lie in the AONB;
- In line with the District Plan Inspector, the requirements set out in DP4 and DP6, identified a minimum residual housing requirement for each settlement but made an allowance for settlements within the AONB to direct growth to areas outside it;
- The District Plan Inspector agreed that a strategy including modest development within the AONB was sound, reflected in the final figures in DP4 and DP6;
- The starting point has been to allocate sites within the Sites DPD consistent with the adopted strategy;
- Site assessments include a robust assessment of the impact on the AONB, with High Impact sites ruled out in accordance with the methodology [SSP2];
- A robust assessment of 'Major Development' within the AONB has been carried out by the District Council and agreed by Natural England; and
- There has been no objection to the proposed allocation of the six housing sites in the AONB from either Natural England or the High Weald AONB Unit.

2.2 As you are aware, paragraph 172 of the NPPF is clear that: “Great weight should be given to conserving landscape and scenic beauty inAreas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. ...The scale and extent of development within these designated areas should be limited.” In the light of this national policy guidance, however, this Plan proposes 243 dwellings on seven allocated sites which are (in most cases) entirely within the AONB or which I understand directly affect the setting of the AONB.

The Sites DPD proposes to allocate 188 dwellings across six sites that are wholly within the AONB. These sites are:

SA25	Land west of Selsfield Road, Ardingly	70 units
SA26	Land south of Hammerwood Road Ashurst Wood	12 units
SA27	Land at St Martin Close Handcross	35 units ¹
SA28	Land south of The Old Police House Horsted Keynes	25 units
SA29	Land south of St Stephens Church	30 units
SA32	Withypitts Farm Turners Hill	16 units
Total		188 units

¹ Note table 2.5 page 39 of the Sites DPD refers to 30 units at SA 27 and it should be 35 units as set out in the policy.

As set out in our response to 2.1, 2.3 and 2.4, the Council does not consider that the development of these sites constitutes major development in the AONB, rather they are small in scale and proportionate to settlement size. The principle of allocating modest amounts of growth to these settlements was set by the District Plan, and the above allocations are consistent with the spatial distribution in the District Plan.

There is one site, entirely outside but in close proximity to the boundary of the AONB:

SA23	Land at Hanlye Lane Cuckfield	55 units
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It has not been demonstrated that the development of this site would directly affect the setting of the AONB. In addition, the proposed development criteria set out in policy SA23 requires a Landscape and Visual Impact assessment to be carried out to inform site layout and mitigation requirements to minimise impacts on the setting of the AONB and wider countryside. This approach is supported by Natural England [DC19].

2.3 Is the location of these sites consistent with paragraph 172 of the NPPF, i.e. is the scale of these proposals limited, and are there no preferable alternative locations for these allocations?

Principle of Development in the AONB – District Plan Strategy

As set out in response to question 2.1 above, the adopted District Plan sets the development strategy for development over the Plan period and the Sites DPD is seeking to deliver that strategy to ensure the housing requirement is met in full. Policies DP4: Housing and DP6: Settlement Hierarchy set out the spatial distribution which includes a need for some limited housing in the AONB to meet local settlement needs. In coming to his conclusion that the implementation of the District Plan strategy required development in the AONB, the DP Inspector would have needed to be satisfied that the District Plan strategy was consistent with paragraph 172. It follows therefore, that in delivering the District Plan strategy the Sites DPD is also consistent with paragraph 172. The DPD is only seeking to allocate small scale development within AONB settlements in accordance with the adopted strategy.

In developing the Sites DPD the Council applied the adopted District Plan strategy as a first principle and the Site Selection process has demonstrated that the adopted strategy can be met without high impact on AONB. Further details of the approach are set out below.

One of the purposes of DP6 is to provide direction to Neighbourhood Plans seeking to allocate housing. A neighbourhood plan within the AONB would be at risk of failing examination if it did not seek to meet its element of DP6, as it would not be in conformity with the District Plan. It is illogical for the District Council to seek to allocate sites outside the AONB, not in accordance with DP6, when a group preparing a neighbourhood plan and seeking to deliver the requirements of DP6 could only allocate in the AONB and would be assessed on that basis.

Assessment of Sites within the AONB

The site selection papers set out the robust and transparent process to selecting the sites proposed for housing allocations [TP3, SSP1, SSP2 and SSP3]. The methodology used to assess the level of impact is consistent with paragraph 172 of the NPPF (see the extract in Figure 2 below).

1) AONB	
<i>"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues."</i> (NPPF 2018, para 172)	
Source: High Weald AONB Unit assessment of sites within/proximity of the AONB	
Assessment Notes: Low/Moderate/High impact on the AONB will be determined by the High Weald AONB unit based on their own assessment criteria and knowledge.	
Wholly/most within – High impact	The whole site/ majority is within the AONB, AONB unit conclude high impact
Wholly within – Moderate Impact	The whole site/ majority is within the AONB, AONB unit conclude moderate impact
Wholly within – Low impact	The whole site/ majority is within the AONB, AONB unit conclude low impact
N/A	No Impact – to be assessed under (8) – Landscape Capacity/Suitability

Figure 2: Extract from Site Selection Paper 2 [SSP2]

The High Weald AONB Unit accepted the Council's offer of the opportunity to review sites submitted to the Strategic Housing and Economic Land Availability Assessment (SHELAA). Fifty sites were within the High Weald AONB and the High Weald AONB Unit provided comments on these sites in relation to whether any proposed development on the site would have any impact on the High Weald AONB. The comments provided by the High Weald AONB Unit directly informed the assessment against the AONB criteria.

Twenty-three sites were rejected due to the high impact on the AONB following the detailed site assessment [SSP3]. This approach is consistent with the NPPF and ensured that only the sites that would not have a significant adverse impact on the special characteristics of the AONB were allocated. The Major Development in the High Weald AONB Topic Paper [TP1] lists the SHELAA sites in the AONB that were rejected during the site selection process [TP1, Appendix B].

Each stage of the Sites DPD process has been accompanied by a Sustainability Appraisal. Sites were subject to additional refinement and this led to the identified preferred option of 22 housing sites proposed for allocation. Reasonable alternatives were also considered through the Sustainability Appraisal process [SUS1, SUS3 and TP3]. This could have enabled sites outside the AONB to be allocated instead of AONB locations, however the site selection work concluded that there are sufficient sites that would not have a significant adverse impact on the AONB, whilst still enabling the District Plan strategy to be met.

The Council therefore concludes that:

- Through the site selection and Sustainability Appraisal processes, the Council is satisfied that only sites with a low or medium impact on the AONB have been chosen, those assessed as having high impact were rejected.
- The scale of development proposed through the six housing allocations is modest and has been limited as a result of the methodology used to distribute the housing requirement and in the site selection process.
- The Council has demonstrated its consideration of the impact on the AONB through the adopted District Plan strategy and site selection process. It recognises that growth is required in the AONB to meet local needs (reflecting the aims of the High Weald AONB Management Plan) at the same time as minimising harm to the AONB.
- In this regard, the Sites DPD is a justified plan and is consistent with national policy, specifically paragraph 172 of the NPPF, taking into account the reasonable alternatives and that it is based on a proportionate evidence base [TP3].

2.4 I would also like to know your understanding of what constitutes a 'major development', as the term is used within paragraph 172 of the NPPF, and do you

consider any of the allocations within the AONB to be exceptional circumstances?

None of the proposals are considered to be major development. They do not rely on 'exceptional circumstances' arguments. The consideration of whether development is major or not reflects the Maurici Opinions and recent case law.

Topic Paper 1 [TP1] sets out the Council's understanding of major development in the High Weald AONB. The purpose of this Topic Paper is to demonstrate that the national policy on major development in designated landscape areas has been fully considered in the preparation of the Sites DPD.

The Topic Paper sets out an approach to assess whether the proposed allocations should be regarded as major development within the context of paragraph 172 of the NPPF.

The NPPF does not provide a definition for major development in AONBs, however, footnote 55 of the NPPF is clear that major development is a matter for the decision maker and that the nature, scale and setting of the proposed development is taken into account, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined [Section 2.0 of TP1]. An approach was developed taking into account footnote 55 of the NPPF and other relevant sources such as legal opinions (e.g. Maurici Opinions), District Plan Policy DP16 and Section 85 of the Countryside and Rights of Way Act 2000 [Section 3.0 of TP1].

The methodology has been developed and refined in discussion with the High Weald AONB Unit, Natural England and other partners across the High Weald AONB and other protected landscapes. In its representation to the Regulation 19 consultation, Natural England welcomed the positive engagement by Mid Sussex District Council with both Natural England and the High Weald AONB Unit in the preparation of this Topic Paper [Representation ID number 710]. In this regard the Sites DPD has been positively prepared [TP3].

There are two stages to the assessment:

- **Stage 1 – Determining major development**

An assessment based on the factors set out in footnote 55 of the NPPF, relevant legal opinion and the High Weald AONB Management Plan 2019-2024 to inform the decision as to whether a proposed site allocation could be regarded as major development. The proposed allocation could be regarded as major as a result of just one factor or it may be a combination of factors that leads to a conclusion of major development.

- **Stage 2 – Consideration of major development**

If, at the Stage 1 assessment, a proposed site allocation is determined to be major development, then it proceeds to the Stage 2 assessment which is the consideration of major development. It is at this stage that the 'exceptional circumstances' test is triggered, based on paragraph 172 of the NPPF.

The detailed major development assessments for the proposed site allocations are set out in Appendices C and D of the Topic Paper [TP1].

Since none of the proposed allocations were regarded as major development at the Stage 1 assessment, the Stage 2 assessment is not necessary. This means that none of the

proposed site allocations need to be considered further in terms of any exceptional circumstances [Section 4.0 and Appendices C and D of TP1].

It should be noted that the major development assessments set out in the Topic Paper are assessments to determine if a proposed site allocation is major development, rather than whether it is a site suitable for allocation in the Sites DPD. The process of determining whether it is acceptable development is through the Stage 2 assessment and the site selection process for the Sites DPD [SSP1, SSP2, SSP3 and SSP4]. The AONB sites within the DPD therefore represent the most suitable sites for delivering housing growth to meet the residual housing need, in accordance with the District Plan strategy.

None of the allocations (six housing and two employment allocations) in the High Weald AONB have been assessed as 'major development'. Natural England recognises and welcomes the conclusion that none of the proposed site allocations constitute major development within the High Weald AONB [Representation ID number 710].

3. Reliance on Strategic Housing Sites

3.1 There needs to be a reasonable prospect of the strategic housing sites covered by District Plan policies DP8, DP9, DP10 and DP11 delivering approximately 5,800 new homes within the plan period, out of the requirement for the entire District of 16,390 dwellings. Some of the representations in relation to the submitted Plan state that there has been lack of progress in the delivery of these strategic sites, especially in relation to policy DP9 for 3,500 dwellings on land to the north and north-west of Burgess Hill. Clearly, if the Council's updated conclusion is that the strategic delivery in the Plan cannot be demonstrated, at least within the plan period, this calls into question the sufficiency of the residual housing provision in the DPD. I therefore need to know:

- The updated delivery position for each strategic housing site and its associated infrastructure requirements for the remaining part of the plan period; and**
- The reasons for any delay, both in relation to housing and infrastructure, compared with the housing trajectory on page 111 (Annex A) of the District Plan – and whether the Council considers that these delays can realistically be addressed by the relevant parties within the plan period;**

The Council does not agree that there has been a lack of progress in the delivery of strategic sites. Whilst the delivery trajectory has changed since the District Plan was adopted, including some limited delivery falling beyond the plan period to 2031, this has already been accounted for within policy SA10. The residual housing provision set out within the DPD is therefore sufficient.

The tables below provide an updated delivery position for each of the four strategic housing sites that are allocated in the District Plan. It also provides further details regarding infrastructure delivery in relation to each site. An analysis of current anticipated delivery rates against the District Plan trajectory (District Plan, page 111, Annex A [DPD5]) has been provided along with explanation for historic delays to delivery but also why current delivery assumptions are realistic and achievable.

Whilst the Council is satisfied that the current delivery trajectory for the District Plan strategic allocations are achievable, it should be noted that the Sites DPD is seeking to over allocate and provide an additional 484 dwellings more than the District Plan requirement. This will provide a contingency ensuring that the District Plan requirement is met in full by 2031.

In addition, it should be noted that District Plan Policy DP4 requires an early review of the District Plan and the adopted Local Development Scheme indicates the timeframe. Work on the District Plan Review has commenced. There will be a significant overlap in the Plan periods of the adopted District Plan (to 2031) and emerging District Plan Review (2021 – 2038), providing further opportunity to address any under delivery from current commitments through the allocation of additional sites if required.

As set out in table below, all of the strategic sites make a contribution to the Council's five-year supply. The Council's five-year supply position was recently confirmed at an appeal (APP/D3830/W/19/3242226, February 2021) which endorsed the assumptions made about delivery from these strategic sites.

Table 1: Response to Question 3.1**DP 8 – East of Burgess Hill at Kingsway (480 units)****Delivery Trajectory**

	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	2030/ 31	Total
District Plan March 2018	0	0	76	50	50	50	50	51	31	31	31	30	30					480
Actual delivery			76	33	62	37												208
Difference			0	-17	12	-13												
Update March 2021							66	20	30	50	50	56						272

Planning History

	Planning Application Reference	Date of permission	Comments
	12/01532/OUT	10.05.2013	
Phase 1 - 78	14/0308/REM	26.02.2015	2 units remain to be completed (Show home site)
Phase 2 - 95	DM/16/2204	09.02.2017	All complete
Phase 3a – 64	DM/18/2747	20.12.2018	As at 1 st April 2020 27 units remain but all under construction
Phase 3b - 39	DM/19/3144	01.07.2020	All under construction
Phase 4 – 238	DM/20/0886	Pending decision	Full application for 238 units is pending consideration. This application will increase total yield from the site to 514 units, an increase of 34 units. Additional units not included in figures until planning permission granted.

Comment:

Construction on site is well established with 208 dwellings already complete. Phases 3a and 3b under construction. The District Plan 2018 trajectory indicated 226 completions up to 2019/20, the actual was 208, therefore largely consistent. It is projected that development will be complete on site during 2025/26, a year ahead of the District Plan trajectory.

There are no outstanding infrastructure requirements for this site which will delay the delivery. The site will be delivered in its entirety within the Plan Period.

DP10 – East of Pease Pottage (600 units)

Delivery Trajectory

	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	2030/ 31	TOTAL
District Plan March 2018	0	0	0	90	90	90	90	90	30	30	30	30	30					600
Actual delivery				0	0	41												41
Difference				-90	-90	-49												
Update March 2021							187	158	125	74	32	43						619

Planning History

	Planning Application Reference	Date of permission	Comments
	DM/15/4711	28.11.2016	Outline permission for 619 units
Phase 1 – 156 and 24 bed care facility	DM/17/2534	13.10.2017	Construction commenced with first completions 2019/20, now nearing completion
Phase 2 - 0	DM/17/4656	19.02.2018	1 Form entry Primary School opening. Building commenced – opening September 2021
Phase 3 – 186	DM/19/3549	14.07.2020	Construction commenced with first completions 2020/21
Phase 4 and 5 - 277	DM/19/4636	Pending decision	This is the final reserved matters application for the site and is pending decision.

Comment:

Construction on site is well established with 41 dwellings already complete. A current application for remaining reserved matters is pending consideration 277 dwellings. Construction rates on the site have remained strong during 2020/21 with at least 64 being completed between April – Dec 2020. Whilst there was delayed commencement on site, the site is operating as two outlets/products enabling an accelerated rate of delivery across the whole site. Developer has confirmed completion during 2025/26 which is a year ahead of District Plan trajectory. There are no outstanding infrastructure major requirements for this site that will impact on delivery, with major road improvements in vicinity of site completed early 2020. There are no outstanding planning condition triggers that will impact on site delivery. Construction of the on-site school is

well underway and it will open for the start of the academic year in September 2021. The care facility element is being brought forward by a separate organisation (St Catherine's Hospice, Crawley) and is in a separate landownership. It will provide an expanded replacement hospice facility.

The site will be delivered in its entirety within the Plan Period.

DP11 – North of Clayton Mills, Hassocks (500 units)

Delivery Trajectory

	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	2030/ 31	TOTAL
District Plan March 2018	0	0	0	0	0	50	50	50	70	70	70	70	70					500
Actual delivery						0												0
Difference						-50												
Update March 2021									50	50	50	75	75	75	75	25		500

	Planning Application Reference	Date of permission	Comments
	DM/18/4979	16.03.2020	Outline planning permission granted.

Comment:

Outline permission for the site was granted in 2020. However, the grant of permission was subject of an application for judicial review, which was not dismissed until December 2020. The permission has thus been upheld, but the challenge has caused a delay in the delivery of the site.

The site is in the process of being sold to a developer and Taylor Wimpey are engaged with Pre-application discussions with the Development Management team. It is anticipated that a Reserved Matters application will be submitted in June 2021.

There are no significant infrastructure requirements arising from the development of this site that would delay delivery, such as the provision of significant highways infrastructure. There is a condition of the planning permission that requires an improved crossing of the Railway line, in the form of a pedestrian tunnel, to be in place prior to the 250th occupation of this site. A prior notification application was submitted in 2019 by Network Rail for the provision of a new pedestrian subway. Discussions between the applicant and Network Rail concerning the timetable

for delivery of the crossing is ongoing, but it will be 2026/27 before this trigger is met. In addition, there is a condition requiring the delivery of a bridle link between the site and Burgess Hill prior to the 250th occupation. A separate application has been approved (DM/18/4890) to deliver the bridle link on additional land outside of the residential application site. This part of the proposed bridlepath is in the ownership of the Burgess Hill Town Council who are supportive of the proposal. There is no evidence that this will not be deliverable by 2026/27. The current trajectory indicates that the site will be developed in its entirety in the plan period.

DP9 – North and North-West Burgess Hill (3,500 units)

Delivery Trajectory

	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	2030/ 31	Total within Plan Period	2031/ 32	2032/ 33	2033/ 34	Total
DP March 2018	0	201	202	202	388	388	388	388	388	238	239	239	239					3500
Actual delivery	0	0																0
Differen ce		-201																
Update March 2021			77	212	264	275	266	283	269	260	275	306	300	2787	276	280	157	3500

Phase 1: Freeks Farm (Commenced)

This phase forms part of (not additional to) the total DP9 allocation (3,500 units) that is detailed above. It is the first residential phase to have full planning permission and works on site have commenced. Therefore, a phase specific delivery trajectory is set out below.

	2018/ 19	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24	2024/ 25	2025/ 26	2026/ 27	2027/ 28	2028/ 29	2029/ 30	2030/ 31	Total within Plan Period	2031/ 32	2032/ 33	2033/ 34	Total
				80	130	114	121	15						460				

Planning History

	Site	Number of units/ description	Planning Application Reference	Date of permission	Comments
	North and North-West Burgess Hill (Northern Arc)	3,040	DM/18/5115	04.10.2019	Outline permission for 3,040 units
	Land west of Freeks Lane Burgess Hill	460	DM/18/0509 DM/19/3845	24.07.2019 19.12.2019	Outline and Reserved Matters permissions for first part of DP 9 allocation that is coming forward separately to the main application above.
	Land east and west of Freeks Lane Burgess Hill	Bridge and Eastern Link Road	DM/19/3313	17.01.2020	Full planning permission for Bridge and Eastern Link Road
	Land between A273 and A2300 Burgess Hill	Western Link Road	DM/20/0254	10.07.2020	Reserved matters permission for western link Road

History

At the time the District Plan was being prepared this site was being promoted by 3 developers, Wates, Rydon and Gleeson and assumptions made on the delivery timetable were based on work undertaken at that point in time. However, this work has since been superseded by work undertaken by Homes England. In July 2018 a land deal and delivery partnership were confirmed which has seen Homes England take ownership of the site and become key delivery lead. This has had a significant positive impact on the delivery mechanism of the site and the financial backing of the allocation.

Since the allocation of the Northern Arc site in the District Plan, the development of Burgess Hill has become a flagship project for both Homes England and the District Council. The Burgess Hill Strategic Growth Programme is the now the most ambitious programme of change anywhere in the sub region. The programme will deliver 5,000 new homes, over 15,000 jobs, major improvements to key roads, new primary and secondary schools, increased GP capacity, new leisure facilities and full-fibre digital infrastructure.

The Burgess Hill Growth Programme has secured a huge amount of public and private financial investment in the form of £415.39m public sector investment and £643.3m private sector contribution to enable this ambitious growth programme to take place. As explained in more detail below, significant amount of this investment will enable the delivery of the infrastructure required to deliver the Northern Arc District Plan allocation.

Master planning and applications

The Northern Arc Masterplan (2018) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all the planning applications in relation to the Northern Arc. The Masterplan was prepared by Homes England and sets out the vision and strategic development principles for the site.

The Northern Arc Infrastructure Delivery Plan (IDP) and Phasing Strategy (2018) was approved at the Mid Sussex District Council Cabinet Meeting on 24th September 2018 as a material consideration for all the planning applications in relation to the Northern Arc. The IDP identifies the infrastructure necessary to facilitate and support the development of the Northern Arc.

The land to the west of Freeks Lane, referred to in the table above is part of the Northern Arc allocation (contributes to the 3,500 units) but is being progressed ahead of the rest of the allocation. The site was sold by Homes England to Countryside who are now developing the site. It was subject to a separate outline application (DM/18/0509) which was approved in July 2019 and reserved matters were approved in December 2019 (DM/19/3945). Work commenced on the site preparation during 2020, and the junction with Maple Drive has been completed. The house building commenced in September 2020. A condition of sale was to develop the site at an accelerated rate as set out in the trajectory above.

Outline Planning consent for the 3,040 units was granted in October 2019 (DM/18/5114). Since then work has progressed with discharge of pre-commencement conditions and planning obligations, as well as applications for infrastructure to support site delivery. A full planning application for the Eastern Bridge and Link Road, which will link the Freeks Farm site with Isaacs Lane, was approved in January 2020 (DM/19/3313) and reserved matters for the Western Link Road, which will link the A2300 with Sussex Way, was approved in July 2020 (DM/20/0254).

The tender process for the development partner to deliver for the first phase of the site (parcels east of Isaacs Lane) is underway and an announcement of the successful developers are expected in April 2021. Pre-application meetings concerning the reserved matters applications are programmed to take place shortly after the appointment and the planning applications are to be submitted in Autumn 2021.

To ensure timely consideration of the planning applications and supporting documentation Planning Performance Agreements (PPA) for the masterplan and preparation of the outline planning applications were entered into. A second PPA has been agreed for the next stage of the work, which sets out clear timelines for the achievement of key milestones. In addition, MSDC has appointed a member of staff whose sole responsibility is dealing with the Northern Arc planning matters.

Infrastructure

The key piece of infrastructure required to unlock the development of this allocation are the new roads that will link the site to the existing highway network. Works on both the Eastern Bridge and Link Road and the Western Link Road are due to commence this spring, completion of both pieces of infrastructure are expected by April (for the Eastern Bridge and Link Road) and June 2022 (for the Western Link Road).

The upgrade of the A2300 (link road to the A23) is also a critical piece of infrastructure required to support the development. Work commenced during 2020. The cost of this is c £21million and is has been funded by the Local Growth Fund and S106 contributions including from Homes England as a requirement of the Section 106 Agreement on the Outline Planning Permission. The Homes England contribution is £2,882,000.

In terms of infrastructure requirement to support the delivery of the first residential phase of the site, there is a planning condition on the Freeks Farm outline permission that prevents no more than 130 dwellings from being occupied until the bridge over the River Adur and the road link between the bridge and Isaacs Lane (The Eastern Bridge and Link Road) is completed. As set out above, the timescale for this infrastructure is on track to meet the delivery trajectory which anticipates 210 units complete by end March 2023.

Development also required investment in the Goddard's Green Wastewater Treatment works to reduce the odour contours arising from the site, to enable the development potential of the allocation to be maximised. £15.24m funding package has been secured for this work, which consists of £4m Local Growth Funding, £6.54m Housing Infrastructure Fund funding and £4.70m from Southern Water. The works have commenced and are well progressed.

The first primary school to be delivered on the Northern Arc is due to open in 2023. Homes England are delivering this school and are in the process of procuring a partner to carry out full site feasibility. An announcement is due to be made in April 2021 of the partner with pre-application discussions due to commence soon afterwards. The school is proposed to be delivered by Modern Methods of Construction and construction is due to be completed by June 2023.

The S106 agreement that accompanies the outline planning permission for the site provides the most up to date record of the infrastructure that has been secured, along with timings. The most significant pieces of infrastructure that are required to facilities commencement of the development are set out above and it is clear that at this time, work is progressing in accordance with delivery programme.

Delivery rates

The District Plan trajectory indicated that the full 3,500 units would be delivered in the plan period. The further work that has taken place since the adoption of the District Plan now demonstrates that 2,787 units will be delivered to March 2031, leaving 713 units to be delivered outside this plan period. The housing trajectory prepared to support the Sites DPD and the Housing Land Supply Paper H2 both take this into account. (Note there is a typographical error on page 35 of the submitted DPD at * and paragraph 2.27: 3,287 should read 2,787 and can be addressed as a minor modification.)

SA10, table 2.3 of the Sites DPD states that there are existing commitments of 9,689 units. The sites that make up this figure are set out in the published Housing Commitments 1st April 2020 [H5]. This includes 2,327 units at the Northern Arc and 460 units at Freeks Farm, which together make up the 2,787 units to be delivered at DP8 North and North west Burgess Hill. (Appendix 1 includes the published commitment list 1st April 2020)

This demonstrates that the Council has already taken into account the anticipated under delivery within the plan period when preparing the Sites DPD, to ensure that the District Plan housing requirement is met in full by the end of the plan period. In addition, the over-supply of 484 dwellings provides a further contingency should the position on any of the strategic sites change, and the District Plan Review is scheduled for adoption in 2023 which can similarly re-assess the position if required. At this point in time, the Council is confident the residual requirement is correct and therefore housing allocations within the DPD are sufficient.

As set out above, the Northern Arc development is a key flagship project for Homes England and the District Council, in which Government has invested significant amounts of money to secure up front delivery of infrastructure to support project delivery. The delivery trajectory set out above is ambitious but it also achievable. Homes England have number of tools to enable this to happen including:

- front loading of key infrastructure such as link roads;
- requiring all developers contracted to deliver the homes to deliver an element of Modern Methods of Construction;
- requiring all developers contracted to deliver homes to accelerated delivery rates;
- marketing of land in multiple parcels to enable a variety of 'products' increasing market choice; and
- quickly marketing the site to developers.

It is of note that in the three years since Homes England acquired the site they have accelerated work to the point that 30% (971 units) of the whole allocation and key highways infrastructure will be under contract with delivery partners by Summer 2021.

3.2 Is the conclusion from 3.1 that the strategic housing quantum is unlikely to be delivered in line with the trajectory? If this is the case, does the amount of residual housing provision need to be increased if the plan is to be found sound?

The conclusion from 3.1 is that the strategic housing quantum will be delivered in line with the updated trajectory contained within the Housing Land Supply statement [H2]. The under-delivery, within the Plan period, arising from DP9 Northern Arc (713 units), has been taken into account and the shortfall will be met through the allocations in the Sites DPD. In addition, the Sites DPD already provides for the delivery of a further 484 units above the District Plan requirement providing resilience in the land supply. Therefore, no further increase to the residual housing provision is required for the Sites DPD to be found sound.

4. Distribution of New Homes in the District

The District Plan contains the adopted spatial strategy for the district over the plan period. The distribution of the district requirement was based on a detailed methodology [H3] which the District Plan inspector approved [DPD8].

The spatial distribution is set out in District Plan policy DP4: Housing. Policy DP6: Settlement Hierarchy provides a guideline distribution at an individual settlement level. The position set out within the District Plan was at a base date of 1st April 2017.

The District Plan explains that the “Minimum Residual” figure will change during the lifetime of the plan as a result of the allocation of additional sites, under or over-delivery or the identification of further constraints. An updated position is set out within the Sites DPD at SA10 to a base date of 1st April 2020. It therefore includes completions and commitments that have elapsed since the District Plan was adopted.

It is important to note the role of the Sites DPD is to meet the residual housing need, with the majority of the district’s housing requirements already planned for. The updated residual figure accounts for commitments and completions over the whole plan period. Whilst it may appear that some settlements are taking disproportionate levels of growth within the Sites DPD, it is important to look at the level of growth across the plan period as a whole from all sources of supply (e.g. District Plan allocations, Neighbourhood Plan allocations, planning permissions).

Table 2 shows the total housing supply within the plan period as a whole for East Grinstead and Haywards Heath, accounting for all completions, commitments and proposed Sites DPD allocations. This assists in answering questions 4.1 and 4.2 below.

Cat.	Settlement	Minimum Requirement (DP6)	Commitments & Completions (as at 1s April 2020)	Sites DPD Proposed Allocations	Total Plan Period Supply	Difference (DP6 – Total Supply)
1	East Grinstead	2,445	1,737	772	2,509	+64
	Haywards Heath	2,511	2,628	25	2,653	+142

Table 2: Housing Supply East Grinstead and Haywards Heath

4.1 What is the reason for the extremely low level of housing provision at Haywards Heath, given its Category 1 status in the settlement hierarchy?

As shown in Table 2 above, Haywards Heath has delivered levels of growth consistent with DP6. The lower level of housing provision for Haywards Heath within the Sites DPD reflects the fact growth in Haywards Heath has already been planned for from other sources, as well as the results of the site selection exercise.

The Minimum Requirement for Haywards Heath set out in DP6: Settlement Hierarchy is **2,511**. This is the second largest requirement for any settlement within the district, behind only Burgess Hill. The minimum requirement is therefore proportionate with the town’s size and status as a Category 1 settlement.

Planned supply for Haywards Heath over the whole plan period, including the proposed site for 25 dwellings in the Sites DPD (SA21) totals **2,653**. Therefore, total supply exceeds the guideline minimum requirement set out in DP6 by 142 dwellings.

Given Haywards Heath is a Category 1 settlement, and that development should be directed to higher tier settlements when lower-tier settlements cannot meet their requirements (due to constraints or lack of sufficient sites), the level of provision at Haywards Heath is entirely consistent with the spatial strategy set out in DP4.

Site Selection Paper 3 [SSP3 – Appendix A] sets out all of the sites assessed at Haywards Heath and the reasons for rejecting those that were not included within the Sites DPD. In addition to the impacts identified for these sites through the Site Selection process, the Council concluded that the District Plan strategy (set out in DP4 and DP6) could be met sufficiently and sustainably without the need to allocate these sites.

4.2 Also, East Grinstead, the other town in the District, which has a somewhat smaller population than Haywards Heath, has three allocations in and around the town, totalling 772 dwellings. What are reasons for the apparent wide disparities in the proposed distribution of new homes within East Grinstead in relation to Haywards Heath?

The simple reason for the disparity in the number of new homes allocated in the Sites DPD, therefore, is that East Grinstead has only achieved 1,737 completions and commitments, while (at 2,628 completions and commitments) Haywards Heath has already exceeded its minimum requirement. Levels of growth across the plan period for East Grinstead and Haywards Heath, from all sources, are comparable.

The Minimum Requirement for East Grinstead set out in DP6: Settlement Hierarchy is **2,445**. This is the third largest requirement for any settlement within the district, behind Burgess Hill and Haywards Heath. The minimum requirement is therefore proportionate with the town's size and status as a Category 1 settlement.

Planned supply for East Grinstead over the whole plan period, including the proposed sites for 772 dwellings in the Sites DPD (SA18 – SA20) totals **2,509**. Therefore, total supply exceeds the guideline minimum requirement set out in DP6 by 64 dwellings.

Given East Grinstead is a Category 1 settlement, and that development should be directed to higher tier settlements when lower-tier settlements cannot meet their requirements (due to constraints or lack of sufficient sites), the level of provision at East Grinstead is entirely consistent with the spatial strategy set out in DP4.

Site Selection Paper 3 [SSP3 – Appendix A] sets out all of the sites assessed at East Grinstead and the reasons for rejecting those that were not included within the Sites DPD. In particular, East Grinstead abuts the High Weald AONB – a number of the rejected sites were assessed as having a high adverse impact on the AONB and were therefore rejected in accordance with the site selection methodology. The potential for further growth at East Grinstead, beyond the sites allocated within the Sites DPD, is also likely to be constrained by transport capacity and the impact on the Ashdown Forest SAC/SPA.

In addition to the impacts identified for these sites through the Site Selection process, the Council concluded that the District Plan strategy (set out in DP4 and DP6) could be met sufficiently and sustainably without the need to allocate these sites.

4.3 DPD policy SA10 sets out the spatial distribution of the District's housing requirement; Category 1[towns] shows a decline from the District Plan policy DP4 figure of 1,272 minimum requirement to the policy SA10 updated figure of 705, i.e. down by 566 or 44.55%. What is the reason for this, and is this level of housing consistent with the adopted District Plan policy DP4?

The residual figure set out in District Plan policy DP4 shows a requirement of 1,272 for Category 1 settlements, out of a total residual of 2,439. This was based on the position at 1st April 2017. Category 1 represents 52% of the residual figure.

Since 2017, the residual has been updated to account for completions and commitments since. Table 2.4 in Policy SA10 makes clear that what is being presented is the 'Updated Minimum Residual Housing Figure' The total residual figure is now 1,280 (as at 1st April 2020). Topic Paper 3 [TP3 Para 3.17– 3.22] explains this position. The updated residual figure for Category 1 settlements has been revised accordingly to 706. This now represents 55%, therefore is consistent with the proportion identified in DP4.

In total, the level of housing at each of the settlement categories is as follows:

Category	Minimum Plan Period Requirement (DP4)	Plan Period Supply (SA10)	Plan Period Supply (SA10) from Sites DPD	Difference (DP4 vs SA10)
1 – Towns	10,653	11,034	1,409	+381
2 – Larger Villages	3,005	3,296	105	+291
3 – Medium Sized Villages	2,200	1,904	238	-296
4 – Smaller Villages	82	136	12	+54
5 – Hamlets	N/A	N/A	N/A	N/A
Windfall	450	504	N/A	+54
TOTAL	16,390	16,874	1,764	+484

Table 3: Housing Supply at Settlement Categories

The level of housing is therefore consistent with DP4. The total plan period supply, accounting for the proposed Sites DPD allocations, represents an over-provision of 484 dwellings. The additional growth identified at categories 1 and 2 compared to DP4 represent this over-provision, which has been provided at the most sustainable settlements in the hierarchy.

Category 3 is unable to meet the requirements set out in DP4. Of the 12 settlements in this category, 8 are wholly within the High Weald Area of Outstanding Natural Beauty, with a further 2 adjoining. The shortfall at this category has been met by the more sustainable settlements in the hierarchy in accordance with the methodology [SSP3 para 2.4.5]

4.4 What evidence is there to demonstrate that the serious traffic issues in relation to the allocations to the west of East Grinstead [in particular, allocations SA19 and SA20] can be satisfactorily mitigated? If they can be satisfactorily mitigated, is any available and deliverable third-party land required to achieve the necessary junction improvements? Do the resources exist to enable such works to be carried out in relation to the housing trajectory, and if this is unlikely, within the plan period?

The Strategic Transport Study [T7] which models highways impacts from the Sites DPD proposals does not forecast any 'severe' impacts (in NPPF terms) resulting from the proposed housing allocations in the Sites DPD within and around East Grinstead, nor does it forecast any 'severe' cross-boundary transport impacts. There is therefore no evidence to demonstrate there would be serious traffic issues in relation to allocations to the west of East Grinstead, this position has been verified by West Sussex County Council (the highways authority).

The Strategic Transport Model and associated Assessment Report [T7] produced by transport consultants SYSTRA is in accordance with standard good practice as set out in the Department for Transport's (DfT) transport analysis guidance. The model was validated by West Sussex Council and has been developed in close co-operation with them as the Highways Authority. Neighbouring Highway Authorities Surrey and East Sussex County Council have also scrutinised the Strategic Transport Assessment Report [T7], they raise no objection and highlight no cross-boundary issues arising from the Sites DPD development.

The Strategic Transport Study reporting [T7] acknowledges that congestion in the *reference case* along the A264 / A22 corridor causes rerouting towards less suitable routes, such as Turners Hill, to avoid the A264 / A22, and that the *Sites DPD Scenario with mitigation* has a similar outcome. Although the Strategic Transport Study demonstrates no 'severe' impacts remain in East Grinstead, the study recommends 'Further Work' [T7 – page 22] to address rerouting to less favourable routes by providing significant mitigation along the A264 / A22 corridor. This is not as a direct impact of the proposed Sites DPD development but in acknowledgement of existing issue in the *reference case*.

The existing traffic issues in East Grinstead, particularly along the A22 / A264 corridor are widely understood by the council and by WSCC HA, as well as neighbouring authorities Tandridge District Council and Surrey County Council HA (SCC HA), whose boundary crosses through the middle of the A22 / A264 Felbridge junction. Each of the four authorities have been involved in joint working to undertake studies into the Felbridge junction and have committed to embark on a wider A22 / A264 corridor study to understand the implications for mitigation along the corridor as a whole; reference is made to the study in the Statement of Common Ground with Tandridge [DC13]. This work is *not* required to address the impact of the proposed Sites DPD development and does not therefore form part of the evidence base for the plan. Attention is also drawn to SCC HA Statement of Common Ground [DC12] which agrees the schemes that are required along the corridor are to address *existing* capacity issues, '...and as demonstrated by the Mid Sussex Strategic Transport Assessment, are not required as a direct result of the traffic generated by the Site Allocations DPD.'

The existing congestion along this corridor is also acknowledged by the proposed safeguarding policy in the Sites DPD, policy SA35 (Safeguarding of Land for and Delivery of Strategic Highway Improvements) which highlights three junctions along the A22 and another along the A264 where capacity is an existing issue or predicted to be in the *reference case*. As such, although the evidence base [T7] demonstrates there are no 'severe' impacts arising from the proposed housing allocations, policy SA35 safeguards land in the vicinity of the junctions. Potential strategic improvement schemes along the corridor need to be further developed in consultation with the Highway Authorities and in acknowledgement of the tight-knit urban environment along the corridor, policy SA35 states that if necessary, Compulsory Purchase Powers will be used to enable delivery of strategic highway improvements. However, as noted above, this is not required for the site allocations SA19 and SA20.

There has been no indication from the Highway Authorities that strategic highway improvements are required to be delivered prior to commencement of any of the proposed allocations. In addition, there is no evidence to demonstrate that third party land would be required to mitigate these proposed developments. If, however, during the evolution of strategic improvement plans, it is determined that third party land is required, policy SA35 seeks to provide the necessary mechanism to their facilitate delivery. It is however anticipated that proposed allocations, as well as other committed schemes in the vicinity of these junctions, could contribute to highway mitigation schemes as appropriate and reference is therefore made within the Infrastructure Delivery Plan (IDP) [IV1].

In acknowledgement of the sensitivities in this location relating to road network capacity, the site promoters for SA19 and SA20 have undertaken detailed transport modelling and produced extensive transport evidence. Each of the promoters have actively engaged in detailed pre-application discussions with both WSCC HA and SCC HA and the two Highway Authorities are also in contact. Each of the promoters have also produced a site-specific Transport Appraisal / Assessment [SA19 - SA19.6 and SA20 – SA20.4], the methodology and baseline for each assessment are consistent and have been informed through discussions with both Highway Authorities.

Transport evidence regarding SA19:

Comprehensive and detailed pre-application discussions have taken place with the respective highway authorities regarding site layout and proposed means of access (which is within Surrey), the sustainability of the site and the offsite traffic impact on the surrounding highway network (with WSCC). A detailed Transport Assessment (TA) [SA19.4] and Travel Plan (TP) has been prepared and submitted to these authorities following scoping and have formed the basis of the discussions.

The proposed means of access has been designed on the basis of accommodating up to 200 dwellings with sightlines onto Crawley Down Road in accordance with a speed survey and Manual for Streets. It has been subject to a Stage 1 Road Safety Audit (RSA 1) [SA19.5] and the access has also been agreed in principle with SCC, the relevant Highway Authority.

The site is well located to be served by surrounding facilities in a sustainable location and this is not disputed by WSCC. Discussions have taken place with WSCC and the local bus company on a contribution to a package of bus improvement measures along A22 London Road between the A264 Copthorne Road junction (referred to as the Felbridge junction) and the approach to East Grinstead town centre. These works can be carried out completely within the highway boundary.

The operation of the surrounding junctions, most notably the A22 / A264 (Felbridge) junction, have been the subject of detailed capacity analysis, including agreed committed and planned developments likely to affect the operation of the junction. This analysis concludes that the impact of development at SA19 will have a negligible impact on the operation of these junctions. Cumulatively, proposals are likely to result in an increase in traffic volumes on the A22 of less than 2% - this figure does not include any potential ameliorative effect that might be achieved through the implementation of proposed sustainable travel interventions.

Transport evidence regarding SA20:

The site promoters for proposed allocation SA20 have undertaken a Transport Appraisal [SA20.4] and have used junction modelling to develop potential improvement schemes and as a second stage of work have sought to evaluate the impacts of potential schemes on the operation of the surrounding network through detailed microsimulation assessment. This model includes the key section of highway network A22 corridor and has been used to consider the potential impacts on journey times which additional traffic associated with the proposed development may have.

The modelling undertaken has considered the potential phased delivery of the scheme, and what infrastructure improvements may be required to mitigate the impact of the development at each phase.

The modelling indicates proposed junction improvements at A22 / Imberhorne Lane could facilitate delivery in excess of the proposed trajectory, and wider improvements at the approach to the A22 / A264 Copthorne Road (Felbridge) junction and the A22 / Lingfield

Road junction could both aid delivery of the latter part of the development and also improve overall journey times on the A22 corridor relative to the expected baseline position.

The full details of the improvement schemes and potential trigger points for implementation would be determined through the Transport Assessment process at planning application stage, where the potential impact of a comprehensive sustainable travel strategy will also be incorporated within the detailed modelled assessment as further mitigation of the development.

The policy wording for SA19 and SA20 has evolved in consultation with each of the Local Highway Authorities and requires collaborative working with each of the highway authorities to mitigate development impacts by maximising sustainable transport enhancements as a priority over physical mitigations schemes. Further minor modifications are recommended following the Regulation 19 consultation [DPD2 – M26 and M23] to ensure the requirement to secure agreement from both the Highway Authorities is explicit.

It is understood by all parties that, despite there being no evidence to suggest that any 'severe' impacts arise from proposed allocations in and around East Grinstead, impacts from each will need to be fully understood through a detailed planning application and appropriately mitigated. The Strategic Transport Study [T7] and the transport evidence gathered by the site promoters has been validated by both the Highway Authorities, neither of which has raised an objection to any of the housing allocations in this location or indeed in the plan as a whole.

5. Deliverability

5.1 Several representors have commented that there are serious issues in relation to the deliverability of a sizeable proportion of the 22 housing allocations in the Plan. I am therefore requesting the Council to let me know if any of these sites are currently facing uncertainty in relation to any of the following matters:

- (i) Knowledge of ownership, and a willingness of the owner (s) to develop the allocation for housing in accordance with the quantum and principles of development in the relevant policy;**

Response set out in Table 4 below:

TABLE 4: Response to question 5.1 (i)

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
SA12	96 Folders Lane, Burgess Hill	Housebuilder – Jones Homes (Southern) Limited	<p>Developer Questionnaire response – no constraints preventing commencement within first 5 years of adoption - pre-application submission July 2021 and full planning October 2021.</p> <p>Adjacent site being developed by Jones Homes at present</p> <p>Planning application submitted prior to Regulation 18 (withdrawn) (DM/19/0276)</p>	<p>Prior to and following withdrawing planning application DM/19/0276, Jones Homes sought to address concerns relating to landscape impacts, and the design and layout of the development, resulting in their proposal to reduce the quantum from 43 to 40.</p> <p>Jones Homes fully supportive of quantum and development principles set out in SA12.</p>	Jones Homes has continued to engage positively with MSDC through the plan making process and their Regulation 19 representation fully supports the DPD and highlights the extensive work and technical reports undertaken by the promoter to meet the objectives of the draft allocation.
SA13	South Folders Lane, Burgess Hill	Housebuilder – Thakeham Homes (northern parcel and option over third party land between the two parcels) and	<p>Developer Questionnaire response – no constraints to prevent commencement within the first 5 years of adoption – completions by 2025/26.</p> <p>Pre-application submission second quarter 2021, full planning application third quarter 2021.</p>	The promoters have undertaken draft master planning of the site to take account of constraints and state that prior to undertaking detailed site assessment work, the yield of 300 should be considered approximate.	The promoters have been actively engaged with the MSDC throughout the plan making process and are committed to working together to bring the site forward as a phased development. Thakeham are keen to progress the site swiftly and have indicated that the first 100 units would be brought

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
		Persimmon Homes (southern parcel).		Policy reference to 'central open space' is not necessary or required.	<p>forward on their portion of the site within the first 5 years of the plan.</p> <p>A subsequent more detailed planning application may demonstrate higher or lower quantum is more appropriate</p> <p>The policy does not restrict the design to only one area of open space but encourages a central area for good urban design and landscape reasons to create a strong focus for the development and encourage higher density adjacent and away from the southern portion of the site.</p> <p>Both parties have also indicated a desire to enter into a Planning Performance Agreement with the Local Planning Authority.</p>
SA14	Selby Close, Burgess Hill	Mid Sussex District Council	The Council has commissioned feasibility work to examine the potential of the site for residential development. The Council is currently considering a number of options regarding the future development of the site.	A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in accordance with the quantum and development principle of SA14.	The site is in the ownership of Mid Sussex District Council and the Council is committed to enabling housing on this site.

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			Feasibility work demonstrates that the site is capable of accommodating up to 12 flats. The Council considers that there is no longer a local need for a community use of part of the site.		
SA15	Southway, Burgess Hill	Site promoter – Sunley Estates Ltd and Hargreaves Management	The site promoter is promoting the land for residential development on behalf of the landowner. Developer questionnaire response – pre-application in October 2021 and submission of a planning application in February 2022.	Allocation is supported and developer questionnaire confirms 30 dwellings are to be delivered on the site.	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.
SA16	Brow/ St.Wilfrids, Burgess Hill	West Sussex County Council Diocese of Arundel and Brighton	West Sussex County Council is leading on the master planning work for this site. A One Public Estate Fund bid secured £75K to fund design and feasibility work for the site. This work is ongoing. St Wilfrids is a feeder school to a nearby senior school St Paul's Catholic College in Burgess Hill and the Diocese are wanting to relocate to a new site adjacent to create a campus based on the two schools co-location.	A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in accordance with the quantum and development principle of SA16.	The site promoter has continued to engage positively with MSDC and WSCC on this project.

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			<p>The Diocese have undertaken some feasibility work to demonstrate the site is capable of occupying both schools.</p> <p>The land is owned by WSCC who have offered to make the site available to support the relocation.</p>		
SA17	Woodfield House, Burgess Hill	The landowner is promoting the site.	Outline planning permission has been granted for 30 dwellings (DM/19/3769).	Allocation is supported.	Site has outline planning permission. No outstanding issues relating to the allocation.
SA18	EG Police Station, East Grinstead	Sussex Police	<p>Developer Questionnaire Response – the site owner is engaging with a developer to bring the site forward. The terms of the deal are under discussion and the developer has been authorised to submit a pre-application.</p> <p>No constraints preventing commencement of development within 5 years of adoption, pre-application to be submitted in June 2021.</p>	A representation to the Regulation 19 consultation was not received from site owner, however developer questionnaire indicates that the yield from the site may increase by 1 unit.	The site promoter has continued to engage positively with MSDC through the plan making process.
SA19	Crawley Down Road, East Grinstead	Housebuilder – Barratt David Wilson Homes	Developer Questionnaire response – pre-application submission due April 2021 full planning October 2021.	Feasibility master planning work has been undertaken by the developer to take account of site constraints and indicates quantum 200 achievable.	The promoters have been actively engaged with MSDC and WSCC Highway Authority (HA) throughout the plan making

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			No constraints preventing commencement within first 5 years of the plan.	Site promoter fully supportive of quantum and development principles set out in SA19.	process and are keen to progress the site swiftly. They have also indicated a desire to enter into a Planning Performance Agreement with the Local Planning Authority.
SA20	Imberhorne Lane, East Grinstead	Housebuilder – Welbeck Strategic Land (II) LLP (Land Promoter)	Developer Questionnaire response – pre-application submission April 2021, hybrid application submission July 2021, Reserved Matters June 2023. A land agreement is being entered into with WSCC to enable delivery of the school playing fields and an alternative means of access. Heads of Terms are near agreement.	Feasibility master planning has evolved throughout the plan making process to take account of constraints and indicates the quantum is achievable and developer committed to delivering. Developer objects to the inclusion of provision of plots for Gypsies and Travellers as set out in SA20.	The promoters have actively engaged with various parties throughout the plan making process to evolve their evidence base and proposals for the site. In addition to engaging with MSDC, WSCC Highway Authority, the promoters have engaged with WSCC Education and Estates department and engaged in pre-application discussion with Historic England. Promoter has indicated willingness of developer to enter into a PPA. The principle of provision for Gypsies and Travellers on strategic sites has been established in DP33. Its inclusion is therefore justified.
SA21	Rogers Farm, Haywards Heath	Developer – Sigma Homes Ltd	Developer questionnaire response – pre-application in April 2021 and submission of a	Sigma Homes are fully supportive of quantum and development principles set out in SA21.	The site promoter has continued to engage positively with MSDC through the plan making process

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			planning application in June 2021.		and a number of technical reports have been prepared to support the proposed site allocation.
SA22	Burleigh Lane, Crawley Down	Landowner and site promoter	Developer questionnaire response – prep-application in April 2021 and submission of a planning application in October 2021.	<p>A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in accordance with the quantum and development principle of SA22.</p> <p>Developer questionnaire confirms 50 dwellings are to be delivered on the site.</p>	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.
SA23	Hanlye Lane, Cuckfield	There is a promotion agreement on this site.	Developer questionnaire response – prep-application in Spring 2021 and submission of a planning application within five years.	<p>Site owner supportive of objectives of policy SA23.</p> <p>Objects to requirement for repair and improvement works required to existing culvert as this is outside ownership and do not benefit site or public.</p> <p>Suggest criteria relating to 'investigation of access arrangements and investigation of highway mitigation measures' are removed as pre-app with highways authority indicate there</p>	<p>The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.</p> <p>Details of any drainage works to the culverted pipe will be considered in more detail at the time of a planning application. Current policy wording says 'consider drainage works'. Advice provided by MSDC Drainage Details of access and highway mitigation measure would need to be confirmed and secured at</p>

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
				are no transport or highways matters that would preclude residential development.	planning application stage and there need to be set out in the policy.
SA24	Shepherds Walk, Hassocks	Developer – Rydon Homes Ltd	Outline planning permission has been granted for 130 dwellings (DM/19/1897).	Allocation is supported (with conditions). Comments on biodiversity net gain, minerals, archaeology, landscape and drainage. The developer questionnaire confirms 130 dwellings are to be delivered on the site.	Site has outline planning permission.
SA25	Selsfield Road, Ardingly	South of England Agricultural Society	<p>Developer Questionnaire response – Site is subject to promotion agreement with Charterhouse Strategic Land Ltd, ends 2030. Once outline planning permission granted, site will be sold to an end housebuilder.</p> <p>No constraints preventing commencement of development within 5 years of adoption, pre-application to be submitted in July 2021.</p>	Allocation is supported. Disappointed by reduction in site size and yield. Object to western end allocated as informal public open space.	<p>Charterhouse Strategic Land have engaged positively with MSDC through plan making stages. Several supporting technical reports have already been undertaken on the proposed allocation.</p> <p>MSDC consider the policy to be robust and that revised yield and the allocation of informal open space are necessary to ensure a satisfactory development on the site.</p>
SA26	Hammerwood Road, Ashurst Wood	Eichner Family Trust	Developer Questionnaire response – the site owner is actively engaging with potential developer and anticipating the submission of a pre-application later this year.	A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in	The site promoter has continued to engage positively with MSDC through the plan making process

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			No constraints preventing commencement of development within 5 years of adoption, pre-application to be submitted in June 2021.	accordance with the quantum and development principle of SA26.	
SA27	St Martin Close, Handcross	Developer – Millwood Designer Homes	Developer questionnaire response – pre-application and a planning application to be submitted as soon as possible.	<p>A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in accordance with the quantum and development principle of SA26.</p> <p>Developer questionnaire confirms 35 dwellings are to be delivered on the site.</p>	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation
SA28	Old Police House, Horsted Keynes	Site promoter – Sunley Estates Ltd	Developer questionnaire response – prep-application in September 2021 and submission of a planning application in March 2022.	<p>Allocation is supported and developer questionnaire confirms 25 dwellings are to be delivered on the site.</p> <p>However, promoter wishes to see policy amended to read 'approximately 25 units' to remove unnecessary cap on development.</p> <p>Also request that the allocation does not stipulate separate cycle links on the site and suggest</p>	<p>The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.</p> <p>A subsequent more detailed planning application may demonstrate higher or lower quantum is more appropriate</p> <p>MSDC consider the policy is sufficiently flexible whilst ensuring</p>

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
				wording related to 'existing character' of the footpath is re-worded to reflect impossible to retain existing character.	site is well linked to existing pedestrian/ and or cycle links.
SA29	St Stephen's Church, Horsted Keynes	Developer – Rydon Homes Ltd	An outline planning application has been submitted for 30 dwellings (DM/20/4692).	Allocation is supported (with conditions). Comments on biodiversity net gain and SuDS. The developer questionnaire confirms 30 dwellings are to be delivered on the site.	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.
SA30	North of Lyndon, Sayers Common	Developer – Reside Development Ltd	Developer questionnaire response – prep-application in March 2021 and submission of a planning application in May 2021.	Allocation is supported and developer questionnaire confirms 35 dwellings are to be delivered on the site. Promoter indicates that there should be flexibility in the yield of "around 35" units. Additional should not place onerous requirements relating to connectivity to adjoining sites, by addition of words 'Where possible'	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation. A subsequent more detailed planning application may demonstrate higher or lower quantum is more appropriate Site should connect to existing pedestrian/ cycle networks.
SA31	Rear of Firlands, Scaynes Hill	Denton Homes	Developer Questionnaire response – site is in control of a housebuilder. Landowner has identified outstanding constraint but does	A representation to the Regulation 19 consultation was not received from site owner, therefore no evidence that the owner will not develop the site in	Part of site known to be subject to an existing covenant. Landowner has engaged with MSDC on issue and is confident that a solution can be found (i.e. through layout) and so will not hamper the site's

Site Ref	Site address	Ownership / control of site	Evidence of willingness of the owner to develop site	Owner's comments on quantum and development principles (from Reg 19 response)	MSDC officer response
			not consider it to impact on delivery of site within 5 years of adoption. Pre-application to be submitted July 2021.	accordance with the quantum and development principle of SA31.	development in accordance with policy. Agreed solution will be sought prior to submission of planning application.
SA32	Withypitts Farm, Turners Hill	Paddockhurst Estate	Developer Questionnaire response – the site is not in control of a housebuilder although interest from potential developer has been received. No constraints preventing commencement of development within 5 years of adoption, pre-application to be submitted in May 2021.	Site promoter fully supports of quantum and development principles set out in SA32.	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation.
SA33	Ansty Cross, Ansty	Fairfax Acquisitions Limited	Developer Questionnaire response – the site is not in control of housebuilder. Site to be vacated by current use (garage) by 2023. No constraints preventing commencement of development within 5 years of adoption, pre-application to be submitted February 2022.	Allocation is supported Promoter has indicated that site may only accommodate 10 units rather than 12.	The site promoter has continued to engage positively with MSDC through the plan making process and a number of technical reports have been prepared to support the proposed site allocation. A subsequent more detailed planning application may demonstrate higher or lower quantum is more appropriate.

- (ii) A safe and secure access, which can be provided within the ownership of the allocated site;**
- (iii) A satisfactory impact on the flow and safety of the surrounding primary and secondary highway networks**

Response to 5.1 (ii) and (iii) are set out in the Table 5 below. Additional information submitted by site promoters can be found here [Site Allocations Library - Mid Sussex District Council](#)

Table 5: Response to questions 5.1 (ii) and (iii)

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
SA12	96 Folders Lane, Burgess Hill	No objection raised by WSCC Highway Authority (HA) to proposed access from adjacent site for 43 dwellings under planning application DM/19/0276 (https://padocs.midsussex.gov.uk/PublicDocuments/00657669.pdf)	Jones Homes are currently building out the adjacent site to the west and the allocation will share the access onto the public highway.	No objection raised by WSCC Highway Authority to site specific Transport Assessment for 43 dwellings with the provision of suggested conditions. Strategic Transport Assessment (T7) identified no remaining severe impacts at any junctions in the vicinity of the site.
SA13	South Folders Lane, Burgess Hill	Positive pre-application response received from WSCC HA regarding provision of safe access.	Access proposal considered for single access via existing site access at Greenacres which is in Thakeham's control. Emergency access is proposed along Broadlands to the south eastern side of the site.	Positive pre-application response from WSCC HA highlighting no 'severe' impacts on the local highway network, subject to appropriate contributions being provided. Strategic Transport Assessment (T7) identified no remaining severe impacts at any junctions in the vicinity of the site.
SA14	Selby Close, Burgess Hill	Access from Hammonds Ridge or Edwin Street. The Council is able to access the site from Hammonds Ridge.	Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
				Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA15	Southway, Burgess Hill	The principles for access are supported by the Highways Authority [SA15.3]. Transport Technical Note [SA15.2].	Access proposed via Linnet Lane. Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA16	Brow/St.Wilfrids, Burgess Hill	Existing access to the site already exists.	Existing access to the site already exists.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved to serve new use.

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
SA17	Woodfield House, Burgess Hill	Outline planning permission has been granted for 30 dwellings (DM/19/3769).	Details of access set out in planning permission.	Site has outline planning permission. When considering planning application WSCC Highways concluded "The LHA does not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network"
SA18	EG Police Station, East Grinstead	Existing access to the site already exists.	Access proposal via existing site access.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA19	Crawley Down Road, East Grinstead	Promoters have engaged in detail pre-application discussions with both Surrey County Council Highway Authority and West Sussex Highway Authority. Transport Assessment [SA19.6], Travel Plan and Stage 1 Road	Option agreement with homeowner	Evidence validated by both highway authorities. No severe issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
		Safety Audit [SA19.5]. No objection received from either of the Highway Authorities.		be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA20	Imberhorne Lane, East Grinstead	Promoters have engaged in extensive pre-application discussions with both Surrey County Council Highway Authority and West Sussex Highway Authority. They have produced extensive traffic modelling work to test potential mitigation schemes along with submission of a Transport Appraisal [SA20.4] proposed access layout and sustainable travel options. No objection has been received from either of the Highway Authorities.	In promoter's control. Secondary access – land agreement entered into with WSCC.	Evidence validated by both highway authorities No severe issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA21	Rogers Farm, Haywards Heath	Transport Technical Summary Note [SA21.2].	Access proposed via Lunce's Hill. Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
SA22	Burleigh Lane, Crawley Down	The principles for access are supported by the Highways Authority [SA22.4]. Transport Technical Note [SA22.2] and Proposed Site Access Arrangement [SA22.3]. Legal agreements are underway to secure the site access.	Access from Sycamore Lane. The site promoter is actively working with the landowners to secure a right of access from Sycamore Lane to the proposed housing allocation. It is understood that there are no fundamental outstanding issues with this process.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA23	Hanlye Lane, Cuckfield	Site Access/ Junction Layout [SA23.5] and Highways Authority response [SA23.7].	Access from Hanlye Lane. Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA24	Shepherds Walk, Hassocks	Outline planning permission has been granted for 130 dwellings (DM/19/1897).	Details of access set out in planning permission.	Site has outline planning permission. When considering planning application WSCC Highways concluded "that the development proposal will not have a severe impact on the local road network in accordance to NPPF"

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
				cumulative impacts on the operation of the highway network"
SA25	Selsfield Road, Ardingly	<p>The Transport Technical Note (July 2020) produced by Ardent Consulting Engineers (SA25.8) concludes that the existing showground access on to Selsfield Road will, with minor modifications, provide safe pedestrian and vehicular access. The Note also concludes that suitable and safe access can be achieved into the development via a new priority junction along the shared access road.</p> <p>Positive pre-application response received from WSCC HA regarding provision of safe access.</p>	Site and access in single ownership of site promoter.	<p>No comment received from WSCC highways at Regulation 19 stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.</p>
SA26	Hammerwood Road, Ashurst Wood	There are two options for access onto Hammerwood Road or Yewhurst Close. Option Yewhurst Close is included in indicative layout [SA26.2]	Direct access onto public highway from land within applicant's control. Alternate access via Yewhurst Close, using existing access, also being explored.	<p>No comments received from WSCC Highways at Regulation 19 Stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.</p>

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
SA27	St Martin Close, Handcross	Transport Technical Note [SA27.2].	Access from St Martin Close. Access is required over adjacent site in Parish Council ownership. Parish are supportive of allocation having allocated both sites (this site is a reserve housing site) in Neighbourhood Plan.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA28	Old Police House, Horsted Keynes	Access and Visibility Splays [SA28.5], WSCC Highways Pre-Application Response [SA28.6] and Further Correspondence [SA28.7].	Access from Birchgrove Road. Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA29	St Stephen's Church, Horsted Keynes	An outline planning application has been submitted for 30 dwellings (DM/20/4692). Transport Statement [SA29.4] and WSCC Highways Pre-Application Response.	Access from Hamsland using modified existing access. Direct access onto public highway from land within applicant's control.	No comments received from WSCC Highways at Regulation 19 Stage. No issues have been identified in the Strategic Transport Assessment (T7) however a

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
				detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.
SA30	North of Lyndon, Sayers Common	Transport Statement [SA30.8], Stage 1 Safety Audit [SA30.9] and Transport Note [SA30.10].	Access from Reeds Lane via an existing crossover. Access will require demolition of the bungalow Lyndon that fronts onto Reeds Lane. Property is in control of developer.	<p>No comments received from WSCC Highways at Regulation 19 Stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.</p>
SA31	Rear of Firlands, Scaynes Hill	The Access & Transport Statement (June 2020) produced by Lanmore Consulting [SA31.7] concludes that the existing access serving the six properties on Downs View Close is able to provide suitable vehicular access for the proposed development. The Statement considered 30 dwellings whereas the allocation is 20 dwellings.	Site and access in single ownership.	<p>No comments received from WSCC Highways at Regulation 19 Stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved</p>

Site Ref	Site address	Evidence of safe and secure access	Ownership of required access	Evidence of satisfactory impact on flow and safety of surrounding primary and secondary highway networks
SA32	Withypitts Farm, Turners Hill	The Transport Statement (October 2020) produced by Reeves Transport Planning confirms that the development will benefit from an upgrade of the existing access following extensive discussions with the Highway Authority and a Stage 1 Road Safety Audit.	Site and access in single ownership. Direct access onto public highway from land within applicants' control	<p>No comments received from WSCC Highways at Regulation 19 Stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved</p>
SA33	Ansty Cross, Ansty	The Transport Technical Note (July 2020) produced by SK Transport Planning [SA33.4] concludes that existing access will provide safe pedestrian and vehicular access to proposed development of 10 dwellings. Net reduction in traffic movements expected.	Site and access in single ownership.	<p>No comments received from WSCC Highways at Regulation 19 Stage.</p> <p>No issues have been identified in the Strategic Transport Assessment (T7) however a detailed transport assessment will be secured at the planning application stage to ensure highway safety is maintain and safe access is achieved.</p>

- (iv) A number of ‘made’ Neighbourhood Plans include Local Green Spaces which this plan now proposes to allocate for development. Is it, therefore, intended that this Plan would supersede the Local Green Space policies of the Neighbourhood Plans involved? If so, do the proposed policies of this Plan state that fact, as they are required to do?**

Only one of the proposed housing allocations² was designated as part of a wider Local Green Space in a neighbourhood plan – SA15: Land South of Southway, Burgess Hill. The Burgess Hill Neighbourhood Plan ‘made’ in January 2016 identifies four areas of Local Green Space (Policy G4: Local Green Space) [O5]. Therefore questions 5.1 (iv) and (v) only relate to SA15.

Paragraph 30 of the NPPF allows policies in neighbourhood plans to be superseded by strategic or non-strategic policies that are adopted subsequently. It is intended that Policy SA15 of the Sites DPD would only supersede that part of Local Green Space designation that would be affected by built development; the rest of the Local Green Space designation would remain including an enhanced area of open space allocated in Policy SA15 totalling 0.34ha.

SA15 does not explicitly say that it will be superseding part of a Neighbourhood Plan allocation, although it does reference the existing Neighbourhood Plan allocation. A modification could be made to this policy to make this clear if required.

- (v) It seems to me that Local Green Space is one particular type of open space – indeed, it is one which is of particular importance to local communities and is demonstrably special to them (paragraphs 99 and 100, NPPF). Paragraph 97 of the NPPF says: “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:**
- A. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**
 - B. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
 - C. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”**
- Has an assessment of the kind required by criterion a) above been undertaken?**

² Policy SA36: Wivelsfield Railway Station safeguards land to support the delivery of a package of improvements to expand and upgrade the station, as part of the Burgess Hill Place and Connectivity programme. Whilst this area is identified as Local Green Space in the Burgess Hill Neighbourhood Plan, the proposed enhancements are consistent with Neighbourhood Plan policy S2 that supports ‘enhancements to the accessibility of the station’.

The Burgess Hill Neighbourhood Plan (2016) allocates four areas within the town as Local Green Space (Policy G4). [O5].

The proposed allocation SA15 relates to Local Green Space “G4 – (2) Burgess Hill Rugby Club” which is 8.6ha in total comprising (from north to south):

- West Park Nature Reserve,
- allotments,
- Burgess Hill Rugby Club grounds,
- Accessible woodland to the north of Brambling Way, and
- a fenced off area covered in brambles with a connecting footpath link (this is the area now proposed as housing and open space within Policy SA15 comprising 1.2ha).

The supporting text to Policy G4 states that the Local Green Space is “...well used for recreation purposes and is an important “green lung” for the west of Burgess Hill”. This relates to the LGS in its entirety at this location, comprising all 5 elements above.

The area covered by proposed allocation SA15 totals 1.2 ha of which 0.87ha will be developed and 0.34ha which will be enhanced as per the policy requirement set out in SA15. The portion to be developed represents 10% of G4(2) designated within the Burgess Hill Neighbourhood Plan. Of the entire Local Green Space allocation, the area covered by SA15 is the poorest quality and the only element that is not accessible.

It is considered that as site SA15 is overgrown and inaccessible; currently fenced off by the landowner; is not used for sport and recreation; is a small part of a larger area of open space that is accessible and offers recreational opportunities; and is within 360m of a significant accessible informal open space called the Green Circle (as shown in Fig 3 below) no formal assessment in line with Paragraph 97 of the NPPF was required (noting the requirements of paragraph 97 are ‘or’).

Development of part of Site SA15 would secure the delivery of 0.34ha of space which would become accessible and available for recreation purposes, as required by the development principles set out in SA15. This accords with Paragraph 97b in providing better provision in quantity and quality than currently.

Total area of this Local Green Space	Area of SA15: Land South of Southway, Burgess Hill	Area of Local Green Space lost to development through Policy SA15		Area of Local Green Space to be enhanced through Policy SA15	
8.6ha	1.2ha	0.87ha	10% of total LGS area	0.34ha	4% of total LGS area and 28% of site SA15

Table 6: Local Green Space

The map below shows the open space provision in the vicinity of SA15. There is a variety of open space across Burgess Hill and in close proximity to the proposed site allocation including the Burgess Hill Green Circle (DP24) and open countryside. The housing allocation part of SA15 would represent only a small loss of the Local Green Space, and an even smaller (minimal) proportion of the total open space in this vicinity of the site. This part of Burgess Hill is well-served by publicly accessible open space therefore any loss of this small area of Local Green Space would not be detrimental to the local community.

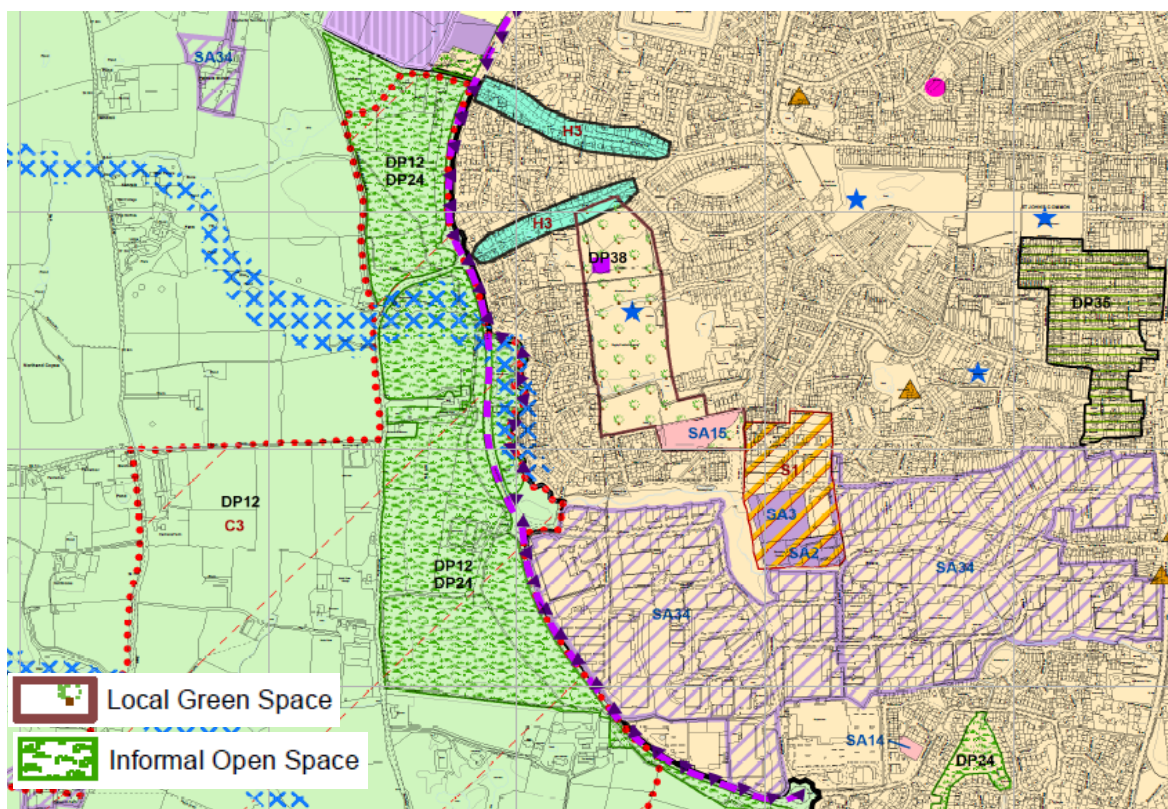


Figure 3: Extract from District Plan Policies Map

- **Are the Local Green Spaces concerned surplus to requirements?**

As explained in response to (v), the area of Local Green Space to be lost is minimal. SA15 is 1.2ha in size and is currently inaccessible; it therefore does not perform the role expected of a Local Green Space. Of this 1.2ha, 0.34ha (as identified on the map accompanying policy SA15, and on the Policies Map) will be retained and enhanced as open space. The allocation of SA15 will therefore result in an increase of accessible provision given the current inaccessible nature of this site.

The Council also considers that the small part of the Local Green Space that would be developed by housing through Policy SA15 would not meet the policy tests set out in paragraph 100 of the NPPF if it were proposed to be designated today. Paragraph 100 of the NPPF requires Local Green Space to meet all three listed criteria.

Paragraph 100 of the NPPF: The Local Green Space designation should only be used where the green space is:	
a) In reasonably close proximity to the community it serves;	It is agreed that the land proposed to be developed for housing in Policy SA15 is close to a local community.
b) Demonstrably special to a local community and holds a particular significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of wildlife; and	<p>Whilst responses to Sites DPD consultation argue that this site is valued by the local community, it is not accessible therefore its value is extremely limited. It is not considered to hold a particular significance in terms of the characteristics listed in the NPPF:</p> <ul style="list-style-type: none"> • Beauty – the site is overgrown scrubland

	<ul style="list-style-type: none"> • Historic significance – there is no historic significance for this site • Recreational value – this part of the wider Local Green Space allocation is inaccessible, fenced off by the landowner • Tranquillity – the eastern boundary is adjacent to an industrial estate; southern and western boundaries are adjacent to existing housing development. This part of the wider Local Green Space is the least tranquil. • Richness of wildlife – the site promoter has conducted a Phase 1 Habitat survey which makes recommendations for further survey work and recommendations for potential mitigation. Nothing to suggest any exceptional wildlife value.
c) Local in character and is not an extensive tract of land.	It is agreed that the land proposed to be developed for housing in Policy SA15 is not an extensive tract of land.

- **Does the Plan propose to replace them by equivalent of better provision in terms of quantity or quality in a suitable location?**

Criterion b) of paragraph 97 of the NPPF allows development on existing open space, sports and recreational buildings and land if the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The land proposed to be allocated for housing and open space through SA15 is currently overgrown (dense scrub) and inaccessible. There is a public right of way running south-west to north-east across the SA15 land but fencing on both sides of this right of way prevents access to the rest of the land as does dense scrub surrounding the proposed allocation. The open space allocation in SA15 would enable more of this Local Green Space to be accessible as well as providing improved green infrastructure and amenity space. There is no intention from the landowner to make the site available as publicly accessible Local Green Space.

Whilst a small part of the Local Green Space designation would be lost through the housing element of SA15, the open space element of the allocation provides an opportunity to improve access to this part of the Local Green Space and enhance its amenity value and green infrastructure.

The proposed allocation at SA15 would enable better quality open space provision than the current situation by making accessible 0.34ha of open space that is currently not accessible. Both existing residents in the local area and the new residents of the proposed housing allocation would benefit from the open space to be created through SA15 and so it is in a suitable location in close proximity to existing and new development.

This is secured in Policy SA15 through a criterion in the 'Social and Community' section to: 'Compensate for the loss of Local Green Space (the southernmost part of a larger area of Local Green Space allocated in the Burgess Hill Neighbourhood Plan) through the provision of new enhanced open space on site, that creates a connected network of open spaces and green corridors with the adjacent Local Green Space, and which sensitively integrates the right of way and inform paths and enhances their amenity'.

This criterion could be clarified to make clear that whilst there will be a small loss of the Local Green Space designation overall, the remaining part of the Local Green Space that forms the open space allocation in SA15 will be significantly enhanced and made accessible to the public.

Furthermore, Policy SA GEN requires the proposed allocations to deliver biodiversity net gain and green infrastructure. This will also enhance the current condition of the Local Green Space designation.

- **Overall, what evidence is there to demonstrate that the housing allocations proposed on existing Local Green Space in the 'made' Neighbourhood Plans is consistent with paragraph 97 of the NPPF?**

The Council considers the housing allocation proposed in Policy SA15 to be consistent with paragraph 97 of the NPPF because the loss of 0.87 Ha (10%) of the total Local Green Space designation is small. Furthermore, 0.34 Ha (4%) of the Local Green Space designation will be improved and enhanced through the delivery and implementation of this proposed allocation as it will unlock and create a new area of accessible open space.

Paragraph 30 of the NPPF allows policies in neighbourhood plans to be superseded by strategic or non-strategic policies that are adopted subsequently.

(vi) Any other constraints, which could be regarded as 'showstoppers'.

As demonstrated in the Sites DPD, Sustainability Appraisal and other supporting evidence there are no constraints that could be regarded as 'showstoppers' that will prevent the delivery of housing sites allocated in the DPD. No showstoppers have been identified by statutory consultees/infrastructure providers, and none have been identified by those promoting sites within the Sites DPD.

5.2 I ask the Council to provide me with an updated list of each of the 22 housing allocations in relation to the above criteria.

See 5.1 above.