

# **MID SUSSEX ALLOCATIONS DPD EXAMINATION**

## **MATTER 3**

### **SUBMISSION ON BEHALF OF**

### **PERSIMMON HOMES LTD & THAKEHAM HOMES LTD**

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## **1. Introduction**

- 1.1 This submission is made on behalf of Persimmon Homes Ltd and Thakeham Homes Ltd (Thakeham), who have control over land allocated under Policy SA13 of the Plan for the introduction of 300 dwellings at Land East of Keymer Road and South of Folders Lane, Burgess Hill.
  
- 1.2 Representations have been submitted to Mid Sussex District Council (MSDC) throughout the emerging Plan process, explaining the appropriateness of the allocation. The current submissions focus upon the specific queries raised by the Inspector in the Matters, Issues and Questions Discussion Note.

## **2. Matter 3.1**

- 2.1 At 3.1 (ii) the Inspector questions whether an appropriate buffer has been identified to ensure there is enough flexibility of housing land over the plan period.
- 2.2 It is considered that any reduction in buffer from that currently proposed would result in an insufficient degree of flexibility, and hence bring into question whether the necessary housing requirements could be delivered during the Plan period.
- 2.3 The Council is reliant upon four strategic sites to deliver 5,800 dwellings. Sites of such scale will typically require considerable infrastructure and be subject to different ownerships and a wide variety of constraints. It is therefore common place for the delivery of such sites to be delayed beyond the timescales allowed for in Plans, despite the best intentions of developers and Councils. This has been proven through publications such as 'Start to Finish – How quickly do large scale housing sites deliver?', NLP, 2016.
- 2.4 The fact that the Council is reliant upon several strategic sites to provide for a significant amount of its required housing over the Plan period means that some delay in delivery at one or more sites is almost inevitable and should be allowed for accordingly with the buffer provision as proposed. Without this buffer, there is a likelihood that complications at one or more of the strategic sites will result in the Council not achieving its housing requirements over the Plan period.

### 3. Matter 3.2

3.1 At 3.2 of the MIQs the Inspector asks whether the distribution of new homes accords with the principles of sustainable development, particularly as set out in Policies DP4 to DP6 of the District Plan.

3.2 With regard the allocated site at SA13 to the south of Burgess Hill, this is considered to adhere with the principles set out at DP6, these being that beyond built up area boundaries, the expansion of settlements will be supported where;

*1. The site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Plan Document or where the proposed development is for fewer than 10 dwellings; and*

*2. The site is contiguous with an existing built up area of the settlement; and*

*3. The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.*

3.3 Addressing these points in turn for SA13;

1. The site is proposed for allocation in the Site Allocations DPD.

2. The site is contiguous with an existing built-up area of Burgess Hill, directly adjoining its southern edge.

3. The settlement hierarchy, as explained within the introductory text to Policy DP6 identifies Burgess Hill as having the greatest potential to deliver sustainable communities, more so than other settlements in the District. It therefore follows that an allocation which directly adjoins Burgess Hill is sustainable by reference to the settlement hierarchy.

3.4 In addition to adjoining the most sustainable settlement in the District, the precise location of SA13 enables excellent connectivity with the facilities and services offered within Burgess Hill. The rail station and town centre are within a 15 minute walk from the centre of the site, following lit pavements. The town centre offers a wide variety of retail, including supermarkets, plus many food and drink outlets, professional and financial services. A major Trading/Employment Estate lies directly to the west of the town centre. Whilst within reasonable walking distance, access to the town centre is also achievable via public

transport, with nearby established bus stops on both Keymer Road and Folders Lane offering regular services to the town centre and other settlements beyond.

- 3.5 As a result, it is strongly considered that the allocation at SA13 is in complete adherence with the principles of sustainable development, as set out in relevant policies within the District Plan and is one of the most sustainably located sites in the Plan.

**4. Matter 3.3**

4.1 At 3.3 the Inspector asks if each of the allocations can provide for their total number of new homes over the Plan period, in accordance with the housing trajectory, before asking a number of specific queries about each allocated site. Responses are provided below in connection with the allocation at SA13.

*Delivery*

4.2 Policy SA13 identifies that the site will be delivered in the early phase of the Plan period (years 1-5). Such an approach is considered realistic, with no constraints to development or scale of infrastructure provision that would indicate delays beyond such a time period.

4.3 It is Persimmon and Thakeham's intention to submit pre-application enquiries (as appropriate) to the Council in mid 2021, with the potential for either full or outline/hybrid application to be submitted during 2022 (as discussed and agreed with the Council at the appropriate time). Upon consent being granted this would enable commencement on site in 2023. With a build rate of 50 dwellings per annum per developer this would deliver 300 dwellings by 2026/27.

4.4 Even if there is some slippage on such timescales for any reason, there is no likelihood of the delay extending beyond the end of the Plan period (2031).

*(i) the willingness (or otherwise) of the landowner(s) to implement their sites on the basis of the relevant policy*

4.5 In this instance Thakeham is the freehold owner of the northernmost parcel within SA13, and Persimmon is the freehold owner of the southern parcel. Thakeham control an option over third party land which connects the two parcels. Both housebuilders have expressed their desire to develop the site out in accordance with the requirements of Policy SA13.

4.6 With regards the number of dwellings to be delivered, Persimmon and Thakeham did previously make representations to the Submission Plan, requesting that the description of development in Policy SA13 is amended to approximately 300 dwellings, rather than referring to a specific amount. This would enable some flexibility once more detailed investigations are undertaken with regards site coverage and layout. The Council has subsequently confirmed that the figure is not a definitive amount, and the Inspector is asked to give consideration to alternative wording that would clarify the policy to represent the agreed position

that housing numbers in allocations are not fixed but an approximation of capacity e.g. “approximately 300”, “in the region of 300” or “circa 300”. .

- 4.7 Representations were also made to the Submission Plan in respect of the arrangement of open space within SA13, and the Council has subsequently commented that the design does not need to be restricted to just one area of open space, which is helpful. It is requested that the detailed wording of the policy is updated to reflect the Council’s comments in this respect.

*(ii) safe and secure access, which can be provided within the ownership of the allocated site, or does the scheme rely on the acquisition of off-site land*

- 4.8 Following submission of the Highways Appraisal, which is available in the Site Allocations Library under SA13.4, further liaison has taken place between Persimmon, Thakeham and the Highways Authority in order to consider this issue. Following more detailed submissions, the Highways Authority has now confirmed that they are satisfied that the site would provide safe access to the highway network for all modes. The Highways Authority response is included at Appendix A.

*(iii) any conflict with a made Neighbourhood Plan*

- 4.9 The Burgess Hill Neighbourhood Plan (BHNP) was made in January 2016. The BHNP focuses on the built-up area of Burgess Hill and as a result does not include land beyond the built-up area within the defined Plan Boundary. Allocation SA13 does therefore not fall within the Plan Boundary and is not referred to by the BHNP.

- 4.10 It is noted that Folders Lane and parts of Keymer Road within the existing built up boundary, are identified as Areas of Townscape Value at Policy H3 of the NP. However, Policy H3 relates to proposals within such Areas, and as a result the allocation at SA13 is not affected by it. It should however be noted, that the proposed development would not detract from the Areas of Townscape Value in any event, due to a combination of established development, natural screening and topography. As a result, the new housing will not be apparent from this designation.

- 4.11 There is therefore no conflict between the BHNP and Allocation SA13.

*(iv) any conflict with national planning policy*



4.12 Previous representations on behalf of Persimmon and Thakeham plus the background work undertaken by the Council themselves in selecting appropriate sites, have demonstrated why the allocation at SA13 adheres with relevant national planning policy. In particular, reference is made to the Council's Site Selection Paper 3 – Appendix B, which addresses relevant matters and concludes the site performs well in the assessment and SA, adding that the site's location near to services, facilities and transport suggest it is a sustainable location for growth.

*(v) any significant infrastructure considerations, including vehicular access, traffic circulation and highway and pedestrian safety, flooding, drainage and sewerage implications; are any of these 'showstoppers'*

4.13 As set out under the requirements of Policy SA13, the delivery of the site will include requirements to enhance the landscape structure, provide for open space and green infrastructure within the site, and connections to footpaths and highways beyond the site. However, the scale of infrastructure required is typical for a site of this scale and should not imply any concerns in terms of viability or implementation.

4.14 In order to properly consider such matters more detailed discussions have taken place with the Highways Authority and a response dated 10<sup>th</sup> December 2020 is included at Appendix A. This confirms that the Highways Authority is satisfied that the site would provide safe access to the highway network for all modes and that the impacts on the local highway network would not be severe subject to appropriate contributions being provided. Persimmon and Thakeham will be willing to provide appropriate contributions.

4.15 A Flood Risk and SuDS Appraisal Technical Note and Utilities and Services Appraisal Note have all been submitted in connection with the site and are available in the Site Allocations Library at SA13.5 and SA13.6 respectively. Such documents confirm that there are no major issues from a flood risk, drainage or utilities perspective that would prevent development of the site as intended.

4.16 More work will be undertaken in due course to address other matters in detail, as required by Policy SA13, but nothing has been identified through the course of the promotion, consideration and allocation of the site that would suggest any impediments to development of the site .

*(vi) any significant impact on the living conditions of neighbouring occupiers, or future occupiers of the proposed development*

- 4.17 Development of the site will inevitably have an impact upon some outlooks, and levels of activity experienced by some neighbouring properties in close proximity to the site at present. However, the site is of a sufficient scale, with established screening along many boundaries, to ensure that such impact is appropriate and can ensure that all existing and future occupiers benefit from acceptable amenity levels. It is a matter that will require more detailed consideration as layouts are drawn up, but there is no reason to believe any adverse significant impact on living conditions will result from development of the site.

*(vii) any significant impact on the quality of the landscape, eg the integrity of any green gaps, and the ecology of the site and the surrounding area, and proximity to ancient woodland*

- 4.18 A Landscape and Visual Appraisal has been undertaken for the site. This has been submitted to the Council as part of previous representations and is available as part of the Site Allocations Library at SA13.1. Its content is not repeated here, other than to highlight that it concludes at 6.7 that the site is capable of accommodating development as required by Policy SA13, without resulting in significant harm to the surrounding local landscape character, or views from the surrounding area, including the South Downs National Park.

- 4.19 With regards the ecology of the site, an Ecological Deliverability Report has been prepared and forms part of the Site Allocations Library at SA13.2. The document concludes at 3.1.1 that there are no over-riding ecological constraints to the development of the site.

- 4.20 With regards Ancient Woodland, there are no such designations within or near to SA13 that would be adversely affected by the development of the site. Precise locations of ancient woodland are marked at Appendix B of the LVA referred to above.

*(viii) any impact on Conservation Areas, heritage assets or areas of archaeological significance*

- 4.21 A Heritage Statement has been prepared and is found at SA13.3 of the Site Allocations Library. It concludes that the site's archaeological potential is likely to be low-moderate for all periods, and that the only potentially affected built

heritage asset is the Grade II listed High Chimneys to the west of the site. The Statement explains at 4.4 to 4.7 that the quantum of harm to the listed building's significance, as a result of the development of the site, is likely to be towards the lower end of 'less than substantial'.

- 4.22 When assessed alongside the public benefits that would result from the development of SA13, the impact is considered to be appropriate, and careful consideration will be given to the proposed layout and buildings in this respect as the design evolves.

*(ix) access to shops, schools, health provision and services, community facilities, public transport and employment, i.e. is the location sustainable*

- 4.23 Lying adjacent to the main settlement in the District, towards which development is directed by the Plan due to its sustainability credentials, SA13 is one of the most sustainable locations in the District at which to introduce new residential development. As recognised by the Council's own assessment, the site lies within a less than 10 minute walk to the nearest school and within a 15 minute walk of services and health facilities within Burgess Hill. The train station, which adjoins the town centre, and is connected to the site via safe pedestrian routes, lies within a 1.3km walk of the centre of the site. Existing regular bus services into the centre of Burgess Hill are accessible from established stops nearby on Folders Lane and Keymer Road.

- 4.24 The site at SA13 is most definitely in a sustainable location.

*(x) contamination or other ground or stability issues*

- 4.25 The site is not affected by any known contamination or other ground condition issues that might prevent development. More detailed surveys will be undertaken in support of planning applications at the site but no significant issues are anticipated in this respect.

*(xi) any other material considerations which could impact on the sustainability of the proposed allocation*

- 4.26 No.

