



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

**Response to the Matters, Issues and Questions (MIQ) Discussion Document**

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### **Representations on behalf of Sunley Estates Ltd**

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**Site SA28: Land South of The Old Police House, Horsted Keynes**

**Our ref: AC 215205**

13<sup>th</sup> May 2021

### 1. Introduction

- 1.1. Strutt and Parker are instructed by Sunley Estates Ltd to respond to the Matters, Issues and Questions (MIQ) Document Statement prepared in relation to the Site Allocations Development Plan Document (SADPD) published by Mid Sussex District Council.
- 1.2. Sunley Estates Ltd have been appointed by the landowner as the developer and has a legal interest in land at The Old Police House.
- 1.3. This supporting statement provides further information regarding the sustainability and deliverability of the site. It seeks to support its formal allocation within the Site Allocations Development Plan Document by assisting in answering the questions set by the inspector in the Matters, Issues and Questions (MIQ) Discussion Document Statement at point 3.3.

### 2. Inspector's Questions

- 2.1. In answer to the Inspector's question 3.3(i) ***"the willingness (or otherwise) of the landowner(s) to implement their sites on the basis of the relevant policy"***:
- 2.2. Sunley is a well-established house builder with an excellent track record of housing delivery, and have recently built homes in Mid-Sussex to house local families. They are committed to bringing this opportunity forward within the next 1-5 years. They are in contact with the Horsted Keynes Community Land Trust and are committed to exploring all options to ensure that the correct provision and mix of affordable housing can be both provided, and delivered on site.
- 2.3. A significant library of supporting technical studies for the site have already begun to take place, with details already collected in relation to Highways, Heritage, Ecology, Trees and Drainage.
- 2.4. In answer to the Inspector's question 3.3(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;"***
- 2.5. Detailed access and visibility splay drawings have been prepared and identify a suitable point of access from the site onto Birchgrove Road. These have been verified through discussions with West Sussex County Council Highways in July 2017 and subsequent discussions in October 2019. These studies confirm that safe access can be achieved within the site and the existing Oak Tree along the frontage can be retained. No acquisition of off-site land is required for the access.
- 2.6. In answer to the Inspector's question 3.3(iii) ***"any conflict with a made Neighbourhood Plan;"***
- 2.7. The Horsted Keynes Neighbourhood Plan (2016-2031) Pre-submission Consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012-17 took place between Monday 12th October and Monday 7th December 2020.

- 2.8. The draft Neighbourhood Plan identified that on the 31<sup>st</sup> December 2019 there were 18 completions and commitments in Horsted Keynes and therefore the housing land supply position required a minimum residual requirement of 51 dwellings to be delivered through allocations and windfall housing in the Parish.
- 2.9. The draft Neighbourhood Plan supported the allocation of Site SA28 at Old Police House through Policy HK1. Policy HK1 requires development to be focused within the Built-Up Area Boundary (BUAB) of Horsted Keynes village unless they fall within certain criteria. The first criterion exempted the proposed allocations in the MSDC Site Allocations DPD, namely, Site SA28 at Old Police House and Site SA29 at St Stephen's Church.
- 2.10. These two sites were identified as the most sustainable sites for allocated housing development in Horsted Keynes through the MSDC SADPD and between them, the two sites provide 55 dwellings (of which 25 units would be delivered at Site 28, Old Police House), thereby meeting Horsted Keynes housing requirement.
- 2.11. It is understood the Parish Council have since withdrawn their support for the other site allocation in Horsted Keynes (SA29 at St Stephens Church) from both the draft Neighbourhood Plan and MSDC Site Allocations DPD following an overwhelming response from the community during their Regulation 14 consultation. The Parish Council still seek to support Site SA28 at land at The Old Police House. This allocation is now of increased importance if the Parish is to meet their housing requirements. A sub-committee of the Parish Council has been elected to explore additional sites to fulfil the District Plan's Policy DP6 obligation.
- 2.12. To date, there have been no additional sites identified within Horsted Keynes which could be allocated without significant harm to the character and appearance of the High Weald Area of Outstanding Natural Beauty (AONB).
- 2.13. In answer to the Inspector's question 3.3(iv) ***"any conflict with national planning policy;"***
- 2.14. In March 2020, both Site SA28 and SA29 were confirmed as not being Major Development in the AONB.
- 2.15. The site is located within an identified sustainable settlement. The site forms a natural extension to the eastern edge of the built envelope of the village with local services only a short 5-minute walk away and existing pedestrian pathways connecting the site. An illustrative plan has been prepared with a landscape led design including a positive active frontage, tree and hedge boundaries with appropriate transition to the wider High Weald AONB. A new access can be provided safely onto the Birchgrove Road.
- 2.16. The number of dwellings identified for Site SA28, Land South of The Old Police House, during stage 2 of the SHELAA in April 2019 was originally assessed as 30, although it is currently indicated for circa 25 units. An indicative layout was submitted to Mid Sussex District Council in June 2020. This indicates how the site could accommodate up to 30 units, compliant with the Council's recommended housing mix policy and using evidence published in the Horsted Keynes Housing Needs Survey.

- 2.17. We have suggested a policy wording of 'approximately 25 units' or 'circa 25 units'. This would allow for more (or less) than 25 units to come forward depending on what is found to be appropriate following further technical studies.
- 2.18. Subject to some flexibility to the site allocation capacity being given, we have no reason to contend that the site allocation does not meet the tests of soundness in accordance with Paragraph 35 of the National Planning Policy Framework (NPPF).
- 2.19. In answer to the Inspector's question 3.3(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'?"***
- 2.20. The technical studies on site are well under way, with no barrier to development having been uncovered.
- 2.21. As outlined above, detailed drawings identifying a suitable point of access onto Birchgrove Road including sufficient visibility splays, have been prepared and verified through pre-application advice with the relevant statutory consultees. These studies confirm that safe vehicular and pedestrian access can be achieved and the existing Oak Tree along the frontage can be retained.
- 2.22. The current allocation requests that the character of the existing public footpath 9HK be retained and integrated into Green Infrastructure in the proposal. Following the Landscape and Visual Impact Assessment in March 2020, it was accepted that the character of a small section of the existing footpath would be changed, however, a 'sequence' of native hedgerows could be supplemented with small, native trees to provide a natural route between the field beyond and house boundaries on Birchgrove Road to mitigate the impact. This is currently being worked into the latest illustrative design. It would be impossible to retain the current character of this section of the footpath in its entirety. We therefore suggested that the policy wording which requires the protection of the 'existing character' of the footpath be re-worded to acknowledge there will be some change. Any cycle access would need be provided on the highways, and as such we requested that the allocation does not stipulate separate cycle links on this constrained site.
- 2.23. The provision of SUDS is being worked into the latest illustrative design. As a result of this we have recommended some flexibility with the number of units in the policy wording.
- 2.24. In answer to the Inspector's question 3.3(vi) ***"any significant impact on the living conditions of neighbouring occupiers, or future occupiers of the proposed development;"***
- 2.25. The site represents a natural extension to the built envelope of the village. The boundaries along the rear gardens of near-by adjoining properties would be landscaped providing a suitable planting buffer. New development would be orientated appropriately thereby ensuring that existing residential amenities are protected.

- 2.26. In answer to the Inspector's question 3.3(vii) ***"any significant impact on the quality of the landscape, e.g. the integrity of any green gaps, and the ecology of the site and the surrounding area, and proximity to ancient woodland;"***
- 2.27. A preliminary ecology assessment did not identify any constraints that would preclude development.
- 2.28. A Landscape Character and Visual Appraisal report was prepared in October 2017. This was more recently updated with a full Landscape and Visual Impact Assessment in March 2020. Both concluded that whilst the character and appearance of the northern part of the site itself would change from pasture land, there is the potential to set new development within a robust green framework, allowing it to be integrated into the existing village without resulting in unacceptable adverse effects or causing any substantial landscape impact beyond the site's boundaries. This small extension to Horsted Keynes is within an enclosed field framework below the skyline and is not out of keeping with the characteristic high ground settlement pattern. It concludes that a development of 'up to 30 units' would not result in undue adverse effects on the wider landscape of the AONB or on Horsted Keynes.
- 2.29. An early version of the illustrative site layout plan (submitted to the Council in June 2020) showed a landscape led design and seeks to ensure the delivery of high quality and mix of housing that respects the character of Horsted Keynes whilst offering an appropriate transition to the wider High Weald AONB. This was an indicative drawing only but presented a scenario for 30 dwellings taking into account a positive active frontage, retention of mature trees and a suitable access as required. This plan is continuously being developed and ongoing detailed and technical work is being undertaken to inform a further iteration.
- 2.30. In answer to the Inspector's question 3.3(viii) ***"any impact on Conservation Areas, heritage assets or areas of archaeological significance;"***
- 2.31. An initial Heritage Impact Assessment was completed in January 2020. A 'sufficiently sized' landscape buffer to the north eastern corner of the site can be provided as appropriate mitigation to protect the setting of the nearby Grade II listed Lucas Farm. The report concludes there is a less than substantial harm to Lucas Farm with the retention of the existing vegetation acting as a suitable buffer. The report does not identify any reason for the requirement of further landscaping in this location to act as mitigation for the Heritage Asset although this can be provided. The identified harm would remain as less than substantial regardless of an increase in size to the existing buffer. On this basis, we recommended an adjustment to the policy wording, indicating that it should not specifically request a further landscape buffer in relation to the Heritage Asset, but instead the 'retention of a suitably planted boundary'. This requirement is already covered more generally within the draft Policy.
- 2.32. The boundary of the Horsted Keynes Conservation Area abuts part of the western boundary of the site. The Heritage Impact Assessment found that any impact on the significance of the Conservation Area as a result of impact on setting would be very low and that introducing housing within part of the landscape setting of the Conservation Area would result in a low level of harm.

- 2.33. In answer to the Inspector's question 3.3(ix) ***“access to shops, schools, health provision and services, community facilities, public transport and employment, i.e. is the location sustainable;”***
- 2.34. Horsted Keynes is designated as a Category 3 settlement under policy DP6 of the Mid Sussex District Plan 2018. The District Plan describes Category 3 settlements as *‘medium sized villages providing essential services for the needs of their own residents and immediate surrounding communities’*. Horsted Keynes was identified in the District Plan as being required to provide at least 69 dwellings in Mid Sussex over the period to 2031.
- 2.35. Overall, the current draft of the Mid Sussex Site Allocations DPD under-delivers housing numbers in Category 3 settlements when assessed against the District Plan targets. The minimum residual requirement for Category 3 settlements subsequently reduced from 439 to 371, however, only 238 of the minimum 371 homes required are proposed in the Regulation 19 SADPD, still resulting in a shortfall of 133 dwellings.
- 2.36. Category 3 settlements remain the most underrepresented in the proposed Site Allocations DPD despite being recognised as sustainable settlements. It is therefore imperative that any current proposed allocations in Category 3 settlements, such as those in Horsted Keynes, continue to be supported for allocation and the proposed number of units on these allocated sites be given flexibility to ensure the most efficient use of the land. On the 31<sup>st</sup> December 2019 Horsted Keynes identified a residual requirement of 51 dwellings in the Parish, of which this allocation would contribute 25.
- 2.37. It is important that Horsted Keynes meets its minimum residual requirement as a sustainable settlement. The draft Neighbourhood Plan indicates that St Giles Church of England (Aided) Primary School has capacity for further students and the Horsted Keynes general store, whilst well stocked and well-used by the current residents and nearby smaller settlements, requires continued local support to help the village continue to thrive. The key objectives set out by Horsted Keynes Parish Council in their Neighbourhood Plan is to accommodate growth and meet the housing needs of younger people and families to help maintain the village age profile, whilst preserving the role as a rural settlement.
- 2.38. In answer to the Inspector's question 3.3(x) ***“contamination or other ground or stability issues;”***
- 2.39. There are no known issues in relation to contamination, ground or stability issues. The land is green field previously used for grazing.
- 2.40. In answer to the Inspector's question 3.3(xi) ***“any other material considerations which could impact on the sustainability of the proposed allocation?”***
- 2.41. It is our recommendation that any Policy wording to read either 'approximately 25 units' or 'circa 25 units' in order to remove any unnecessary cap, allowing the use of the site to be efficiently used to ensure a maximum contribution can be made towards the Council's continued shortfall of housing in Category 3 settlements.

### **3. Summary**

- 3.1. There remains a significant shortfall of homes in sustainable Category 3 settlements across the District. It is imperative that the Council seek to support this allocated site in a sustainable settlement, in order to contribute towards the Council's shortfall of housing in this category.
- 3.2. The site is being supported in the emerging Horsted Keynes Neighbourhood Plan to contribute to their residual requirement of housing as set out in District Plan Policy DP6.
- 3.3. Sunley Estates Ltd have undertaken initial technical studies on site and have prepared an illustrative layout plan. The illustrative plans are subject to ongoing development but have already demonstrated that a scheme can be delivered which shows compliance with the current site allocation SA28 of the draft Site Allocation Development Plan Document. A design can be achieved which allows for an appropriate mix of high quality dwellings which integrate into and reflect the design character of Horsted Keynes, whilst retaining the mature trees and hedgerows along the site boundaries and offering an appropriate transition to the wider High Weald AONB. The site is in a sustainable location and can demonstrate a suitable and safe access.
- 3.4. We would suggest a policy wording of 'approximately 25 units' or 'circa 25 units' in relation to the site's capacity. This would allow for more (or less) than 25 units to come forward pending further technical studies.
- 3.5. The appointment of Sunley as a developer on site is confirmation of the commitment to bring the site forward within 1-5 years of adoption of the plan. There is no reason why a planning application could not come forward immediately following the adoption of the SADPD.
- 3.6. We support the continued allocation of the site and find the Mid Sussex Site Allocations Development Plan Document sound in this respect. Further detail can be provided on request.

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