

Hearing Statement on Inspector Questions

Mid Sussex Local Plan 2014-2031 Site Allocations DPD

Examination: Matter 5 Science & Technology Park, Burgess Hill

On behalf of Dacorar (Southern) Limited
& Wortleford Trading Company Limited

Report date:

May 2021

Prepared as response to ID-02:

Matter 5.1(ii)

Prepared by:

Suzanne Holloway BA (Hons) BTP MRTPI

Partner

M: 07769 938554

E: sholloway@vailwilliams.com

Matter 5 - Are the policies to manage and promote the Local Economy and Employment Areas and Allocations sound?

5.1 Policy SA9 allocates land for a new science and technology park; it is located to the north of the A2300, whereas the District Plan policy DP9 is for a high-quality business park to the south of the A2300.

(ii) Is the changed location of the proposed science and technology park, from the south of the A2300 in policy DP9 to the north of the A2300 in policy SA9, justified? Does the Council consider that policy SA9 is consistent with policy DP9, or does it consider that policy SA9 supersedes policy DP9?

The Science and Technology Park has not changed location. The Adopted District Plan 2018 Policy DP1: Sustainable Economic Development refers to two specific employment allocations, i) the Science & Technology Park and ii) 25ha of land as a high-quality business park at Burgess Hill to the east of Cuckfield Road (This is also referred to in DP9: Strategic Allocation to the North and North-West of Burgess Hill. This is to meet local needs and includes E(g)/B2 and B8 uses).

Para 2.4-2.9 of the Site Selection Paper 4 (SSP4) supporting the DPD explains that the 25ha site of DP9 is made up of two parts: **15ha** on "The HUB", (owned by one of the STP landowners and which is partly implemented and occupied with planning applications in place to deliver the rest¹) and an additional **10ha** at the Northern Arc strategic development (now reduced to 4ha through subsequent planning applications.)

Under Policy DP1 the development of a Science & Technology Park was shown as a Broad Location to the west of Burgess Hill. The Broad Location has then been through assessment as part of the DPD to refine and provide clarity on the best location, and now relates to a specific site Land North of the A2300 in Sites DPD policy SA9.

In the proposals map and key diagram, it is illustrated that Site DP9 only relates to the 25 ha (Northern Arc and HUB), and DP1 relates to both the STP and 25 ha Business Park. The key diagram Figure 5 in the District Plan identifies that the STP and Business Park are separate sites².

The STP promoted by the Project Newton project team is complementary and does not undermine any elements of DP9 - neither those owned by our clients at The HUB - or the employment allocations within the wider Northern Arc residential-led development.

The District Plan Inspector confirmed that the STP was justified, and consistent with national policy, and the Inspector's Report provided further policy criteria to ensure any STP site would be justified and policy compliant in line with para 35 of the NPPF.

¹ Outline permission for whole site (DM/19/2641). Two plots complete and occupied. ARM granted (DM/20/4546) for one of the four remaining plots.

² <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf>

The STP allocation under SA9 does not need to be consistent with the DP9 allocation as it relates to different sites but as intended, it will complement it.

The connectivity opportunities between these key sites at DP1 and DP9 are enhanced by the North of A2300 location, and both allocations are therefore also complementary in accessibility terms.

For the reasons set out above, the SA9 STP allocation does not therefore supercede DP9.

The Project Newton Science & Technology Park project team first submitted the potential site to the North of the A2300 under MSDC's Call for Sites, based on the Adopted District Plan Broad Location shown on the Key Diagram and Proposals Map³.

Part of the evidence base underpinning the 2018 District Plan was the Chilmark Consulting report into Science Park alternative location June 2016⁴(E4), which stated: *"2.87 The Gatwick Diamond, Coast to Capital Local Enterprise Partnership and the Greater Brighton City Deal strategies clearly highlight the importance of providing suitable infrastructure, homes and commercial employment development sites in order to drive economic growth. This includes the development of a new Science and Technology Park to the west of Burgess Hill. The strategies are clear and unambiguous in this respect and are closely interlinked in terms of how public sector and private partners will work together to deliver economic infrastructure including land and floorspace.*

2.88 One of the critical matters that each of the strategies outlines is tackling the shortage of suitable employment floorspace and particularly doing so in order to unlock the growth potential of the Greater Brighton area. The City Deal specifically identifies the potential for a new Science and Technology Park in Burgess Hill as part of the approach to promoting longer term Growth Centres. Similarly, the LEP's Strategic Economic Plan highlights Burgess Hill as a spatial priority location for new homes and associated infrastructure improvements (including capacity improvements on the A2300 connecting to the A23)".

Through the MSDC SHELAA Call for Sites, and at both Regulation 18 and 19 stages of the Site Allocations DPD, our project team have demonstrated that the site North of the A2300 is positively prepared, justified, effective and compliant with national policy as required by Para 35 of the NPPF, as well as deliverable, available and achievable. In this regard, it is important to note that only 2 parties control all of the site as well as the land required for any associated highway improvements other than a small slither of land adjacent to the A23, should it be required as one of the final options. The regulation 19 DPD confirms the Northern Site as MSDC's preferred location. (The only other site proposed and assessed by MSDC as a result of the Call for Sites was not progressed beyond the Regulation 18 stage.)

³ <https://www.midsussex.gov.uk/media/2327/6-bolney-main-map.pdf>

⁴ https://www.midsussex.gov.uk/media/3217/ep37_sciencetechparklocations.pdf

The STP SHELAA and Regulation 18⁵ & 19 (SA9.1) submissions also addressed some of the assumptions made in Chilmark’s report supporting the Broad Location of the STP⁶, which resulted in an unfavourable assessment of the site when measured against some limited criteria, and the STP submissions demonstrate that all material matters can be satisfactorily addressed and/or mitigated (and that the Chilmark RAG assessment has effectively been superseded).

Within the Chilmark assessment, the STP was at that time split into 2 sites (sites 5 & 6 of the 2018 report), and scored accordingly on size, access and impact site.

The conclusions in the RAG assessment were as follows:

5	Land between Stairbridge Land and Bishopstone Lane/North A2300	Sub-Optimal Location. Primarily due to access issues and pylon constraints.
6	Land between Bishopstone Lane and Cuckfield Lane/North	Sub-Optimal Location. Primarily due to access issues and pylon constraints.

At the time of the original Chilmark assessment the site to the North was not actively marketed, nor was there joint agreement to promote the site, and therefore the assessment considered the opportunity on the 2 smaller sites.

As part of Regulation 18 & 19 stages, the Project Newton project team have been identifying and preparing the relevant supporting evidence base in order to support any site identification, building on the broad location identified in the Adopted 2018 District Plan.

Through the Call for Sites process, the landowners agreed to jointly promote the site collectively, and through the site selection Paper 4 process, additional information regarding the South vs North locations were considered by MSDC⁷. The evidence base and summary positioning documents⁸ submitted to support the STP to the North, deal with the issues raised by Chilmark in regard to each issue of access, mitigation and pylons, where the North had been scored lower by Chilmark than the alternative site promoted at that time to the South. The collective promotion demonstrated key benefits to the Northern location, especially in regard to access, connectivity and mitigation of flooding, ecological considerations, as well other site issues that would be required as the scheme evolves towards the formal planning application stage.

In addition, the elements where the scoring for both smaller sites separately were red in the RAG assessment, in regard to access and pylons, can all be mitigated adequately on the STP site to the North, and do not have a material adverse effect on environmental matters.

⁵ <https://www.midsussex.gov.uk/media/4749/site-selection-paper-4.pdf>

⁶ https://www.midsussex.gov.uk/media/3217/ep37_sciencetechparklocations.pdf

⁷ <https://www.midsussex.gov.uk/media/4749/site-selection-paper-4.pdf>

⁸ <https://www.midsussex.gov.uk/media/5135/sa91-positioning-statement.pdf>

The MSDC SA⁹ (SUS1) also assesses the North vs South options and concluded that Option A land to the North of the A2300 is preferred and states in para 1.56. *“In sustainability terms, site option A “Land to the north of A2300” performs more positively against the objectives than option B, particularly related to transport. Site Selection Paper 4: Employment, details the thorough site selection process, which includes non-sustainability considerations, that has taken place to determine the preferred option”.* This also scores option A higher on the following sections in the SA:

- *Energy and Waste, given the sustainability evidence and waste allocation adjacent,*
- *Communities, given the proposed cycle/pedestrian links with the Northern Arc,*
- *Flood Risk, as a smaller area within more land effected by flood zones, and*
- *Ecology (given the Ancient Woodland on Option B to the south).*

As regards the suitability and deliverability of the North of A2300 site, we note there are no objections, or further submissions, to the STP location to the North from Fairfax who sought to promote a Southern site - up to Regulation 18 stage (or indeed from any other interested party, other than the Amptico Group, who’s representations are addressed below, where relevant to the Inspector’s questions.

Policy SA9 in the DPD¹⁰, recognises that issues around impact and delivery, will need to be addressed and requires that given the scale of the development, any STP must be supported by the necessary infrastructure, appropriate phasing and careful approval processes with the LPA, at formal planning application stage, to satisfactorily mitigate any impacts of the development.

As dealt with under Matter 5.1 (i) the STP is a stand-alone development and builds on Policy DP1. It does not impact on DP9. The project team are working in a collaborative and effective partnership with Homes England on DP9 and meet regularly to discuss the positive opportunities between the STP site and DP9, as well as sustainability and connectivity opportunities, and highways implications etc.

In addition, Dacorar Southern (one of the 2 landowners on the STP site), are also the developers of the HUB commercial site to the South East (15 hectares) and have established a strong working relationship with Homes England, in relation to the reduced Northern Arc employment allocation (from 10ha down to 4ha, with 6ha met elsewhere) at DP9 and the wider economic and residential inter-connectivity with the Northern Arc to the East of the STP site.

By proposing the STP to the North of the A2300, the positioning document¹¹ illustrates positive opportunities to connect to the DP9 Northern Arc development currently under construction. The inter-relationship between the mixed use scheme at DP9 and the STP under DP1 will enable new residents of the 3500 homes in DP9 to be afforded additional new employment opportunities within close proximity (e.g. 1300 of the homes will be within 2km proximity).

⁹ <https://www.midsussex.gov.uk/media/5713/sus2-sustainability-appraisal-nts-reg-19.pdf>

¹⁰ <https://www.midsussex.gov.uk/media/5706/dpd1-site-allocations-dpd-submission-draft-regulation-19.pdf>

¹¹ <https://www.midsussex.gov.uk/media/5135/sa91-positioning-statement.pdf>

The proximity benefits are reflected in the Project Newton Mobility Strategy SA9.11 by Connect as Transport Consultants, and agreed by WSCC and MSDC, and our supporting Statement of Common Ground (SA9.10 Dec and May update) signed by West Sussex County Council as Highways Authority, MSDC as LPA, and Highways England (HE) which indicates 50% of the travel demand will be from Burgess Hill.

The development of the STP also allows new green infrastructure links, enhanced public realm, cycle & pathways, open space provisions and access to wider amenity facilities with the STP that are illustrated in the revised masterplan, further reinforcing complementarity between DP9, and SA9 (DP1).

The location of the STP has not changed from the scope of the Broad Location, and the promoted site North of the A2300 is justified, effective and consistent with Policy DP9 and national policy. As set out above, the STP does not supercede any District Plan policy, but builds on DP1, enhancing opportunities and connectivity with Adopted Policy DP9.

Expertise Related Services

Property Acquisition & Disposal

A commercial property search, acquisition and disposal service that obtains the best possible outcome for our clients.

Business Rates

Helping you to unravel the increasingly complex world of Business Rates.

Occupier Advisory

A tailored service to manage your diverse property interests throughout the UK and Europe.

Property Development

We advise on a wide range of development projects including the sale or acquisition of land and buildings. We create promotion, option, and development agreements, advise on scheme layout and provide viability appraisals to support planning applications, appeals and local plan enquiries.

Dilapidations

Combining our exceptional negotiation skills and understanding of your objective, we settle liabilities in your favour using our expertise and strategic advice across a broad range of property types.

Dispute Resolution

Representing your interests to bring commercial property disputes to the best possible conclusion.

Facilities Management

Improving efficiency to make sure your building provides the environment and services that will satisfy the business requirements of the occupiers whilst reducing costs and ensuring full compliance with regulations.

Property Investment

Using our market knowledge and network of contacts to help you find investment or selling opportunities.

Lease Advisory

Commercially astute and detailed strategic advice on all aspects of commercial property leases for both landlords and tenants.

LPA Receivership

Our highly specialist service for when the secured property assets of lenders have become compromised by mortgage arrears.

Marine & Leisure

Covering all aspects from valuation, acquisition & disposal through to lease advisory work.

Property Valuations

Providing accurate assessments across different sectors through highly experienced surveyors.

Property Management and Monitoring

Our job is to plan, budget, oversee and document all aspects of your project ensuring that each element is on schedule and meets all necessary regulations and standards. We will also help you select and manage the contractors and monitor their progress.

Planning Consultancy

Expert advice for negotiating the complexities of the town planning process.

Property Asset Management

An extension of your team, providing the reassurance that your property portfolio is being well managed from a landlord's perspective.

Service Charge

Providing advice that can lead to valuable cost savings in this often-overlooked area.

Treasury Management

Ensuring your property portfolio delivers maximum value through tight credit control and management of supplier relationships.



Our offices:

Birmingham

Edmund House
12-22 Newhall Street
Birmingham B3 3EF
T: +44 (0)121 654 1065

Crawley

Unit 4 Peveril Court
6-8 London Road
Crawley
West Sussex RH10 8JE
T: +44 (0)1293 612600

Woking

One Crown Square
Woking
Surrey GU21 6HR
T: +44 (0)1483 446800

Heathrow

450 Bath Road
West Drayton
Heathrow UB7 0EB
T: +44 (0)20 8564 8300

London

2nd Floor, 33 Cavendish Square
Marylebone
London W1G 0PW
T: +44 (0)20 3589 0050

Portsmouth

Lakeside North Harbour
Western Road
Portsmouth PO6 3EN
T: +44 (0)23 9220 3200

Reading

550 Thames Valley Park Drive
Reading RG6 1PT
T: +44 (0)118 909 7400

Southampton

Savannah House
3 Ocean Way
Southampton
SO14 3TJ
T: +44 (0)23 8082 0900

Bournemouth

170 Magna Road
Bournemouth
Wimborne BH21 3AP
T: +44 (0)1202 558262

Our services:

- Building Consultancy
- Business Rates Consultancy
- Commercial Property Investment
- Lease Advisory
- LPA Receivership
- Marine and Leisure
- Occupier Advisory
- Property Acquisition and Disposal
- Property Asset Management
- Property Development Consultancy
- Property Planning Consultancy
- Property Valuation

Visit us:



Vail Williams



@vailwilliams



Vail Williams

www.vailwilliams.com

Vail Williams LLP, a Limited Liability Partnership, registered in England (number OC319702). Registered office: 550 Thames Valley Park Drive, Reading, Berkshire RG6 1PT. Any reference to a Partner means a Member of Vail Williams LLP or an employee or consultant with equivalent standing and qualifications. A full list of Members is open for inspection at the registered office.

Regulated by RICS