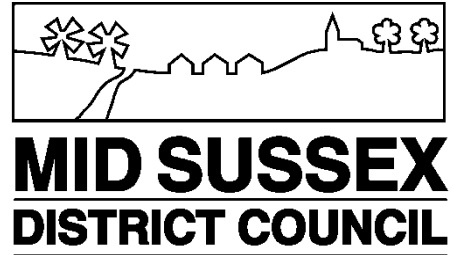


**Mid Sussex
District Council**



Site Allocations DPD

MSDC-02f: Matter 6 - Transport, Infrastructure,
Implementation, Monitoring

14th May 2021

Matter 6 – Are the Transport, Infrastructure, Implementation and Monitoring provisions of the Plan sound?

6.1 Infrastructure Needs

Are there any necessary infrastructure needs that are not addressed in the Plan?

MSDC Response

- 1.1. The Council does not consider there to be any necessary infrastructure needs that are not addressed in the Sites DPD. The Sites DPD is accompanied by an Infrastructure Delivery Plan [IV1] and further infrastructure requirements are set out in Policy SA GEN, individual site allocation policies, Policy SA35 and Policy SA36. Infrastructure requirements to support new development are also set out in District Plan policies and the Development Infrastructure and Contributions Supplementary Planning Document (SPD) [IV5].
- 1.2. A key objective of Policy SA GEN is for the site allocations to contribute towards necessary infrastructure provision, including transport, education, health, community and leisure facilities as required by District Plan Policy DP20: Securing Infrastructure, the Mid Sussex Infrastructure Delivery Plan and the Mid Sussex Development Infrastructure and Contributions SPD.
- 1.3. The Sites DPD has been positively prepared and is effective because there has been ongoing work with infrastructure providers to identify any necessary infrastructure requirements. Statements of Common Ground have been signed with Scotia Gas Network [DC20], South East Water [DC21], Southern Water [DC22], Thames Water [DC23], UK Power Networks [DC24] and West Sussex Clinical Commissioning Group [DC25].
- 1.4. The Infrastructure Delivery Plan [IV1] has been prepared to ensure future growth is supported by the necessary infrastructure. It contains the latest information available and will be updated as and when more information becomes available from infrastructure providers. The timing of infrastructure delivery will be discussed on a case by case basis with infrastructure providers to ensure that capacity is available to accommodate future development so that new development is appropriately served by infrastructure.

Regulation 19 Representations

- 1.5. Representations were received from the following infrastructure providers and statutory consultees at the Regulation 19 consultation stage (Table 1):
 - Environment Agency [Representation ID number 713]
 - National Grid [Representation ID number 1453]
 - Southern Gas Network [Representation ID number 624]
 - Thames Water [Representation ID number 622]

ID	Organisation	Summary of Regulation 19 comments
713	Environment Agency	Support policy requirements that address flood risk and drainage in relation to SA2, SA9, SA19, SA20 and SA24.
1453	National Grid	No comments to make.
624	SGN	Reinforcement to the gas network may be required in the future in the Burgess Hill and Haywards Heath areas

		due to the cumulative impact of development. The site promoter is encouraged to contact SGN regarding connection to the gas network.
622	Thames Water	No infrastructure concerns regarding wastewater networks are raised in relation to SA4, SA7 and SA8. The site promoter is encouraged to engage with Thames Water.

Table 1: Regulation 19 representations from infrastructure providers and statutory consultees.

6.2 Sewerage, Flood Risk, Water Supply

*Are there any **sewerage, flood risk or water supply issues** that could be described as significant constraints, and if so, can these realistically be overcome within the plan period, or would they impact on the effectiveness of the housing trajectory, or can they be described as 'show stoppers'?*

Should the Plan include a water efficiency policy, as recommended by Natural England?

Should the Plan include a water supply/wastewater infrastructure policy, as recommended by Thames Water?

MSDC Response

- 2.1. The Council considers there to be no sewerage, flood risk or water supply issues that could be described as significant constraints or 'showstoppers'. The Sites DPD has been positively prepared and it is a justified and effective strategy.
- 2.2. The Sustainability Appraisal for the Sites DPD [SUS1] identifies that approximately 9km² of the District (2.7% of the total land area) is at a high risk of flooding. Additionally, approximately 1.6km² of the District is affected by drainage problems, groundwater flooding and overland flows. The Sustainability Appraisal also recognises that most of the District is within an area identified as having a deficit in water supply. The Sustainability Appraisal goes on to add that some of the existing sewerage infrastructure within the District is operating at or near capacity and unless significant investment is made to existing or through new infrastructure, water quality within the watercourses in the District may be at risk. In particular, Goddards Green Wastewater Treatment Works (on the outskirts of Burgess Hill) has been identified as having constraints with regards to capacity and odour, which will need to be taken into account when planning for development that would drain to this particular works. Capacity and odour mitigation work at Goddards Green Wastewater Treatment Works are now nearing completion and will provide sufficient operating capacity to accommodate the Burgess Hill Northern Arc development allocated within the District Plan.
- 2.3. One of the sustainability objectives applied in the Sustainability Appraisal [SUS1] relates to ensuring that development does not take places in areas of flood risk or where it might cause flooding elsewhere. All of the proposed allocations record an appraisal of no impact or neutral impact on this sustainability objective except for proposed allocations SA9, SA19 and SA24, which have an appraisal of a negative impact on this sustainability objective. However, the Environment Agency in its Regulation 19 representation (Representation ID number 713] has confirmed its support for policy wording and the requirements included for flood risk and drainage for

policies SA9, SA19 and SA24, and also SA2 and SA20. It should also be noted that the proposed housing allocation of SA24 has already been granted planning permission.

- 2.4. The robust site selection process for the Sites DPD had 17 criteria against which each housing site was assessed [SSP2]. The impact of each site on each criterion was measured. Flood risk was a Planning Constraint and sites which scored as 'very negative' were removed from the palette of sites at this point as these have the greatest negative impact and more suitable sites were available [SSP3]. In this way, it can be seen that the site selection process took into account flood risk. Infrastructure was also considered as one of the deliverability considerations and an assessment was made as to whether significant deficits exist for on-site and/ or off-site infrastructure.
- 2.5. The Council notes the comments made by Natural England in relation to a proposed water efficiency policy and by Thames Water in relation to a proposed water supply/ wastewater policy. The Council has commenced work on reviewing the District Plan. The scope of this work includes a review of current policies and further technical work will be undertaken as part of the evidence base as well as engagement with stakeholders. This is the appropriate stage of plan-making to consider if new policies for water efficiency and water supply/ wastewater infrastructure should be included.

6.3 Strategic Highways Network

*Are there any issues arising from the development allocations of the Plan on the **strategic highways network** or on any locations with potential highways/ pedestrian safety issues? Can these issues be satisfactorily overcome?*

MSDC Response

- 3.1. As set out in the Council's response to ID-1 1.4 and Matter 5 question 5.1 (v), mitigation is proposed on the strategic highways network at A23 / A2300 Southbound On-Slip at Burgess Hill, primarily to address the impact of proposed allocation SA9 the Science and Technology Park. The key elements to the response are summarised as follows:
 - the Regulation 18 Strategic Transport Study identified two junctions as being forecast to be 'severe', one of which is on the strategic highways network.
 - A23 / A2300 Southbound On-Slip, Burgess Hill; and
 - A27 / B2036, Ansty
 - The subsequent iteration of the Strategic Transport Study [T7] models a high-level mitigation option which removes the remaining severe impacts and demonstrates an in-principle mitigation solution exists.
 - A Transport and Mobility Working Group was set up following the Regulation 19 consultation to undertake extensive and detailed investigation work to explore mitigation options in more detail to demonstrate feasibility and ensure there are no barriers to delivery. The extent of the work and agreement to in-principle mitigation has been agreed in a Statement of Common Ground [DC17].

- Two options have been explored which have undergone the rigorous Stage 1 Safety Audit process to standard GG 119 this is currently under review by Highways England. A third option is also being explored.
 - An updated SoCG [DC26] reflecting the further design work and safety audits has been agreed.
- 3.2. In accordance with paragraph 109 of the NPPF and in consultation with WSCC and Highways England a full Safety Review [T9] has been undertaken to assess any safety implications arising from the proposed development scenarios. The review undertakes a junction and road section-based assessment of accident cluster, cross-referenced to forecast traffic flow changes as a result of the Sites DPD development compared to the Reference Case (committed development and infrastructure to 2031). The Safety Review identifies 3 junctions where mitigation is appropriate to address the impact of the Sites DPD; these interventions are not significant and there are no obvious barriers to delivery.

Several representations state that the Council's independently commissioned highways and transport studies, which generally support the site allocations in the Plan, are flawed; in what ways are these studies flawed?

MSDC Response

- 3.3. Mid Sussex District Council (MSDC) commissioned SYSTRA to build the Mid Sussex Strategic Highway Model (MSSHM) to underpin the Mid Sussex Transport Study (MSTS) and test the impact of the proposed development on the strategic and local transport network and upon significant routes in Ashdown Forest.
- 3.4. As set out in the Local Model Validation Report (LMVR) [T1], the model was produced in accordance with standard good practice set out in the Department for Transport's (DfTs) WebTAG guidelines and as such the approaches to data processing, matrices and network production, along with model calibration are consistent with those of strategic highway models. The road network has been produced using several existing models in the local area in and around the Mid Sussex area (section 5 of the LMVR) [T1].
- 3.5. Section 4 of the LMVR [T1] sets out details of the data collected in order to calibrate and validate the model with up-to-date traffic count data. The model production made significant and appropriate use of existing local data and models and a small programme of surveys were undertaken to fill in any gaps in the data. The strategic model has been validated to the DfTs WebTAG guidance.
- 3.6. The model has been used to assess the impacts on the highway network of the development in the Sites DPD against the requirements of the National Planning Policy Framework (NPPF). The assessment of the impacts is based on criteria agreed by West Sussex County Council Highway Authority (WSCC) and their interpretation of terms defining traffic impacts in the NPPF as set out in their positioning statement; namely '*significant amount of movement*' and '*severe impacts*'. In addition, a '*showstopper*' is defined as a location where the impacts do not have a reasonable prospect of being able to comply with the NPPF. The criteria selected to reflect the interpretation of the NPPF for '*severe*' and '*significant*' impacts are set out at paragraphs 3.4.3 and 3.4.4 of the MSTS [T7] as follows:

3.7. A 'severe' impact is defined as a junction with any approach arm experiencing either of the following:

- a junction with an increase in ratio of flow to capacity (RFC) of **10%** or more to an RFC of **95%** or more in any period in any Scenario; or
- an increase in average delay of **one minute** or more to an average delay of **two minutes** or more in any period in any Scenario

3.8. A 'significant' impact is a junction with any approach arm experiencing the following:

- a junction with an increase in ratio of flow to capacity (RFC) of **5%** or more to an RFC of **85%** or more in any period in any Scenario

3.9. These definitions form the agreed basis for assessing the impacts on the highway network from the sites DPD development. The Mid Sussex Strategic Highway Model and Mid Sussex Transport Study have been validated by both WSCC and Highways England as being robust and fit for purpose and are entirely consistent with best practice elsewhere.

*Is it acceptable/good practice for the highways impact of a scheme to be considered less than severe if the existing traffic conditions in the area, which admittedly not the result of the proposed allocation, are acknowledged to be severe; in other words, should the **cumulative impact** be the determining factor in assessing traffic impact in relation to the impact of a specific housing allocation?*

MSDC Response

3.10. The test set out at paragraph 109 of the NPPF is that, 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

3.11. WSCC supplied detailed interpretation of the relevant paragraphs of the NPPF to inform Transport Assessments which defines how to assess development in order to address the requirements of the Framework. Their guidance identifies what development should be considered to determine 'cumulative impacts' and sets out that forecast flows from committed developments and associated mitigation in neighbouring areas are to be taken account of, for both allocated and permitted sites or sites with a 'minded to grant' resolution.

3.12. In order to determine the impacts of the Sites DPD development on the road network, the first stage is to model the baseline from which the additional impacts can be identified. The MSTs has been refined over a number of iterations and has tested a total of 9 different development scenarios, including the Regulation 19 development scenario [T7]. The 'Reference Case Scenario' represents the road network at 2031, and includes any committed highway infrastructure, development in the district and background growth up to this date. This acts as the baseline when assessing the impacts of the Sites DPD development scenarios. The Reference Case has been updated for each iteration of the Transport Study.

- 3.13. The 'Sites DPD Scenario' [T7] represents the development proposed in the Regulation 19 version of the Sites DPD and builds on the Reference Case to assess the impact of the planned development; the Scenario includes:
- 22 housing development sites (however the proposed housing allocation SA24 has planning permission already and therefore appears in the Reference case as being committed).
 - 8 additional employment sites including the Science and Technology Park at Burgess Hill (SA9).
- 3.14. The assessment of the Sites DPD development is cumulative as it assesses the proposed allocations in the plan on top of existing allocations and approved development with their associated committed highway and transport network changes. Where junctions are assessed as being severely impacted by the Sites DPD development, sustainable and highway mitigation schemes are proposed and tested to remove any severe impact.
- 3.15. The requirements of the NPPF state development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The evidence base produced in support of the Sites DPD, which accords with the WSCC HA interpretation of the definition of severe, demonstrates there are none remaining following implementation of proposed mitigation.

Reference is made to a recent study by WSP in relation to traffic conditions in the East Grinstead area; what were the principal conclusions of this study?

MSDC Response

- 3.16. As noted in the council's response to ID1 [MSDC-01, Q4.4] 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 administrative 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, referred to as the "WSP report" and have committed to embark on a wider A22 / A264 corridor study to understand the implications for mitigation along the wider corridor.
- 3.17. Reference is made to, 'the draft WSP report' in the Statement of Common Ground with Tandridge [DC13].
- 3.18. The study was set up to look primarily at impacts of the Tandridge Local Plan¹ on the Felbridge junction, which includes the proposed South Godstone Garden Community, a strategic housing allocation of up to 5,000 new homes. A summary forms part of the Tandridge Local Plan evidence base and was also used to support of their unsuccessful Housing Infrastructure Fund bid which included improvements at the Felbridge junction and junction 6 of the M25. Uncertainty surrounds the proposed South Godstone Garden Community and the soundness of the Tandridge Local Plan, which further diminishes the relevance of a draft report.

¹ Tandridge Local Plan at Examination, with Inspectors preliminary conclusions and advice published in December 2020.

- 3.19. All parties (MSDC, TDC, WSCC HA and SCC HA) have agreed that further work is necessary to understand traffic flow through all junctions on the whole A22 corridor in the East Grinstead area including the Felbridge junction, and once this is understood the study can help determine the most appropriate scheme(s) to potentially improve capacity. As further work is required, this will update and supersede the draft report, so no conclusions can be drawn from the draft report at this stage.
- 3.20. The draft WSP report and work associated with the study 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.’ It is of no direct relevance to the Sites DPD, was commissioned for an alternative purpose and forthcoming further work means no conclusions can be drawn from the draft.

6.4 SA35: Safeguarding of Land for Delivery of Strategic Highway Improvements

*Is policy SA35, which addresses **the safeguarding of land for and delivery of strategic highway improvements**, sufficiently justified, detailed and effective to enable the delivery of the following schemes: (i) A22 Corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Junctions; (ii) A264 Corridor upgrades at Copthorne Hotel Junction; (iii) A23 junction upgrades at Hickstead?*

MSDC Response

- 4.1. In relation to the (i) A22 corridor upgrades at Felbridge, Imberhorne Lane and Lingfield junctions, and (ii) A264 Corridor upgrades at Copthorne Hotel junction, these junctions have been identified (working in partnership with West Sussex County Council and Surrey County Council Highway Authorities and Highways England) as having pre-existing capacity / safety issues. Policy SA35 intends to safeguard these to enable delivery in due course. The policy is strategic and seeks to address potential impacts both within and from outside the District and isn't required to mitigate District Plan growth (inclusive of sites proposed for allocation within the Sites DPD).
- 4.2. In relation to (iii) A23 junction upgrades at Hickstead, safeguarding of this land is required to support mitigation associated with the proposed Science and Technology Park (SA9) as indicated in the response to Matter 5 [MSDC-02e].
- 4.3. The policy also acknowledges the fact that the planning and funding of highway and transport infrastructure can take time to prepare and it seeks to ensure that the implementation of the Development Plan is not compromised by inappropriate development occurring in the interim which could prevent future highway schemes being delivered. There are currently no agreed schemes for mitigation which relate to any of the identified junctions and work to refine highway infrastructure proposals will only be considered once all relevant sustainable travel interventions have been fully explored and taken into account.

Justified

- 4.4. In respect of the junctions along the A22 corridor, a number of studies have been commissioned in the past to determine capacity and safety issues and appropriate mitigation. This has been confirmed in the Strategic Transport Study [T7] which acknowledges congestion issues along this corridor leading to significant rerouting elsewhere in the network to avoid the route.
- 4.5. The Felbridge junction and A264 corridor and Copthorne Hotel junction have been identified in the transport evidence base for the Tandridge Local Plan. Mitigation for the A264 Copthorne Hotel junction is likely to require substantial alterations in order to accommodate the growth in their plan and as noted above under Q 6.3, Tandridge investigation into the Felbridge junction identified the potential need to secure land outside the highway boundary to accommodate some of the potential options. The Strategic Transport Study [T7] along with extensive work with the Transport and Mobility Working Group regarding the S&TP has identified the need for strategic improvements at the Hickstead interchange. The policy seeks to ensure the council has the ability to resist development that could prejudice the implementation of highways schemes in these locations.

Detailed

- 4.6. No schemes have been fully designed and agreed for the A22 corridor or the A264 Copthorne Hotel junction as no severe impacts have been identified as needing to be addressed in the Sites DPD evidence base [T7] and is therefore not directly required to address the impacts. In acknowledgement of this tight-knit urban environment there may be potential for need for land outside highway boundary.
- 4.7. Work will be on going with WSCC and Surrey CC HAs to determine the most appropriate response including full exploration of sustainable transport interventions before schemes can be agreed. The areas identified for safeguarding are therefore broadly drawn around these key junctions to allow flexibility in the evolution of the design process of any strategic improvement schemes.
- 4.8. The Strategic Transport Study [T7] identifies the need for strategic highway improvements to the A23 / Hickstead junction interchange. Work to support the allocation of SA9: Science and Technology Park identifies that highway improvements are required in this location – a Statement of Common Ground between the Council, site promoter, West Sussex County Council and Highways England sets out the agreement to these improvements in principle [DC26].
- 4.9. As described on page 9 of the SoCG, there are three potential options being explored in relation to the A23/A2300 Hickstead southbound merge which will be developed further through the planning application process in order to determine the most suitable. Two of these options are within the existing highway boundary and are therefore the preferred approach. As described in response to Q5.1(v), one option requires a small parcel of third-party land adjacent to the A23. If, ahead of adoption of the Sites DPD, it appears this option is likely to be implemented, this could be added to the area safeguarded within SA35 at this location.

Effective

- 4.10. As noted above, it may be necessary to secure land outside the highway boundary to deliver strategic highway improvements along the corridor. The policy acknowledges that third party land may be required by indicating the potential use of Compulsory Purchase Powers to enable delivery of strategic transport schemes. The effectiveness of the policy for each location is through providing a tool for the council to be able to

resist development which could prejudice schemes coming forward in the future, it is not seeking to implement any particular scheme through the policy itself.

Does the policy need to be extended to address potential highways issues in and around the proposed science and technology park to the north-west of Burgess Hill; the traffic impact of allocations SA12 and SA 13 to the south-east of Burgess Hill; and/or any other locations?

MSDC Response

4.11. The supporting text for policy SA35 (paragraph 3.8) identifies a list of existing transport constraints in the district. Paragraph 3.13 confirms that the Sites DPD has been subject to further technical investigations and highway and transport infrastructure has been identified to ensure that proposed development is sustainable. Paragraph 3.15 states, to support delivery of strategic highway and sustainable transport infrastructure, land will be identified for safeguarding at defined locations which have been taken from the list at paragraph 3.8. The policy acknowledges that these areas will be informed by more detailed design and feasibility work, which will be subject to further consultation. The policy is not therefore directly required to address the impacts of the Sites DPD development, however at locations such as the A22 corridor and Hickstead interchange, allocations proposed in those locations may well contribute towards strategic improvements once agreed.

SA9 Science and Technology Park (S&TP)

4.12. The detailed work undertaken to support the S&TP as described at Q6.3 above, in the council's response to ID-1 [MSDC-02 Q1.4] and Matter 5 [MSDC-02e Q5.1 (v)] identifies a total of three options for proposed mitigation on the A23 which are currently being explored. Only one of these options requires a very small area, 1.5m in width, directly adjacent to the A23 where there is a minor pinch point. The overall mitigation package has been explored in some detail and can otherwise be provided wholly within the highway boundary with no obvious barriers to delivery.

SA12 and SA13 south of Folders Lane

4.13. As noted at paragraph 3.8 of the supporting text for SA35, Burgess Hill is also identified as suffering from congestion due to lack of crossing points for vehicles crossing the railway line and high car dependency. The evidence base and strategic transport assessment along with the more granular transport assessment work undertaken by the site promoters for SA12 and SA13, which has been validated by WSCC, does not identify any severe traffic impacts associated with the proposed allocations.

4.14. The Strategic Transport Assessment [T6] which supported the Regulation 18 version of the plan demonstrated that with mitigation (Table 5 page 17 for sustainable measures and Table 6 page 18 of T6 for highway improvements) at the Hickstead junction interchange A23 / A2300 eastern roundabout and the A2300 / Northern Arc Spine Road roundabout, severe impacts are removed at all locations in Burgess Hill; with the exception of Ansty and A23 Southbound On-Slip. The subsequent Strategic Transport Assessment [T7] goes on to identify and model the addition of the in-principle mitigation solution on the A23 which removes the two remaining severe impacts.

4.15. The Transport Assessment [T7] therefore demonstrates that strategic improvements on the A23 and on the A2300 will resolve the issues with rerouting through the town

and via locations such as Ditchling village, in favour of more appropriate routes via the A23.

- 4.16. There is no evidence to suggest any severe impacts arise from either SA12 or SA13 and no specific highway capacity mitigation has been identified as being required and therefore no land is identified for safeguarding. SA12 and SA13 are expected to contribute to the scheme identified by the safety study at the junction of B2036 London Road and Victoria Way. This consists of minor works within the highway, which does not require land to be safeguarded.

6.5 Detailed Schemes for Highways Improvements

*Does the identification of **detailed schemes for highways improvements** provide the necessary certainty to enable key housing and employment allocations to be delivered, or is the opposite true, i.e. that securing detailed schemes at a relatively early stage in scheme delivery would be inflexible, and therefore counterproductive to effective scheme delivery?*

MSDC Response

- 5.1. A series of development scenarios have been tested through the Strategic Transport model with the findings set out at T3 – T8 in the evidence base. The Strategic Transport Studies which support the Regulation 18 version of the plan [T6] and the most recent Regulation 19 version of the plan [T7] include high-level mitigation proposals both sustainable travel measures and highway mitigation. The extent and detail of the mitigation proposals are appropriate for this strategic level transport study which uses SATURN software.
- 5.2. A high-level mitigation proposal for a full lane gain between the Hickstead Southbound On-Slip and the Mill Lane turn off was modelled in support of the Regulation 19 version of the plan [T7]. T7 represents a crucial step in the progress of the transport evidence base and demonstrates there is an in-principle mitigation scheme which would address remaining severe impacts on the network.
- 5.3. The proposed mitigation is however of a significant and strategic scale, proposing a full lane gain between the Southbound On-Slip at the Hickstead junction on the A23 and the Mill Lane turn off to the south. The proposal relates to the Strategic Road Network and following further discussion with Highways England and WSCC, it was determined that more detailed investigation was required to demonstrate feasibility and delivery.
- 5.4. As described at questions 6.3 and 6.4 above and in the council's response to ID-1 1.4 and Matter 5 question 5.1 (v), further detailed work has resulted in two options being agreed in principle by WSCC and HE, with a possible third option also being explored.
- 5.5. In accordance with paragraph 31 of the NPPF the preparation of policies should be underpinned by relevant and up-to-date evidence which should be, 'adequate and proportionate', focused on supporting and justifying the policy concerned.
- 5.6. For the purposes of supporting a proposed allocation in a development plan therefore a balance must be struck to ensure sufficient evidence is secured to demonstrate feasibility and delivery of the allocation but this does not need to be as detailed as would be required to support any subsequent planning application.

- 5.7. The Strategic Transport Study [T7] models all development to the end of the plan period 2031 and demonstrates the highway network can accommodate the proposed development without any severe impacts. It does not however undertake the granular assessment required at an application stage to determine the full impacts the proposal may have at the time it is to be developed. The context within which each development is being determined will continue to evolve and the proposal must respond accordingly to the immediate context and evolving policy requirements and best practice to ensure sustainable development.
- 5.8. Planning a detailed highway mitigation scheme at the plan making stage with all the changes that may occur at both national and local level in policy and guidance is most likely to result in securing mitigation that would no longer be effective at the point of implementation.
- 5.9. The evidence base demonstrates the development can be accommodated in principle with no obvious barriers to delivery. The site-specific policy requirements, SA GEN and relevant policies in the District Plan and at a national level will all still need to be addressed through the detailed planning application stage to ensure the most appropriate and sustainable development is ultimately approved. At the planning application stage, full commitment is made by a developer and a further engagement exercise is undertaken with public and stakeholders which will further influence the design and determine the most appropriate mitigation based on up-to-date evidence and policy requirements.

Is part of the solution in addressing the effectiveness of the Plan to set out a series of phased triggers or thresholds which would link the implementation of housing numbers to the delivery of key highways and sustainable transport improvements?

MSDC Response

- 5.10. Detailed feasibility work for the (S&TP), given the scale of the allocation, has resulted in agreement to the principle and the evolution of an indicative phasing strategy [SoCG DC17 and DC26] which sets out the relevant infrastructure required to support delivery of each phase of the park. The draft policy has been written to ensure any planning application is also supported by and implemented in accordance with a detailed phasing strategy to include transport mitigation, which shall be agreed by the Local Planning Authority, the Highway Authority and Highways England.
- 5.11. The evidence base does not demonstrate such an approach is necessary to support delivery of any other allocation.

6.6 SA37: Burgess Hill / Haywards Heath Multifunctional Network

*Is policy SA37 for the **Burgess Hill/Haywards Heath Multifunctional Network** both in principle and in relation to the preference of routes proposed for pedestrian and cycle routes, justified and effective?*

Although the policy is indicative, in view of the concerns expressed in some representations and the need for a measure of certainty, should the policy be linked to a realistic time frame for selection of preferred route(s) and final implementation of a preferred route(s)?

What are the biodiversity impacts of pursuing the various options?

Justified

- 6.1. As noted at paragraph 3.23 of the supporting text, despite Burgess Hill and Haywards Heath being less than three miles apart, there is no realistic traffic free means of travelling between the two towns. Delivering a strategic multifunctional (walking/cycling/equestrian) network between Burgess Hill and Haywards Heath would have multiple benefits including the potential to promote road safety by taking such uses away from the road highway; provide commuting alternatives and support local businesses, reduce the use of the private car and tackle congestion, promote social mobility and cohesion and support healthy lifestyles.
- 6.2. Work to progress the Place and Connectivity Programme in Burgess Hill which includes a package of sustainable transport infrastructure improvements in the town has identified the potential for a dedicated multifunctional network between Burgess Hill and Haywards Heath. The project is still evolving, and no route has been confirmed or fully designed. Draft policy SA 37, much like SA 35 is intended to safeguard the options from development that may prejudice the implementation of the finally agreed scheme. It does not seek to allocate any specific proposal which will be subject to further consultation and feasibility testing.
- 6.3. The provision of a dedicated multifunctional route is supported by both Haywards Heath and Burgess Hill Town Councils and reference is made in both the neighbourhood plans and funding for a preferred scheme is available through the Place and Connectivity and Burgess Hill Growth Programme.
- 6.4. The most recent round of consultation on the Place and Connectivity Programme (P&C) took place during May and June 2020, a full Public Engagement Report (September 2020) on the responses can be found on the [burgesshill.net website](http://burgesshill.net).
- 6.5. Each of the proposed routes have undergone Feasibility Study which was issued alongside the public engagement and the routes are proposed within the current highway boundaries along existing public rights of way. The primary route is the proposed Western Route which links Wivelsfield Station, Leylands Road, Maple Drive and the Northern Arc strategic housing development to Isaac's Lane via Freeks Lane along and upgrading the existing public footpath. The secondary route is a proposed Eastern Route which links Wivelsfield Station, the Northern Arc development and the East of Burgess Hill to Fox Hill (Haywards Heath).

Potential Modifications

- 6.6. Following public engagement on the P&C Programme, the outcomes of the Feasibility Study and taking account of the public response to the potential Eastern Route; the council have decided not to pursue this option any further. The Policies Map can be updated to reflect this [DPD9].
- 6.7. With regards to timing, the council would not wish to safeguard alternative routes indefinitely and once the P&C Programme has been implemented, the council would not wish to safeguard these alternative routes any further. The implementation of this policy can be reviewed as part of the District Plan Review to ensure land is not safeguarded unnecessarily over the longer term.

Effective

- 6.8. Policy SA37, much like policy SA35 is an enabling policy, intended to support delivery and resists development which may prejudice delivery of the multifunctional network by safeguarding potential route options. The policy does not allocate any specific scheme or route as options are still being developed and explored and are separate to the plan process.
- 6.9. The effectiveness of the policy is through providing a tool for the council to be able to resist development which could prejudice schemes coming forward in the future to realise this important aspiration for the area; it is not seeking to implement any particular scheme through the policy itself.

Biodiversity

- 6.10. The project is still in the early stages of feasibility and no fixed route or design has been agreed upon. As noted in the Designer's response to the summary of responses in the Public Engagement Report for the multi-functional network (paragraph 4.1.4), in response to concerns regarding ecology, the project team has included suitably qualified ecologists from inception, and all works would be carried out in line with advice from ecologists including supervision where appropriate. Any work required to trees will be based on arboricultural surveys and carried out in accordance with advice and best practice. Loss of any vegetation will be kept to a minimum and proposed widths will be reviewed to better fit within existing constraints to accommodate this aim.
- 6.11. In addition, no lighting has been proposed as part of this phase of works, and any future lighting installation will be dependent upon agreement with the relevant Public Rights of Way team(s) and would require ecological surveys and licences with wildlife, and bat, friendly designs where appropriate.
- 6.12. Once the final design is agreed upon, full ecological surveys will be required to determine the potential impacts on biodiversity and any appropriate mitigation.

6.7 Loss of Playing Fields

Does the Plan adequately protect against the loss of playing fields and/or other community facilities?

7.1. Sites Allocations Development Plan Document is a daughter document to District Plan and as such, all relevant policies within the development plan carry full weight in the consideration of any future planning applications. In addition to the District Plan requirements Policy SA GEN sets out the general requirements for allocations in the plan and draws connection to the relevant development plan policies (DP24: Leisure and Cultural Facilities and Activities and DP25: Community Facilities and Local Services) and guidance, covering the key areas of consideration. On a site-specific scale, each of the draft policies in the Sites DPD also set out site specific requirements for any future planning application.

Playing Fields

7.2. In respect of playing fields, District Plan Policy DP24: Leisure and Cultural Facilities and Activities, includes playing pitches and protects against loss, setting out a set of criteria an application involving the loss of such a facility should be assessed against. The relevant extract from the policy is as follows:

Proposals that involve the loss of cultural facilities, open space, sports and recreational buildings and land, including playing fields, will not be supported unless:

- an assessment has been undertaken which has clearly shown the cultural facility, open space, sports land or recreational building to be surplus to requirements; or
- 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
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

SA 16 – St Wilfrid’s Catholic Primary School

7.3. During the Regulation 18 consultation Sport England (419 – Sport England) responded regarding SA 16 St Wilfrid’s School regarding the potential loss of the playing pitch. They acknowledge the school is proposed to be relocated to an existing school site in the town (St Paul’s) and state their intention to object to any loss of playing field, unless it was justified through the current Playing Pitch Strategy (PPS) or mitigation is provided in line with the PPS’s Action Plan. Their advice led to amendments in the Regulation 19 version of the plan to the policy requirements for SA16, to specifically reference the re-provision/justification of the loss of the playing fields to the satisfaction of the council and Sport England. The requirements of District Plan policy DP24 carry full weight in the consideration of any subsequent planning application, just as any other relevant policy in the development plan would.

7.4. At Regulation 19 stage, Sport England (1792 – Sport England) recommended an amendment to the ‘*Social and Community*’ section of policy SA 16 to reference both the NPPF and Sport England’s Playing Field Policy regarding justification for potential loss. Minor Modification M20 addresses this requirement and includes reference to both.

Community Facilities

- 7.5. In respect of community facilities, District Plan Policy DP25: Community Facilities and Local Services, protects against loss of any facility; development is required to demonstrate it meets one of the prescribed criteria where any loss is proposed. The relevant extract is as follows:

Where proposals involve the loss of a community facility, (including those facilities where the loss would reduce the community's ability to meet its day-to-day needs locally) evidence will need to be provided that demonstrates:

- that the use is no longer viable; or
- that there is an existing duplicate facility in the locality which can accommodate the impact of the loss of the facility; or
- that a replacement facility will be provided in the locality.

SA 16 – St Wilfrid's Catholic Primary School

- 7.6. The site-specific policy requirements for SA 16 St Wilfrid's School, which are in addition to relevant development plan requirements, sets out that redevelopment proposals shall demonstrate how replacement facilities, which are specifically identified in the policy, will be provided to the satisfaction of the Council and relevant key stakeholders in accordance with policy DP25.
- 7.7. The allocation also references the requirements across the wider area of the Brow which is covered by Burgess Hill Neighbourhood Plan Policy TC3 The Brow Quarter, which refers to relocation of public and community services. The policy is considered to be sufficiently robust to ensure protection of community facilities.