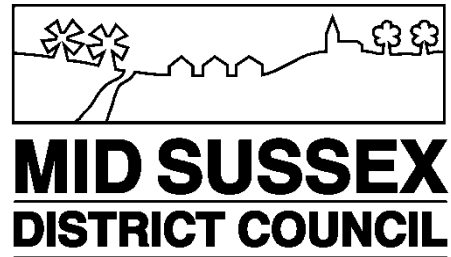


**Mid Sussex
District Council**



Site Allocations DPD

MSDC-02d: Matter 4 - Environment, landscape, biodiversity and heritage

14th May 2021

Matter 4 - Are the Plan's provisions for the protection and enhancement of its environmental, landscape, biodiversity and heritage assets justified and in accordance with national policy?

4.1 Environmental, landscape, biodiversity and heritage

*Are the **environmental, landscape, biodiversity and heritage** policies justified, effective and in accordance with national policy? Are any additional environmental policies needed?*

MSDC Response

- 1.1. The Sites DPD is a daughter document of the District Plan which has a range of policies that seek to protect and enhance the District's environmental, landscape, biodiversity and heritage assets in accordance with national policy.
- 1.2. These District Plan and Sites DPD requirements are set out in Policy SA GEN: General Principles for Site Allocations and more site-specific requirements are set out in the individual site allocation policies. The Council therefore considers that the environmental, landscape, biodiversity and heritage requirements of the Sites DPD to be sound. In addition, this approach signals that the Council sees environmental, landscape, biodiversity and heritage requirements as essential to the successful delivery of both development and the sustainability of local communities and the wider environment.
- 1.3. District Plan policy DP38: Biodiversity requires no net loss of biodiversity, whereas SA GEN requires a net gain. This updated requirement for development to ensure there is a net gain to biodiversity is consistent with national policy (paragraphs 170, 174 and 175 of the NPPF). It is also anticipating the requirements outlined in the Environment Bill which will provide for mandatory biodiversity net gain.

Regulation 19 representations

- 1.4. The following statutory consultees and partner organisations welcomed the environmental, landscape, biodiversity and heritage requirements included in Policy SA GEN. All have been involved in the preparation of the Sites DPD. This ongoing dialogue with statutory consultees and partner organisations means the Sites DPD and its environmental, landscape, biodiversity and heritage requirements are justified and effective:
 - Historic England [Representation ID number 668] and Statement of Common Ground [DC18]
 - Natural England [Representation ID number 710] and Statement of Common Ground [DC19]
 - South Downs National Park Authority [Representation ID number 777] and Statement of Common Ground [DC11]
 - Sussex Wildlife Trust [Representation ID number 748]
- 1.5. Any suggested minor amendments to policy wording by the above statutory consultees and partner organisations post-Regulation 19 stage have been agreed and are included in the Schedule of Proposed Minor Modifications [DPD2].

- 1.6. The Council does not consider that any additional environmental policies need to be included in the Sites DPD. The existing District Plan policies remain relevant and will be applicable to the site allocations, as well as national policy. The Council intends that any additional environmental policies (or the need to update existing District Plan policies) will be considered and addressed through the review of the District Plan. This work to review the District Plan has commenced with adoption scheduled for 2023.

4.2 Areas of Outstanding Natural Beauty (AONB)

*Given the importance of **Areas of Outstanding Natural Beauty (AONB)** as a national policy constraint with the highest status of protection in the English town and country planning system in relation to landscape and scenic beauty, what is the justification for allocating the proposed number of dwellings in the High Weald AONB? In relation to paragraph 172 of the Framework and the support in policy DP16 for appropriate 'small scale' proposals in the AONB, what should be the definition of 'major development' in the context of Mid Sussex?*

MSDC Response

- 2.1. The Council recognises the importance of the AONB and its status within national policy and has given this due consideration during the preparation of the District Plan and in assessing sites for allocation within the Sites DPD. The Council's approach to development within the AONB is set out in the Introduction to the Sites DPD [TP3, page 32] and in response to ID-01 [MSDC-01, Q2].
- 2.2. The Council suggests that some development must practically occur in the AONB, e.g. to support social needs and the rural economy and consistent with DP4 and DP6, but only where it will be compatible with the objective of conserving and enhancing the AONB and where it does not cause a significant adverse impact to that landscape designation. Indeed, the policies which propose allocations within the AONB include specific policy wording requiring schemes to conserve and enhance the AONB and minimise impacts on its special qualities, as set out in the High Weald AONB Management Plan.
- 2.3. The High Weald AONB was taken into account by the Inspector when considering and setting the District Plan development strategy. The District Plan Examination examined the need for and potential impact of housing growth on the AONB. The Inspector concluded:

"... suggestions made during the examination that this level of development will cause significant harm to the AONB and National Park or to heritage assets and ancient woodland are not well founded" [DPD8, paragraph 51]
- 2.4. The District Plan Inspector goes on to state:

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

- 2.5. It is clear from this that the District Plan Inspector considered some development in the AONB would be acceptable although noted that meeting the Plan requirement would not require major development in the AONB. It should be noted that none of the sites proposed for allocation in the Sites DPD are ‘major’ developments as evidenced in the High Weald AONB Topic Paper [TP1].
- 2.6. Whilst the AONB is a protected landscape, neither the NPPF nor District Plan Policy DP16: High Weald Area of Outstanding Natural Beauty rule out development within it. The High Weald AONB Management Plan 2019-2024 recognises the role that settlements within the AONB have in accommodating housing growth. Objective S2 of the High Weald AONB Management Plan is to protect the historic pattern and character of settlement and a proposed action is ‘Seek to prioritise the delivery of new housing primarily through small-scale development and a mix of housing sizes that responds to local needs’ [O4].
- 2.7. Therefore, it is clear that the High Weald AONB Unit advises that some development will be required in villages in the AONB to meet local need.
- 2.8. The Council was cognisant of the District Plan Inspector’s interim conclusions and the High Weald AONB Unit’s advice in developing its spatial distribution Policies DP4 and DP6 which were later approved. Policies DP4: Housing and DP6: Settlement Hierarchy set out the spatial distribution, with Policy DP4 setting this at settlement category level and Policy DP6 providing further detail at settlement level. Policy DP6 made an allowance for those settlements within the High Weald AONB but was otherwise “policy-off”; assessments carried out during the Site Selection process would determine the extent to which the figures in DP6 could be met, or whether residual need needed to be assigned at more sustainable locations.
- 2.9. As demonstrated in the Major Development in the High Weald AONB Topic Paper [TP1], the Council is satisfied that the Sites DPD will deliver the District Plan Strategy, including modest housing schemes within the AONB without causing harm to the protected landscape. Overall, none of the proposed allocations are considered to amount to “major” development in the AONB, therefore the allocations are consistent with paragraph 172 of the NPPF in this respect.
- 2.10. The robust site selection process as set out in Site Selection Paper 2 [SSP2] has meant that only those sites that can be developed in accordance with the requirements of paragraph 172 of the NPPF have been allocated. Built development is also a characteristic of the AONB and the policy requirements of the proposed allocations seek safeguards to minimise harm, e.g. through the use of landscape-led masterplans whilst still maintaining the economic and social wellbeing in AONB settlements, in line with the AONB Management Plan objectives.
- 2.11. There are no objections to the principle of the development on the sites allocated in the Sites DPD from Natural England or the High Weald AONB Unit.
- 2.12. The Council therefore concludes that:
 - Only a limited number of units representing a small proportion of the total housing requirement and a tiny percentage of the total of the AONB land in the District is being proposed as housing allocations in the Sites DPD (in circumstances where half the district is within the AONB);
 - The District Plan Inspector recognised that some development would be required in the AONB;

- The High Weald AONB Unit recognises that there is a role for small scale housing to meet the needs of local settlements which is a relevant consideration given that 11 settlements in Mid Sussex lie in the AONB;
- In line with the District Plan Inspector, the requirements set out in DP4 and DP6, identified a minimum residual housing requirement for each settlement but made an allowance for settlements within the AONB to direct growth to areas outside it;
- The District Plan Inspector agreed that a strategy including modest development within the AONB was sound, reflected in the final figures in DP4 and DP6;
- The starting point has been to allocate sites within the Sites DPD consistent with the adopted strategy;
- Site assessments include a robust assessment of the impact on the AONB, with High Impact sites ruled out in accordance with the methodology [SSP2]; and
- A robust assessment of 'Major Development' within the AONB has been carried out by the District Council and agreed by Natural England.

Major development

- 2.13. The Major Development in the High Weald AONB Topic Paper [TP1] sets out the Council's understanding of major development in the High Weald AONB. The purpose of this Topic Paper is to demonstrate that the national policy on major development in designated landscape areas has been fully considered in the preparation of the Sites DPD. In this way the Sites DPD is consistent with national policy.
- 2.14. The Topic Paper sets out an approach to assess whether the proposed allocations should be regarded as major development within the context of paragraph 172 of the NPPF and the context of DP16.
- 2.15. The NPPF does not provide a definition for major development in AONBs, however, footnote 55 of the NPPF is clear that major development is a matter for the decision maker and that the nature, scale and setting of the proposed development is taken into account, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined [Section 2.0 of TP1]. Thus, the scale of development is just one factor that informs the assessment for whether a proposed development could be regarded as major development.
- 2.16. An approach was developed by the Council to assess the proposed site allocations in the Sites DPD taking into account footnote 55 of the NPPF and other relevant sources such as legal opinions (e.g. the Maurici Opinions), District Plan Policy DP16 and Section 85 of the Countryside and Rights of Way Act 2000 [Section 3.0 of TP1].
- 2.17. The methodology has been developed and refined in discussion with the High Weald AONB Unit, Natural England and other partners across the High Weald AONB and other protected landscapes [TP3]. In its representation to the Regulation 19 consultation, Natural England welcomed the positive engagement by Mid Sussex District Council with both Natural England and the High Weald AONB Unit in the preparation of this Topic Paper [Representation ID number 710]. In a signed Statement of Common Ground, Natural England has also welcomed the consultation by the Council on major development and agrees with the methodology and assessment of the site allocations in the Topic Paper [DC19].
- 2.18. The methodology includes an assessment of the proposed site allocations in relation to District Plan Policy DP16. For each of the proposed site allocations, the major development assessment concludes that the proposed site allocation is in accordance with Policy DP16 at this stage of the plan making process due to its nature, scale and

setting. It is recommended that the design and layout of the site takes into account the objectives of the High Weald AONB Management Plan which have also been considered in the major development assessment. A further assessment should be undertaken at the time of a planning application to seek opportunities to conserve and enhance the High Weald AONB.

- 2.19. The High Weald AONB Statement of Significance states what comprises the natural beauty of the High Weald. The natural beauty of the High Weald includes the land-based economy and related rural life which is bound up with, and underpins, the observable character of the landscape with roots extending deep into history.
- 2.20. There is an increasingly broad-based economy but with a significant land-based sector and related community life focused on mixed farming (particularly family farms and smallholdings), woodland management and rural crafts [O4]. Objectives LBE1 and LBE2 of the High Weald AONB Management Plan seek to sustain an economically viable land management sector, with a particular emphasis on sustainable small-scale farming and forestry, and to foster community life and economic activities that support conservation of the AONB [O4]. The Statement of Significance and objectives of the Management Plan are echoed in District Plan Policy DP16 which provides support to small-scale proposals which support the economy and social well-being of the AONB that are compatible with the conservation and enhancement of natural beauty.
- 2.21. The definition of major development in the context of Mid Sussex and for the Sites DPD is set out in the Major Development in the High Weald AONB Topic Paper [TP1] which has support from both Natural England and the High Weald AONB Unit. The methodology is also applied in the context that the determination of whether a proposed development is major development is a matter of planning judgement for the decision maker.
- 2.22. There are two stages to the major development assessment:
- **Stage 1 – Determining major development**
An assessment based on the factors set out in footnote 55 of the NPPF, relevant legal opinion and the High Weald AONB Management Plan 2019-2024 to inform the decision as to whether a proposed site allocation could be regarded as major development. The proposed allocation could be regarded as major as a result of just one factor or it may be a combination of factors that leads to a conclusion of major development.
 - **Stage 2 – Consideration of major development**
If, at the Stage 1 assessment, a proposed site allocation is determined to be major development, then it proceeds to the Stage 2 assessment which is the consideration of major development. It is at this stage that the 'exceptional circumstances' test is triggered, based on paragraph 172 of the NPPF.
- 2.23. The detailed major development assessments for the proposed site allocations are set out in Appendices C and D of the Topic Paper [TP1].
- 2.24. Since none of the proposed allocations were regarded as major development at the Stage 1 assessment, the Stage 2 assessment is not necessary. This means that none of the proposed site allocations need to be considered further in terms of any exceptional circumstances [Section 4.0 and Appendices C and D of TP1].

- 2.25. It should be noted that the major development assessments set out in the Topic Paper are assessments to determine if a proposed site allocation is major development, rather than whether it is a site suitable for allocation in the Sites DPD. The process of determining whether it is acceptable development is through the Stage 2 assessment and the site selection process for the Sites DPD [SSP1, SSP2, SSP3 and SSP4]. The AONB sites within the DPD therefore represent the most suitable sites for delivering housing growth to meet the residual housing need, in accordance with the District Plan strategy.
- 2.26. None of the allocations (six housing and two employment allocations) in the High Weald AONB have been assessed as 'major development'. Natural England recognises and welcomes the conclusion that none of the proposed site allocations constitute major development within the High Weald AONB [Representation ID number 710 and DC19].

4.3 SA38: Air Quality

Is policy SA38, in relation to air quality, justified and effective? Is it based on the latest air quality modelling data? For example, should the work on air quality impacts include the consideration of particulates? In particular, are the proposed mitigation measures sufficiently effective to, in all likelihood, prevent adverse effects from proposed development on the Ashdown Forest SPA and SAC?

MSDC Response

- 3.1. The supporting text to Policy SA38 sets out that this policy will replace District Plan Policy DP29 in relation to air quality. An updated air quality policy has been included within the Sites DPD rather than waiting for the review of the District Plan because new guidance has been prepared and the policy provides more detail as to how development proposals should consider any potential impact on air quality. This is particularly important given the growth proposals within the Sites DPD, and the fact they are predicated on ensuring “no further harm to the integrity of European Habitat Sites in Ashdown Forest” (District Plan Policy DP4: Housing).
- 3.2. Policy SA38 is relevant for all development (not just the proposed site allocations) as any air quality impacts should be considered, but it also focuses on specific situations, namely, development proposed close to Air Quality Management Areas (AQMA) and new development likely to impact on the Ashdown Forest SPA and SAC.
- 3.3. The policy has been subject to Sustainability Appraisal which considered a reasonable alternative of not implementing Policy SA38 but to instead rely on Policy DP29. The Sustainability Appraisal concludes that there would be more positive impacts should Policy SA38 be introduced through the Sites DPD and it would provide a more robust policy framework for air quality to ensure that any negative impact of new development on air quality is minimised and appropriately mitigated when necessary [SUS1].
- 3.4. The policy has been informed by the air quality modelling undertaken for the Sites DPD both in relation to the Stonepound Crossroads AQMA and Ashdown Forest. Table 1 shows the air quality assessments undertaken for each stage of the Sites DPD. The air quality modelling uses the latest available and most representative data.

Reference	Report	Date
AQA1	Air quality modelling to inform the Site Allocations DPD: Ashdown Forest – Scenario 4 Results	September 2019
AQA2	Air quality modelling to inform the Site Allocations DPD: Stonepound Crossroads AQMA – Scenario 4 Results	September 2019
AQA3	Air quality modelling to inform the Site Allocations DPD: Ashdown Forest – Scenarios 7 and 8 Results	September 2019
AQA4	Air quality modelling to inform the Site Allocations DPD: Stonepound Crossroads AQMA – Scenarios 7 and 8 Results	September 2019
AQA5	Air quality modelling to inform the Site Allocations DPD: Ashdown Forest – Sites DPD Scenario 7 and 8 Results	February 2020
AQA6	Air quality modelling to inform the Site Allocations DPD: Stonepound Crossroads AQMA – Sites DPD Scenario Results	February 2020
AQA7	Air quality modelling to inform the Site Allocations DPD: Non-Technical Summary	March 2020

Table 1: Air quality assessments prepared for the Sites DPD

- 3.5. The Council's Environmental Health team has also provided advice and guidance on the air quality assessments for the Sites DPD.

Particulates

- 3.6. The Habitats Regulations Assessment for the Sites DPD outlines that atmospheric pollutants of concern to sensitive habitats that are derived from vehicles include oxides of nitrogen (NO_x), ammonia (NH₃) and the consequential deposition of nitrogen and acid on habitats, which can then lead to changes in species composition. Ashdown Forest is sensitive to increased nitrogen [HRA1]. The air quality modelling and assessment for Ashdown Forest calculated NO_x, NH₃, nitrogen deposition and acid deposition.
- 3.7. The Stonepound Crossroads AQMA was declared due to high nitrogen dioxide (NO₂) concentrations with traffic sources being a main contributor. Since particulate matter (PM₁₀ and PM_{2.5}) are within the relevant Air Quality Standards, the air quality modelling and assessment for the Stonepound Crossroads focuses on NO₂ only.
- 3.8. The Council has commenced work on reviewing the District Plan. The scope of this work includes a review of air quality impacts and further technical work will be undertaken as part of the evidence base. This is the appropriate stage of plan-making to consider if particulates should be included further in local air quality assessments, whether amended standards should be proposed and any new strategic policy for air quality.

Mitigation measures

- 3.9. The Habitats Regulations Assessment for the Sites DPD concludes that mitigation measures for the Ashdown Forest SAC in relation to air quality are not required for the level of growth proposed through the Sites DPD. The modelling results for the growth scenarios are such that the breaches of 1% of the critical loads are so low that, having regard for the wider context, they are considered to be a minor retardation low enough to rule out adverse effects on integrity, as a result of the development within Mid Sussex and neighbouring authorities. This conclusion is drawn with consideration of the beneficial influence of a number of factors set out within the appropriate assessment, and with reference to relevant evidence, case law and expert opinion,

including advice sought from Natural England, who support the approach taken [HRA1 and HRA2].

- 3.10. Policy SA38 provides the policy support for circumstances where proposed development does have a likely significant effect and needs to put in place adequate measures to avoid or mitigate any potential adverse effects. This will be considered through a Habitats Regulations Assessment for proposed development at the planning application stage taking into account the conclusions of the Habitats Regulations Assessment for the Sites DPD and the accompanying technical evidence base.
- 3.11. The Council's air quality guidance (prepared by the Sussex-air partnership) referenced in Policy SA38 provides further information on mitigation measures and lists some of the potential options. Further advice will be provided by the Council's Environmental Health team at the time of a planning application.

Conclusion

- 3.12. In light of the above, the Council considers Policy SA38 to be both justified and effective. It has also been positively prepared through engagement with the Environmental Health team and ongoing work with partners in the Ashdown Forest SAC Working Group, which includes Natural England [DC10, DC11, DC14 and DC19].

4.4 South Downs National Park (SDNP)

Do any of the proposed site allocations threaten to harm the setting of the South Downs National Park (SDNP), and if so, can effective mitigation be achieved?

MSDC Response

- 4.1. Adopted District Plan Policy DP18: Setting of the South Downs National Park [DPD5] sets out the policy to protect the National Park. Policy SA GEN in the Sites DPD sets out the general principles for the site allocations and requires development within the setting of the South Downs National Park to be consistent with National Park purposes and special qualities. Policy SA GEN also requires a Landscape and Visual Impact Assessment (LVIA) on any rural or edge of settlement sites. The LVIA will need to inform the site design, layout, capacity and any mitigation requirements.
- 4.2. There are two proposed site allocations that have been identified relating to the setting of the South Downs National Park:
 - SA12: Land south of 96 Folders Lane, Burgess Hill
 - SA13: Land east of Keymer Road and south of Folders Lane, Burgess Hill
- 4.3. A signed Statement of Common Ground between the Council and the South Downs National Park Authority [DC11] sets out that there has been ongoing dialogue throughout the preparation of the Sites DPD including at the site selection and policy writing stages. Both parties continue to work proactively including on matters relating to the setting of the South Downs National Park. In this way, the Sites DPD has been positively prepared. This also demonstrates ongoing co-operation in relation to the Duty to Co-operate.
- 4.4. The South Downs National Park Authority has raised no objection in principle to the two proposed site allocations SA12 and SA13. However, in its Regulation 18 representation, the South Downs National Park Authority raised concern that the two

site allocations would erode the rural buffer between Burgess Hill and the South Downs National Park potentially harming the special qualities and landscape character of the setting of the South Downs National Park. There has been ongoing dialogue with the South Downs National Park Authority to clarify these concerns. Whilst there is agreement that both sites can accommodate development, the South Downs National Park Authority, with regard to SA13, questions whether the yield proposed (300 dwellings) can be accommodated in a way which is sensitive to the role of this area as part of the rural transition from Burgess Hill to the South Downs National Park.

- 4.5. In its Regulation 19 representation, the South Downs National Park Authority welcomes the development of SA12 and SA13 to be informed by a landscape-led masterplan which respects the setting of the South Downs National Park. Suggestions were made as to how the appropriate development might be achieved on these two sites [Representation ID number 777]. There is ongoing dialogue with the South Downs National Park Authority to address these matters of detail.
- 4.6. The site promoters for SA12 and SA13 have carried out a LVIA to provide evidence that the yield can be achieved and to inform the site layout. The LVIA also considers if any landscape mitigation should be incorporated into the site design [SA12.4 and SA13.1].
- 4.7. The robust site selection process for the Sites DPD demonstrates that the proposed site allocations SA12 and SA13 are considered to form part of a justified and effective plan.

4.5 Suitable Alternative Natural Greenspace (SANG)

*The provision of a **Suitable Alternative Natural Greenspace (SANG)** is set out in District Plan policy DP17, to reduce the likelihood of visitor pressure on Ashdown Forest. Is it the role of this Plan to specify on a map the geographical extent of the 33 ha SANG at Imberhorne Lane? Is there a target date for implementation, and are there convenient public access arrangements?*

MSDC Response

- 5.1. District Plan Policy DP17 sets out an avoidance and mitigation strategy for reducing the impact of recreational disturbance on Ashdown Forest. The Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) mitigation approach set out in Policy DP17 aligns with the strategic solution for recreational disturbance on the Ashdown Forest SPA. This strategic solution ensures the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Ashdown Forest SPA arising from new residential development.
- 5.2. The strategic solution is a partnership approach between the following local authorities and is supported by Natural England:
 - Lewes District Council
 - Mid Sussex District Council
 - Sevenoaks District Council
 - Tandridge District Council
 - Tunbridge Wells Borough Council
 - Wealden District Council

- 5.3. Mid Sussex has one operational SANG at present – East Court & Ashplats Wood in East Grinstead. This is a strategic SANG and provides SANG for the whole of the 7km zone of influence. Future SANG provision is required to ensure capacity for the proposed site allocations included in the Sites DPD and other windfall development within the 7km zone of influence.
- 5.4. The proposed site allocation SA20: Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead includes the provision for a c.43 ha on-site strategic SANG on the western side of the site. Work has been ongoing with the site promoters to refine the details of this proposed strategic SANG and it has also been considered through the Habitats Regulations Assessment (HRA) for the Site Allocations DPD. The proposed on-site SANG will be a strategic SANG which means that the additional capacity that it has will be used for other developments within the 7km zone of influence. The proposed SANG associated with the proposed site allocation SA20 has the capacity to accommodate the number of dwellings proposed for SA20 (550 dwellings) as well as sufficient capacity to meet the other proposed site allocations included in the Site Allocations DPD that will require SANG mitigation (425 dwellings).
- 5.5. Figure 1 shows the current and future planning provision of SANG in Mid Sussex. The East Court & Ashplats Wood SANG is operational; the Hill Place Farm SANG has planning permission and will be delivered as a part of a development of 200 dwellings; and the Imberhorne Farm SANG is that proposed through Policy SA20.

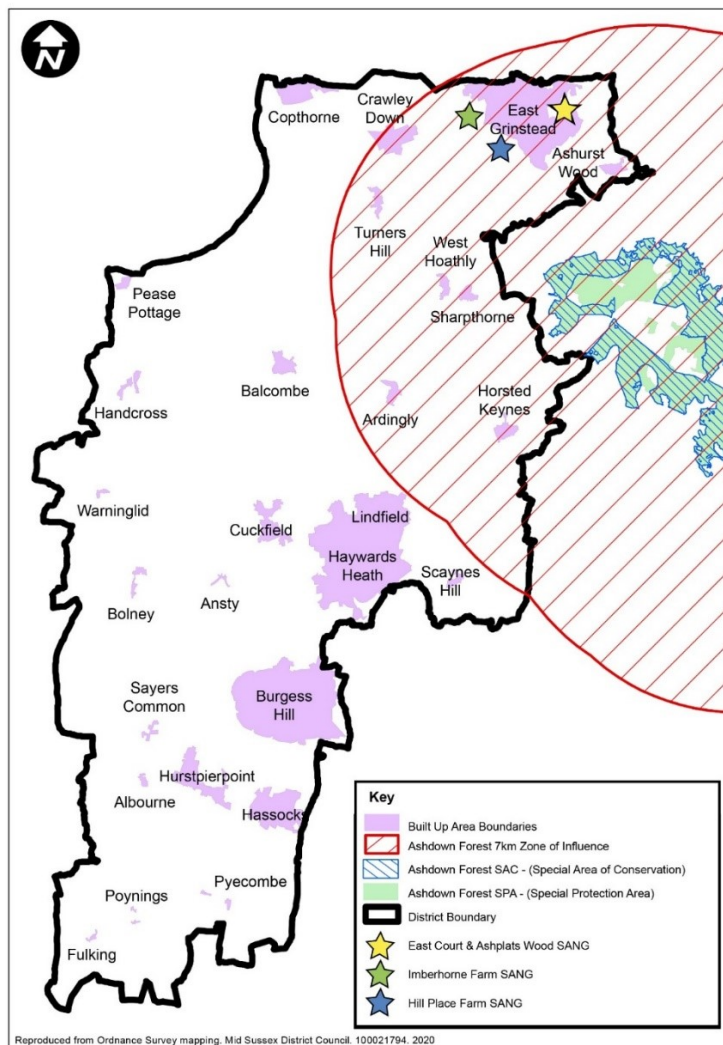


Figure 1: Current and future SANG provision in Mid Sussex

- 5.6. The HRA for the Sites DPD [HRA1, paragraph 5.34] recommends that:
‘SANG provision should be an integral part of plan making, establishing the key principles and locations at the plan level. Attempting to secure SANGs at the project level, without plan policy, will be very difficult, and development may be significantly delayed by a lack of SANG capacity available at the right time for development coming forward. Plan led measures give better certainty in delivery and additional SANG capacity does therefore need to be secured to mitigate for the level of growth in the Site Allocations DPD.’
- 5.7. The HRA [HRA1, paragraph 5.37] goes on to advise that the potential SANG in SA20 is ‘in a location that provides a feasible alternative to Ashdown Forest, being well related to the large concentration of growth to the north and west of East Grinstead ... It also accords well with the distribution of current use for Ashdown Forest ... providing the potential to draw existing use away from Ashdown Forest.’
- 5.8. In its Regulation 19 representation [Representation ID number 710], Natural England made the following comments about the proposed SANG included as part of proposed site allocation SA20:

‘We support the requirements of this allocation to provide an appropriately managed strategic Suitable Alternative Natural Greenspace (SANG) to mitigate increased recreational disturbance on Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC); such a SANG proposal must be considered in accordance with District Plan Policy DP17: Ashdown Forest SPA and SAC.’
- 5.9. The Council and Natural England have also signed a Statement of Common Ground [DC19] which includes references to the strategic solution for Ashdown Forest.
- 5.10. Identifying the location of the proposed SANG and setting out the requirements in SA20 (Provision of suitably designed and managed onsite strategic SANG – c.40 ha) results in certainty that additional SANG provision can be delivered in a timely manner and to an appropriate standard. It is also in accordance with the recommendations of the HRA. This means the Sites DPD is a justified and effective plan. It has also been positively prepared because the site promoter proposes to deliver the SANG and has provided a concept masterplan which indicates the potential location of the car park, footpaths, wildlife pond and other habitats [SA20.1]. The proposed SANG in SA20 will meet the SANG need for the proposed site allocations in the Sites DPD as well as providing capacity for other windfall development.

Implementation

- 5.11. The proposed SANG at Imberhorne Farm will need to be created and implemented prior to occupation of the first dwelling of the proposed site allocation SA20. Once the SANG is created and implemented, it will have to be managed and maintained as SANG land in perpetuity. As an indication, other SANGs in Mid Sussex District have been secured for a minimum of 100 years. Funding to manage and maintain the land will have to be secured from new development.
- 5.12. Much of the detail for SANG delivery will be agreed and secured during the planning application process by way of a s106 planning obligation. This may include the:
- Management Plan
 - Visitor Strategy

- SANG Specification such as the masterplan, landscape layout, hard and soft landscaping specifications, and planting strategy
- Delivery timeframe
- Land transfer arrangements

5.13. It is considered there is sufficient information available at this stage of the Site Allocations DPD process to provide assurance that the SANG can be implemented and managed and maintained in perpetuity. Furthermore, another Habitats Regulations Assessment will be undertaken for the site at the planning application stage. It is recommended that this HRA process further assesses the SANG suitability, capacity and delivery mechanisms.

5.14. The site promoter has indicated that following submission and approval of a planning application, the first completions on site are anticipated to be in the monitoring year 2024/25. Based on this timescale, it is expected that the SANG will be operational by the end of 2024 if not earlier.

Public access arrangements

5.15. The Council considers there will be convenient public access arrangements to the proposed SANG.

5.16. As it is intended to be a strategic SANG, the SANG proposed in SA20 needs to be available to the general public as an area of open space. This includes both the residents of new developments that may use some of the SANG capacity as the SANG mitigation, but also existing residents. Indeed, access is a key consideration in the design of the SANG and several of the SANG criteria address car parking and access. Table 2 provides an initial assessment of the proposed access arrangements identified in the concept masterplan [SA20.1] of the SANG based on the Natural England SANG criteria.

5.17. There will be a variety of ways to access to the SANG:

- A pedestrian link from Imberhorne Lane through the new development of SA20.
- Direct access from the proposed SANG car park accessed through the new development of SA20 from Imberhorne Lane.
- Access from the existing public rights of way network to the north, east, south and west. Connections with the existing public rights of way network provide for access to the wider countryside.
- The Worth Way to the south is a route for walkers, cyclists and horse riders along a disused railway line between Three Bridges in Crawley to East Grinstead.

SANG criteria relating to access	Initial assessment based on the concept masterplan [SA20.1]
Parking should be provided on all SANG sites larger than 4Ha (unless the site is intended for use of developments within 400m only). The amount of car parking space should be adequate, determined by the anticipated use of the site	The concept masterplan indicates a car park at the eastern area of the proposed SANG. Access to the car park will be made via the proposed new residential access through the proposed site allocation SA20. Whilst the proposed SANG will mitigate the adjacent proposed new development which would be within walking distance of the SANG, the car park will allow the extra capacity of the SANG to be used for other developments in the wider area as appropriate.

SANG criteria relating to access	Initial assessment based on the concept masterplan [SA20.1]
and reflect the visitor catchment.	Care will need to be taken to ensure the car park is used only for visitors to the SANG rather than as extra parking for residents of the proposed new development or for other uses. Monitoring of the car park may be required as part of the SANG's ongoing management as well as signage indicating the purpose of the car park. The car park will also help to prevent visitors parking on the streets in the proposed new development potentially causing congestion.
Car parks must be easily and safely accessible by car and should be clearly sign posted.	The car park will be located to the west of the proposed new development. The car park will be accessed from Imberhorne Lane via a new access road associated with the proposed new development. It is recommended that clear sign posting should be installed as part of the set up works for the proposed SANG.
Safe access route on foot from the nearest car park and/ or footpath(s) to the SANG.	The car park leads directly onto the proposed SANG. It is recommended that safe access via footpaths is incorporated into the proposed new development to allow new residents to access the SANG. The new access road through proposed site allocation SA20 should also ensure safe access to the SANG by residents of existing neighbouring housing. Existing public rights of way to the east of the site will provide alternative access to the SANG.
It should be possible to complete a circular walk of 2.3-2.5km, which starts and finishes at the car park (if the site is larger than 4Ha). It is desirable to have a choice of routes available, extending to up to 5km in length.	A circular walk of around 3km will be created. This will start and finish at the car park, although it should be possible to join the circular walk from the public rights of way on the SANG boundaries and the Worth Way to the south of the site. Other paths will be created to allow for alternative routes and to complete walks of varying length. The provision of a circular walk will also not prevent users from exploring the site using informal routes across the grassland. The southern boundary of the SANG also connects to the Worth Way as well as the wider rights of way network allowing visitors to extend their walk into the wider countryside and into East Grinstead.
The SANG site should be clearly sign posted or advertised in some way.	Residents of the proposed new development should be made aware of the proposed SANG; this could be through leaflets. Clear signage should also be installed particularly directing people to the car parks and entrances to the SANG. There may also be the potential to advertise the SANG in other locations and through various media resources. The District Council should be kept informed of any information provided to residents of the proposed new development.
It is desirable for access points to have signage outlining the layout of the SANG and the routes available to visitors.	There should be interpretation boards available at the car park and other appropriate entrances to the SANG showing routes available and other relevant visitor information.

SANG criteria relating to access	Initial assessment based on the concept masterplan [SA20.1]
	The design of the signage and interpretation boards should be developed in conjunction with the District Council.
It is desirable for leaflets to be made available at entrance points and car parks.	Interpretation boards should be provided at the entrance points to provide relevant information and maps of the routes available.
Visually-sensitive way-markers and some benches are acceptable.	Way-markers should be provided particularly for the circular walk. Benches or other appropriate seating will also be beneficial at suitable locations. It would also be helpful to signpost any step-free or accessible routes suitable for all users. Dog bins will also need to be located at various points across the SANG.

Table 2: Initial assessment of the proposed access arrangements for the proposed SANG

Conclusion

5.18. The HRA for the Sites DPD [HRA1, paragraphs 5.41 and 6.5] concludes as follows:

‘A strategic approach to mitigation for recreation impact has been established and is set out in Policy DP17. Mitigation delivery involves both on-site access management measures (SAMM) and alternative sites (SANGs). Checks show that there is sufficient capacity for SANGs. With the mitigation in-place it is possible to rule out adverse effects on integrity, both alone and in-combination with neighbouring authorities.’

‘An area of search for SANG is included within the Site Allocations DPD, recognising the need for further SANG capacity following the implementation of the first strategic SANG at East Court and Ashplats Wood, East Grinstead, in 2015. The potential SANG offers a potentially viable option at this stage in plan making and has been refined since the previous iteration of the HRA.’

5.19. The Council, therefore, considers that the SANG provision included in Policy SA20 is justified and effective.