

Comments on the Horsted Keynes sites within the MSDC SADPD

Relevant District Plan Policy DP4: Housing

Relevant Site Allocation Policy SA11: Additional Housing Allocations

Preface to this Submission

As a recently retired professional that has spent 35 years working in the planning stage of major national infrastructure projects, including preparing and giving evidence for major public inquiries, I strongly support the DP and SADPD process as an essential means to underpin necessary sustainable development of additional housing. I therefore support the allocation of land in Horsted Keynes for additional housing for the reasons set out for the Horsted Keynes sites in the Sustainability Appraisal Conclusions, Chapter 9.

However, the Sustainability Appraisal is limited to a shortlist of sites that have been screened in the SADPD Site Selection Paper 3: Housing Sites, dated October 2019. The detailed site pro-formas, are contained in Appendix B, which also conclude whether a particular site is to be screened out and taken no further, or whether the site is to be taken on to the Sustainability Appraisal. This screening process is therefore critical – and I believe that the judgements that have been made at this critical stage are demonstrably flawed and have led to a sub-optimal shortlisting of sites within Horsted Keynes.

I do not live close to any of the sites in question, so my observations are based on a professional, objective view of wanting the best, most sustainable development for Horsted Keynes - my concern at present is that the current site allocations in the DPD will not achieve that.

Introduction

This submission relates to the shortlisting and appraisal of prospective housing sites within Horsted Keynes (HK). The Sustainability Appraisal (SA) is the most detailed assessment of prospective sites that has been undertaken in MSDC's SADPD process – and was carried out following a three-stage sieving process to filter the number of sites down to a manageable shortlist. This submission reviews the conclusions of the SA for the HK sites and reflects this learning back to the necessarily lighter-touch appraisals that were undertaken on the larger number of sites under consideration at Stage 3 of the site allocation process. This submission contends that, unfortunately, two prospective sites in HK were demonstrably filtered out prematurely at Stage 3 and would have scored equally or better than those taken to SA, thereby leading to a sub-optimal site allocation for Horsted Keynes in the DPD.

Extracts from the Sustainability Appraisal for sites in Horsted Keynes

The Sustainability Appraisal (SA) sets out in Figure 13 that it has assessed 47 sites that remained following the screening process undertaken in Site Selection Paper 3, and it sets out in Paragraphs 6.39-40 that it has categorised these screened sites into:

- 20 Sites that Perform Well
- 16 Sites that Perform Poorly
- 11 Marginal

Of the 20 'Sites that Perform Well' and are proposed for development in the SADPD, 2 are in Horsted Keynes:

SHLAA Site 184: Land south of St. Stephens Church, Hamsland

SHLAA Site 807: Land South of The Old Police House, Birchgrove Road, Horsted Keynes

Of the 16 'Sites that Perform Poorly', 1 is in Horsted Keynes. It appears to have been categorised as such in order to be excluded as it lies wholly within and is subsumed by SHLAA Site 807:

SHLAA Site 216: Land at Police House Field, Birchgrove Road, Danehill Lane

Table 15 of the SA clearly indicates the generic positive benefits of suitable, sustainable housing development in HK. All 3 sites assessed in HK are assessed as delivering the following benefits:

Major positive effects are anticipated in relation the housing and regeneration SA objectives, along with the education and retail objectives in light of the site's proximity to key services.

Further to that, the SA also reflects on the land use and countryside impacts of the 'Sites that Perform Well' and summarises in Table 15:

Sites that Perform Well

SHLAA Site 184: Land south of St. Stephens Church, Hamsland, Horsted Keynes

The site is anticipated to have a minor negative effect on land use and countryside.

SHLAA Site 807: Land South of The Old Police House, Birchgrove Road, Horsted Keynes

The site is within the AONB and the potential for major negative effects on countryside is therefore identified.

The SA therefore concludes, in the context of delivering additional housing in a village that lies wholly within the AONB, that even sites that have 'the potential for major negative effects on countryside' can, in the right circumstances be judged in the balance to be categorised as a 'Site that Performs Well' and therefore be allocated for development.

This judgement, which is a point that I will come back to later, is given further context by paragraph 3.4.6 in the SADPD Site Selection Paper 3 which states:

It is important to note that a number of settlements in the plan area are entirely within the AONB, including several settlements at Category 3 of the settlement hierarchy where the adopted District Plan Strategy distributes housing growth. It will be necessary to ensure that housing needs at settlements in the AONB are met where possible, including through allocation, where doing so does not cause unacceptable harm to the AONB. This is considered both a pragmatic approach to ensuring that the vitality of settlements in the AONB is sustained and that the District Plan Strategy is adhered to. Although the NPPF makes a presumption against major development in the AONB (paragraph 172), it does not define a development threshold which constitutes 'major' (footnote 55). In the context of the above, it is considered reasonable for the site selection process to test sites in the AONB for allocation, particularly in

light of the fact that potential effects on the AONB are afforded great weight in the assessment process. Importantly, the High Weald AONB Unit supports this approach.

A more detailed assessment is given for the 3 HK sites taken to Sustainability Appraisal on pages 132 and 133 of the document in Appendix 4: Housing Site Appraisals. Where:

- (a) is Site 184, Land south of St. Stephens Church, Hamsland;
- (b) is Site 216, Land at Police House Field, Birchgrove Road Danehill Lane; and
- (c) is Site 807, Land South of The Old Police House, Birchgrove Road;

it provides the following overall conclusion for these sites in HK:

All sites score relatively positively on the social objectives. All options are within the High Weald AONB, hence negative impacts on the countryside objective. Options (b) and (c) are likely to have a greater impact than (a); however the impact has not been assessed as 'High' by the High Weald AONB unit. It is generally accepted (through adoption of the District Plan residual housing requirements for settlements) that development will take place within the AONB at settlements that are entirely within it.

The sites perform positively overall, negatives could be mitigated, and there is a residual need at this settlement and Category 3 as a whole. Therefore, all three sites should be progressed for allocation.

Given the strength and clarity of these conclusions in the Sustainability Appraisal regarding prospective additional housing development in HK, this highlights the need to have high confidence that the Stage 3 screening decisions for HK that are summarised in SADPD Site Selection Paper 3 stand up to close scrutiny. This is particularly so as this site selection process is seeking to establish a comparison and prioritisation of possible sites for development, as set out in paragraph 3.5.5 of the SADPD Site Selection Paper 3, which states:

The SA tested each site option on a settlement-by-settlement basis. This was important for two reasons. First, it tested the individual sites against the SA objectives to establish a site's performance in absolute terms. Second, it enabled comparison of sites within the same settlement by establishing the performance of each site in relative terms. Understanding the best site in relative terms means that even if a settlement has a number of sites which individually perform well, only the best performing sites following assessment in that settlement need be considered for allocation when viewed in the context of the District Plan strategy.

My concern is that the Stage 3 shortlisting process for sites in HK was demonstrably flawed and, consequently, a sub-optimal shortlist of sites within HK was taken forward to Sustainability Appraisal.

Stage 3 Screening of Sites in Horsted Keynes

I concur with the Stage 3 screening conclusion that Sites 184 and 807 should be taken through to the Sustainability Appraisal. I feel that it was of little benefit to also take Site 216 to the SA as it lies wholly within Site 807, and the larger number of new homes for essentially the same impacts was always likely to be a stronger performer. Sites 184 and 807 in combination are projected to deliver a total of 55 new homes against a minimum residual requirement for Horsted Keynes, after existing commitments and completions, of 53 new homes, as set out in Figure 2.2 of the Site Selection Paper 3. This minimum residual requirement of 53 new homes in HK is an input to the process, not an output from it, as set out in Paragraph 2.4.4 of the Site Selection Paper 3 which states:

Figure 2.2 below updates this spatial distribution in light of the April 2019 completions and commitments data. The Site Allocations DPD must therefore seek to allocate sites in a manner which is informed by the distribution set out in Figure 2.2.

The decision effectively to submit only two sites totalling 55 new homes against a must-meet residual requirement of at least 53 new homes in HK does not enable the SA to draw any meaningful conclusions regarding choices in HK, as advocated in paragraph 3.5.5 of Site Selection Paper 3. There are two other sites that passed the stage 2 sift that I contend should have remained in the shortlist after Stage 3 and been subjected to the Sustainability Appraisal. This would have enabled a meaningful prioritisation of credible choices to be undertaken as envisaged by paragraph 3.5.5.

Whilst I fully appreciate, having worked at the planning stage of major projects for 35 years, that as paragraph 3.4.7 states: *'A degree of professional judgement was required as the criteria were not assumed to be of equal weight'*, this cannot be a crutch for maintaining a position that does not stand up to objective, evidence-based scrutiny. The two sites where I believe that the evidence warrants their continued consideration are:

SHLAA Site 68: Farm Buildings, Jeffreys Farm – 6 new homes

SHLAA Site 69: Jeffreys Farm Northern Fields – 22 new homes

SHLAA Site 68: Farm Buildings, Jeffreys Farm – 6 new homes

This site is also currently under appeal against MSDC's refusal of planning permission (DM/19/0957) for a proposed development of 5 new homes.

Previously Developed Land

SHLAA Site 68 comprises 0.75 ha of land currently occupied by dilapidated farm buildings, two of which are marked as 'Ruin' on the OS mapping used in the documentation. Whilst these have been agricultural buildings, and may therefore not strictly satisfy the definition of a 'brownfield' site, this is certainly 'previously developed land' and is an obvious candidate for sustainable development in accordance with MSDC Local Plan Policy DP4: *'The Council will also explore the potential to realise brownfield land housing capacity through the preparation of a Brownfield Sites register'* and as encouraged in the SA Sustainability Objective 7: *'To improve efficiency in land use through the re-use of previously developed land and existing buildings, including re-use of materials from buildings, and encourage urban renaissance.'* Given these policy objectives, there should be a very strong presumption in favour of sustainable development on this site and there would have to be a very compelling reason for it not to have been shortlisted at Stage 3.

AONB Assessment

The AONB assessment is not that compelling reason – this site is one of only two sites in HK assessed as Low AONB impact. Given the weight attached to the AONB, this gives a further very strong presumption in favour of sustainable development on this site, unless there is another very compelling reason for it not to have been shortlisted at Stage 3.

Local Road / Access

The Stage 3 assessment for Local Road / Access appears to be the only reason for screening out this site as it is the only 'Very Negative' impact in the RAG assessment and the other 'Negative' impacts apply to all sites in HK. This assessment is therefore significant, and unfortunately it appears to be based on two factually incorrect conclusions.

The first incorrect conclusion drawn is that *'securing a suitable form of access is unlikely because it is anticipated that there could be significant conflict with the existing junction (creating a crossroads), and achieving an appropriate level of visibility is unlikely because of physical constraints and third party land ownership'*. There are two possible means of providing access to this site:

1. As vehicle speeds are low, the number of new dwellings is so small and additional trips generated will be correspondingly low, it is not untenable to contemplate using the existing farm track with its substandard existing access off the inside of the bend on Sugar Lane/Treemans Road – this is very similar to the existing accesses to Jefferies and Boxes Lane off Sugar Lane.
2. If this is deemed undesirable, the applicants have shown in their planning application DM/19/0957 that a new access could be constructed across Jeffreys Farm front field, land which is in their ownership and control, to join Sugar Lane on the outside of the bend between Boxes Lane and Jefferies. As Jeffreys Farm front field is covered by a covenant protecting the possible creation of a sports field and pavilion on this site at some stage in the future, I would suggest that the access that the applicants have proposed should be shifted northwards. This permits a football pitch still to be safeguarded and provides good visibility along Sugar Lane with minimal impact on hedgerows of providing visibility splays due to the bend in the road, as shown below:



The second incorrect conclusion drawn in the 'Very Negative' impact assessment is that *'Insufficient provisions in the locality suggest that the site is likely to be over reliant on private car use.'* That is a comment that is equally applicable to every site in HK and reflects one of the difficulties of living in a beautiful village with very poor public transport connections. It cannot be a reason for excluding this site, which is 650m from the village bus stop and therefore meets SA Sustainability Objective 11: *'To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car, thereby reducing the level of greenhouse gases from private cars and their impact on climate change. (SEA)'* with its specific measurement criterion: *'number of households within a 10 minute walk (approx. 800m) of a bus stop with less frequent service (less than 3 an hour)'*. This site could potentially provide an additional 6 new homes that satisfy that metric and hence meet rather than frustrate Sustainability Objective 11.

Conclusion

There is no evidence-based reason, or apparent rational professional judgement reason for excluding SHLAA Site 68: Jeffreys Farm Buildings at Stage 3 that then prevents its consideration at the SA stage. This appears to be a highly sustainable site for the proposed scale of development and its exclusion appears to be perverse and untenable.

SHLAA Site 69: Jeffreys Farm Northern Fields – 22 new homes

Having lived in two different houses in the village for over 34 years, I would contend that most of the village uses primarily (but not exclusively) the amenities provided by Lindfield and Haywards Heath rather than those in Forest Row and East Grinstead. As such, I would anticipate that traffic flows in and out of the village are higher on a combination of Keysford Lane and Treemans Road heading south towards Haywards Heath than they are on a combination of Waterbury Hill, Danehill Lane and Birchgrove Road heading north towards East Grinstead. Given the unavoidable bottlenecks on the main road through the village created by on street parking along the length of Station Road, this militates strongly in favour of sustainable development of suitable sites on the south and west of the village, unless constrained by other more significant considerations.

It is instructive therefore to look at the Stage 3 assessment for SHLAA Site 69 and to seek to understand why this site has been excluded at this stage and whether the evidence supports the professional judgements that have been made.

AONB Assessment

The principal reason for excluding this site from further consideration appears to be the AONB High impact assessment. Given the explanation set out in paragraph 3.4.6 in the SADPD Site Selection Paper 3 and discussed above regarding AONB considerations in Category 3 settlements wholly within the AONB, of which HK is one, it is important that this assessment is robust and rational as important implications flow from this conclusion.

The first statement in the AONB assessment is: *'High impact on AONB as development would be out of character with the settlement pattern of Horsted Keynes.'*

Unfortunately, this statement is completely at odds with the historic development and settlement pattern of Horsted Keynes and with the outcome that would arise if development was undertaken on this site. Other than a limited number of windfall sites, Horsted Keynes has developed over the years initially as a series of linear developments along the existing lanes and roads e.g. the house where I live on Lewes Road was one of a pair of detached houses built in 1925, and then over the

last 60-70 years as a series of small discrete developments e.g. Hamsland, Challoners, Jefferies, Boxes Lane, Rixons, Rixons Orchard, Cheeleys, Hillcrest, Lucas. All of these have been built around generous public open space in the centre of the village in the form of the village green, HK Recreation Ground and HK Cricket Pitch.

If one considers development on SHLAA Site 69: Jeffrey's Farm Northern Fields, and does so in the context of public open space in perpetuity on Jeffrey's Farm front field (as protected by its covenant) and potential development on SHLAA Site 68: Jeffrey's Farm Buildings, I would contend that such a development of one or two discrete developments encircling public open space is as *'in character with the settlement pattern of Horsted Keynes'* as it is possible to get.



The AONB assessment goes on to make three factual statements: *'Undulating field to the north of the farmyard site. No watercourses mapped. Jeffrey's Farm is a historic farmstead separated from the village by Sugar Lane'* before remarking that:

'The western side of the lane is characterised by dispersed settlement and development of this site would be uncharacteristic of this area.'

This is a somewhat misleading statement as the eastern side of Sugar Lane is densely developed comprising three detached houses and ten semi-detached houses, some of these with postal addresses on roads off Sugar Lane. The western side of Sugar Lane is currently undeveloped but from Jeffrey's Farmhouse southwards to the village boundary comprises an unbroken development of detached and semi-detached houses on both sides of the road (The MSDC built up area boundary is very misleading in this respect as it does not include most of this development). In that context, it is difficult to draw an evidence-based conclusion that development of SHLAA Site 69 would be *'uncharacteristic of this area'*.

The AONB assessment then states that: *'Sugar Lane and Keysford Lane are historic routeways. Mature trees on field boundaries and a dense screen of trees along Sugar Lane and at the junction with Keysford Lane which probably marks the original wider junction for driving stock.'*

These factual statements are no doubt true, but the dense screen of trees along Sugar Lane and at the junction with Keysford Lane is not affected by any development of SHLAA Site 69, other than, one might surmise, the logical possibility of wanting to thread a footpath and/or cycleway through

the 40m depth of woodland to connect into the Station Road footpath which terminates at this junction. Given the depth of screening here, provision of this amenity would not make any perceptible impact on the screening provided by these trees.

The AONB assessment then states: *'Post medieval field system due to more recent field amalgamations. Given the probable age of Jeffrey's Farmhouse it is likely that the whole farmstead is medieval in origin.'*

As SHLAA Site 69 is now acknowledged to be a modern field system, the evidence would not support this contributing to a High AONB Impact assessment of SHLAA Site 69.

The AONB assessment concludes by stating: *'Very limited views into the site from routeways due to mature hedgerows and trees.'*

Once again, this evidence is clear that the site is well screened and does not support a conclusion of High AONB impact.

In summary, whilst many of the AONB Unit assessments for sites around HK are wholly understandable, the evidence provided for SHLAA Site 69 does not give any evidence-based support for the High AONB Impact assessment of this site. If one disregards the evidence available, it still remains difficult to comprehend on more subjective matters how professional judgement could rationally conclude that this site has a High AONB Impact. The consequence of this High Impact assessment is that a potentially highly sustainable site has been excluded at Stage 3 from further assessment at SA Stage 4.

Listed Buildings

The Site Selection Appendix B proforma for SHLAA Site 69 indicates a Neutral (yellow) / Less than Substantial Harm impact on two listed buildings Ludwell Grange and Boxes Farm. The density of the tree screening on Sugar Lane provides and would continue to provide a very effective visual screen for these buildings and their setting. Any new road junction(s) into the site on Sugar Lane (and possibly Keysford Lane) would be at some distance from these two listed buildings and the resulting opening(s) would not adversely affect the screening of these buildings from any development on the site. The Neutral assessment seems reasonable.

Trees/TPO

The Site Selection Appendix B proforma for SHLAA Site 69 indicates a Neutral (yellow) or Low/Medium impact assessment on trees and TPOs. As with the Listed Building assessment, as these screens would not be adversely affected by development within the site, this Neutral assessment seems reasonable.

Other Criteria

Other than the Health and Public Transport Negative impact assessments, which are common to all sites in HK, all other criteria that have been assessed at Stage 3 are either Very Positive or Positive for SHLAA Site 69: Jeffreys Farm Northern Fields.

Conclusion

There is no evidence-based reason, or apparent rational professional judgement reason for excluding SHLAA Site 69: Jeffreys Farm Northern Fields at Stage 3 that then prevents its consideration at the SA stage. This appears to be a highly sustainable site that could make a major contribution to meeting HK's minimum residual requirement of 53 new homes and its exclusion

appears to be perverse and untenable. Indeed, given further consideration, it might be concluded that this site is sufficiently sustainable that it should be zoned for more than the 22 new homes currently proposed on the site.

If this site were to be assessed at Stage 4 through SA and other assessments, it may well be that this site would prove to be more favourable than and would be prioritised over other sites in the village, in accordance with paragraph 3.5.5 of the SADPD Site Selection Paper 3, which states that: *'only the best performing sites following assessment in that settlement need be considered for allocation when viewed in the context of the District Plan strategy'*.

Comments on HK Sites currently allocated in Draft SADPD

As stated earlier, I concur with the Stage 3 screening conclusion that Sites 184 and 807 should be taken through to the Sustainability Appraisal. However, I will take this opportunity to make the following comments on both sites, which informs my view that the two Jeffreys Farm sites might better be prioritised ahead of one or both of the currently allocated sites in HK.

SHLAA Site 184: Land South of St Stephens Church

- The AONB Low Impact assessment is understandable and appears to be appropriate on the evidence provided.
- The Neutral (Yellow) / Low/Medium impact on Trees and TPO looks to be highly optimistic given the narrow width of the access route into the site from Hamsland. It seems probable that any appropriately sized access to the proposed development of 30 new homes would require removal of the mature trees currently screening the north-western boundary of the site.
- The Highly Positive (Bright Green) impact assessment for Local Road/Access is impossible to reconcile with local knowledge. Hamsland is a narrow cul-de-sac serving a large number of dwellings and is already constrained by unavoidable on-street parking for houses on the north side of the road. The access challenges of serving an additional 30 new homes are considerable and, I would contend, warrant at best a Negative (Pink) rating. The housing on the north side of Hamsland sits up on a bank and the verge on that side of the road could not be removed to enable Hamsland to be widened. It would be necessary to remove the verge on the south side of Hamsland to provide any additional width to accommodate the extra traffic. I suggest that the portion of Hamsland between Lewes Road and the access to St Stephens Field would ideally be in the order of 8m wide, being 5.5m roadway with a 2.5m wide marked parking bay along its length. If this cannot be achieved in the space available, then serious consideration should be given to the number of properties (if any) proposed to be developed on SHLAA Site 184 given the access difficulties.
- Conclusion: If, after further assessment, this site continues to be prioritised in the site allocation for development in HK, it may be that this site should be zoned for a lower density development with fewer dwellings as it is on the edge of the village, is fairly remote from the bus route by contrast with other sites in the village and has demonstrable access difficulties along Hamsland.

Site 807, Land South of The Old Police House, Birchgrove Road

- The AONB Negative (Pink) Impact assessment is, if anything, somewhat generous, given the narrative which accompanies the conclusion, for instance the loss of a medieval field system with some visibility of the site from Danehill Lane. On the evidence available, this appears to be a more severe impact than would be experienced on SHLAA Site 69: Jeffreys Farm Northern Fields yet the assessment is stated as less severe, notwithstanding the available evidence underpinning these assessments
- The Neutral (Yellow) Less than Substantial Harm impact on the Grade 2 listed Lucas Farm is slightly surprising as this building is directly over the road from the northern edge of the site and is unlikely to be heavily screened from the development. Indeed, the existing mature oak tree in the southern road verge, which currently provides some screening of the site from Lucas Farm, must be at risk of removal in order to be able to provide a safe visibility splay on exit from the site onto Birchgrove Road.
- Local Roads/Access is assessed as Positive (Light Green) Impact and the narrative focuses on ensuring that the site is accessed from the north off Birchgrove Road, which I accept is the correct solution. However, there is no mention of the dangerous conditions that additional traffic will exacerbate at the eastern end of Station Road where westbound vehicles regularly drive up onto the pavement to be able to pass eastbound vehicles given the narrow road width and on-street parking in this location.

Conclusions

This is an excellent and rational process that MSDC has followed, which I support strongly. It has helped to bring home to many communities that we must all play our part in enabling sustainable development of additional much needed housing in our communities.

HK has a substantial role to play in delivering our minimum residual requirement of 53 new homes over the period. I therefore believe that the Stage 3 process was unfortunately flawed in sieving to such an extent that only two sites (in effect) delivering a maximum of 55 new homes were submitted for Sustainability Appraisal at Stage 4. I do not believe that the evidence supports the exclusion of the two Jeffreys Farm sites (SHLAA 68 and 69) which I believe should still remain under active consideration and may prove to be more attractive than one or both of the currently favoured sites.

I hope that this submission is helpful and I would be happy to respond to any questions or clarifications that you might wish to pursue.

Paul Fairbairn

20th November 2019