



Examination of the Mid-Sussex Site Allocations Development Plan (DPD)

Matter 3 - Day 5 – Thursday 10th June 2021

Site SA29. St Stephen's Church, Horsted Keynes

Note for Inspector

1. This note is prepared by Sigma Planning Services in response to the request by the Inspector made at the above Session of the Examination. It is submitted on behalf of Rydon Homes Ltd who hold an interest in the site and are promoting it for early development.

Site Allocation in the MSDC SADPD

2. The site was submitted for consideration by the Council's Call for Sites exercise. It was given the SHELAA reference 184. The 2018 (updated 2020) SHELAA assessed the site as suitable for housing at Stage 1 of the process and it progressed to the Stage 2, Site Selection process.
3. In the Reg.18 Consultation Draft SADPD, published in October 2019, the site was shown as a proposed housing allocation SA29 with an indicative total of 30 dwellings.
4. Post Reg. 18 Consultation the site was assessed in the Site Selection Paper 3 – February 2020. The assessment included the following conclusions:-
 - low impact on the AONB
 - flood risk - no effect
 - no effect on Ancient Woodland
 - no effect on Designated Wildlife Sites
 - less than substantial harm to the Listed Building "Wyatts" lying to the south-east
 - no impact on the Horsted Keynes Conservation Area
 - moderate archaeological potential – no objection subject to survey and any mitigation required

- Landscape – as AONB assessment
- Trees – low/medium impact
- Local Road / Access – no impact
- Deliverability – developable
- Infrastructure – potential to enhance

The summary assessment is:-

"The site is reasonably well related to the existing built area of Horsted Keynes and has low potential for harm to the AONB. It is free of biodiversity and heritage constraints, is walking distance to local village services and the village school and has no constraints to achieving access. It is noted that the site is not well served by public transport, but this does not differentiate it from other site options at Horsted Keynes and its proximity to local services is considered to partially mitigate this".

The site is proposed for allocation.

5. The land was subsequently included in the submission draft SADPD published in July 2020 as a housing allocation Site SA29.
6. Horsted Keynes is a Category 3 Settlement in Policy DP6 of the adopted plan with 69 dwellings to be provided over the period to 2031.

Horsted Keynes Neighbourhood Plan

7. The HKNP Regulation 14 Draft was published for consultation between 12th October – 7th December 2020. The housing strategy of the NP (Para. 9.6) was to rely on the MSDC Site Allocations SA28 and SA29 to meet its residual housing requirement.
8. The consultation responses included a body of objection opposing the SA29 Allocation and suggesting that it be replaced by a compensating housing development at Jeffreys Farm (6 dwellings) being promoted by Mrs Helena Griffiths.

Planning Application

9. A planning application (DM/20/4692) for the erection of 30 dwellings (30% affordable) was submitted in December 2020 and, following discussions, the provision of further information, amendment and further consultation on those amendments, a decision is now expected shortly. Details of the application, consultant reports and other supporting documents have been submitted to the Examination Library.
10. **Highways** – points were raised about the impact upon the wider local road network, the narrowing of Hamsland as a result of existing on-street parking, the adequacy of the sight lines at the access and the ownership of the

land necessary to form the bellmouth. Similar points have been raised in relation to the planning application and have been addressed by Rydon's Highways Consultant in the:-

RPS Transport Statement	December 2020
RPS Road Safety Audit	March 2021
RPS Technical Note (re Dr Griffiths)	22 February 2021
RPS Technical Note (re WSCC Highways)	24 February 2021
RPS Visibility Splay Overlay Plan	April 2021

These documents have been submitted to the Examination Library. They contain greater detailed analysis than is usually required for high level consideration at Local Plan Examinations but the conclusion is that the points raised have been thoroughly, comprehensively, competently and professionally addressed and there is no substantive objection on highway grounds to the proposed housing development of this site. In short:

- the local road networks can satisfactorily accommodate the traffic likely to be generated by the development.
- Hamsland has the capacity to support additional traffic generated by the development despite the existing on-street parking.
- suitable visibility sight lines can be provided at the access.
- all the land necessary to form the access bellmouth and sight lines is either under the control of Rydon Homes or is highway land.

11. West Sussex County Council (Highways) accept the principle of the development from the highway safety and capacity point of view and confirm that there is no severe impact on the public highway.
12. **Impact on Trees** – various questions are raised about the effect of the proposal upon trees, in particular those along the south-western boundary of the site and in proximity to the access road. The Arboricultural Impact Assessment submitted with the application confirms that the only trees requiring removal would be a small group, G1, comprising a Hawthorn, and a dying Holly. These are required to be removed to form the bellmouth but are small in size and BS Category c/u and as such should not represent a constraint to the proposals. No other trees will require removal for the development.
13. Some tree surgery works are required and are detailed in the AIA. All of these works would represent typical maintenance of field boundaries if the site remained in its present use and as such they should not represent a significant constraint to development. They will not adversely affect the visual amenity of the trees and most of the works rebalance heavily asymmetric crowns.
14. The proposed layout was produced with the benefit of detailed tree constraint information including hand dug trenches to establish the extent of Root Protection Areas along the south-western site boundary. The only area of potential conflict with tree root systems would be the entrance road passing through the RPA's of

T2-G7 and this is to be addressed by the method of construction of the access road. Where appropriate, this will be a fully, no dig design and an overlay matting system providing porous surfacing in accordance with Arboricultural Practice Note 12 and Section 7.4 of BS5837 : 2012. Details of the proposed construction method are set out in the Technical Note from RPS dated 24th May 2021. Such works will ensure that retained trees are not adversely affected by the construction of the road.

15. Further detailed hand-dig investigation will be carried out with regard to the route of service installations to be laid on the eastern side of the access. If any root systems are likely to be put at risk in this location then the cabling etc. will be "moled" underneath the tree roots.
16. These matters have therefore been thoroughly investigated by Rydon's consultant team and it has been demonstrated that there are practicable and conventional means of constructing the access road, in accordance with BS5837:2012, in order to avoid harming the retained trees along the south-western site boundary. Subject to these safeguards, the Council's Tree Officer raises no objection on arboricultural grounds.
17. **Land Ownership** – the claims by Mr Fairweather that third party land is required to implement the proposed development have been investigated by Rydon's legal team who can find no substance to the allegation. Mr Fairweather has not been able to provide evidence to support his claim. Rydon are entirely satisfied that they can carry out development in accordance with their planning application on land within their control together with highway land.
18. **AONB** – The AONB washes over the whole settlement of Horsted Keynes. Some limited growth of the settlement is important to provide affordable housing and to support the rural economy and local service, in accordance with Paragraphs 77-78 of the NPPF. The level of provision was established by Policy DP6 of the adopted Local Plan and is being put into effect by the Allocations Document. Allocation Site SA29 was assessed as having low potential for harm to the AONB and is therefore a preferred location for new housing compared to other, more sensitive, locations around the settlement. The boundary vegetation, which further reduces visual impact upon the wider AONB, will be retained. The HWAONB Unit raised no objection to the planning application or the proposed allocation. Landscape and scenic beauty interests will therefore substantially be preserved, having regard to the need for housing and the need to support the local economy.
19. **Other Issues** – A number of other matters were raised by Participants:-
 - Density** – The gross development density proposed for the site is 26.5 dpa which is a medium to low density and is appropriate having regard to the edge of settlement location and the densities of adjoining development/character of the local area. The application proposal shows one way that this density can be achieved with suitable landscape buffers and a high quality built environment. However, densities can be achieved in a number of ways, through different housing mixes, built footprints and layout. There is nothing to suggest that the total of 30 dwellings on this

site is excessive and incompatible with good quality housing, consistent with local character.

Ecology – The planning application was supported by an Ecological Appraisal. There are not considered to be any significant adverse effects on any statutory or non-statutory sites of nature conservation interest from the development proposals. Any potential impact upon the Ashdown Forest SPA and SAC can be suitably mitigated by financial contributions to established schemes of mitigation. No trees within the site were recorded as having the potential to support roosting bats. GCN are not considered to be present within the site. The site margins support a low population of Slow Worm and Common Lizards but measures to avoid any possible effect on reptiles and to provide suitable habitat post development can be put in place. No evidence of Badger setts was recorded on the site. No rare or significant flora was identified.

In conclusion, through the implementation of the safeguards and recommendations set out within the Ecology Report, it is considered that the proposals accord with planning policy with regard to nature conservation at all administrative levels. In addition, it is considered that the recommendations outlined would create a net enhancement to biodiversity post development.

Mineral Safeguarding – Contrary to assertions made at the Examination Session, the site is not within an identified mineral safeguarding area.

Neighbour Amenity – The site has residential curtilage on three sides but is only directly overlooked by the rear elevations of 5/6 houses to the north. They have good-sized rear gardens and the combination of distance, orientation and retention/enhancement of existing boundary vegetation mean that acceptable privacy standards can be assured. The proposed scheme layout confirms this point.

20. In conclusion this proposed allocation has been thoroughly tested to a level well beyond that normally associated with Local Plan allocations and no issue has been identified that would suggest that it is unsuitable, unsustainable or that its inclusion would in any material way undermine the soundness of the plan. Rydon are aiming to ensure delivery of housing from the site within the early part of the plan period and they remain confident in their ability to do so.