

## Mid Sussex SA DPD Examination – Main Modifications

<b>Ins Ref</b>	<b>DPD Section</b>	<b>Proposed Change</b>	<b>Reason for modification</b>
MM1	Policy SA25, page 73	<p><i>Modify policy SA25: Land West of Selsfield Road, Ardingly, for 70 dwellings, as follows:</i></p> <p>Number of Units: <b>70 35</b> dwellings.</p> <p><i>Under Urban Design Principles: New first bullet point:</i></p> <ul style="list-style-type: none"> <li>• <b>Locate the development at the eastern end of the open land between the South of England Showground and the Recreation Ground, fronting onto Selsfield Road. The proposed development should include strategic landscaping at its western end.</b></li> </ul> <p><i>Amend Policies Map and SA10/SA11 (with figures as at 1st April 2021) to reflect this modification.</i></p>	<p>The modification is necessary because no exceptional circumstances have been demonstrated to justify the allocation of a major housing development at Ardingly, which is a small, Category 3 settlement within (washed over by) the High Weald Area of Outstanding Natural Beauty (AONB).</p> <p>The total of 70 dwellings in the submitted Plan is considered to be major development at Ardingly for two main reasons – first, its scale in relation to the size and housing needs of Ardingly, and second, its impact on the character and appearance the AONB. These reasons are relevant in light of national policy as expressed in paragraph 172 and Footnote 55 of the Framework (2019), and District Plan policy DP16.</p> <p>Its impact on the character and appearance of the Ardingly Conservation Area is also a material consideration.</p> <p>Reducing the size of the allocation to 35 dwellings at the same density as the proposal in the submitted Plan (ie about 20 dph) reduces the required area for development of SA25 to approximately half the area in the submitted allocation, but with an allowance for strategic landscaping.</p> <p>Locating the reduced allocation of 35 dwellings to the eastern end of the submitted Plan allocation would reduce the impact on the setting of the Conservation Area on and around Street Lane and on the broader, rural AONB, especially to the west and south west of Ardingly.</p>

MM2	Policy SA20, page 59	<p><i>Modify policy SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead, for 550 dwellings, as follows:</i></p> <p><b><i>Under Social and Community: Provision of a minimum of 142 dwellings (Use Class C2) in a dedicated site within the allocation, fronting onto Imberhorne Lane.</i></b></p> <p><i>The area for the older persons' dwellings needs to be defined on the Policies Map.</i></p>	<p>The modification is necessary in response to the fact that the submitted policy SA20 fails to indicate any quantitative provision for specialist housing for older people. The inclusion of a specific quantitative requirement for such development is justified and in accordance with national policy as expressed in paragraph 61 of the Framework.</p>
MM3	New policy to address the need for specialist accommodation for older people and care homes	<p><i>Include new criteria based policy to provide for specialist accommodation for Older People and Care Homes within Mid Sussex, as follows:</i></p> <p><b><i>There is an identified need for specialist accommodation for older people comprising at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 should be leasehold. The Housing and Economic Needs Assessment Addendum (August 2016) identified forecast demand for care homes (Use Class C2) at 2031 as 2,442 bedspaces. The Council will support proposals that will contribute to meeting these types of specialist accommodation.</i></b></p> <p><b><i>Proposals for specialist accommodation for older people and care homes will be supported where:</i></b></p> <ul style="list-style-type: none"> <li><b><i>a) It is allocated for such use within the District Plan, Site Allocations DPD or Neighbourhood Plan; or</i></b></li> <li><b><i>b) It forms part of a strategic allocation; or</i></b></li> <li><b><i>c) It is located within the Built-Up Area Boundary as defined on the Policies Map; or</i></b></li> <li><b><i>d) Where the site is outside the Built-Up Area, it is contiguous with the Built-</i></b></li> </ul>	<p>The modification takes account of the recent appeal decision in relation to a proposal for an extra care development of up to 84 units of Use Class C2 at Albourne. This appeal decision underlines the importance of providing for older persons' housing, both in paragraph 61 of the Framework, and also in the Planning Practice Guidance, which stresses that the need to provide housing for older people is critical in view of the rising numbers in the overall population.</p> <p>Moreover, the need for specialist housing for older people is set to increase significantly in Mid Sussex during the rest of the plan period, with no signs of slowing down.</p> <p>The statistical context at the start of the policy gives some steer as to how much need there actually is for specialist accommodation for older people and care homes.</p> <p>The locational and accessibility criteria, which effectively limit new specialist accommodation for older people and care homes within Mid Sussex, is necessary to accord with national policy, as expressed in section 8 of the Framework, which promotes healthy and safe communities as well as with the national sustainability ethos which permeates the entire Framework.</p>

		<p><b>Up Area Boundary as defined on the Policies Map and the development is demonstrated to be sustainable, including by reference to the settlement hierarchy (policy DP4).</b></p> <p><b>In all circumstances, the site must be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. Proposals must demonstrate how reliance on the private car will be reduced and be accompanied by a Travel Plan which sets out how the proposal would seek to limit the need to travel and how it offers a genuine choice of transport modes, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.</b></p>	
MM4	Policy SA13, page 43	<p><i>Modify policy SA13: Land East of Keymer Road and South of Folders Lane, Burgess Hill, for 300 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> <li>To deliver a sympathetic and well integrated extension to Burgess Hill, informed by a landscape led masterplan, which respects <b>responds to</b> the setting of the South Downs National Park <b>in its design</b>, creating .....</li> </ul> <p><i>Under Landscape Considerations:</i></p> <ul style="list-style-type: none"> <li>Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impacts on the most visible parts of the site on the wider countryside and the setting of and any potential views from the South Downs National park to the south. Any external lighting scheme shall be designed to minimise</li> </ul>	<p>The modification is necessary in response to the sensitive environmental context of the proposed housing allocation at SA13, which is located on the southern fringes of Burgess Hill. Within this area, special sensitivity is required to ensure that any potentially harmful impact of the proposed development on the setting of the South Downs National Park (SDNP) to the south is effectively mitigated.</p> <p>This modification brings the policy into line with national policy for the National Parks, as expressed in paragraph 172 of <i>the Framework</i>.</p>

		<p>light spillage to protect the dark night skies.</p> <ul style="list-style-type: none"> <li><b>The LVIA will incorporate the findings of the Opportunities and Constraints Plan, paying particular attention to the increasing sensitivity moving through the site towards the south, and acknowledge its position as an edge of settlement development to Burgess hill that reflects the characteristics of its immediate area.</b></li> <li><b>The design will take account of and respond to the findings of the LVIA.</b></li> </ul>	
MM5	Policy SA7, page 27	<p><i>Modify policy SA7: Cedars (Former Crawley Forest School), Brighton Road, Pease Pottage, for employment use, as follows:</i></p> <p><i>Under Site Specific Requirements, Second bullet point:</i></p> <ul style="list-style-type: none"> <li>Undertake a Landscape and Visual Impact Appraisal (LVIA) to inform the site layout, capacity and mitigation requirements, including a comprehensive landscape scheme in order to <b>conserve and enhance the landscape and scenic beauty of minimise impact on the AONB.</b></li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of <i>the Framework</i> .
MM6	Policy SA8, page 28	<p><i>Modify policy SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage, for employment use, as follows:</i></p> <p><i>Under Site Specific Requirements, Second Bullet Point:</i></p> <ul style="list-style-type: none"> <li>Undertake a Landscape and Visual Impact Appraisal (LVIA) to inform the site layout, capacity and mitigation requirements, including a comprehensive landscape scheme in order to <b>conserve and enhance the landscape and scenic beauty of minimise impact on the AONB.</b></li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of <i>the Framework</i> .
MM7	Policy SA23, page 67	<p><i>Modify policy SA23: Land at Hanlye Lane to the East of Ardingly Road, Cuckfield, for 55 dwellings, as follows:</i></p>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the

		<p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> <li>• To deliver a high quality, landscape led, sustainable extension to Cuckfield, which provides enhanced and accessible open space; respects the character of the village and <b>conserves and enhances</b> the setting of the High Weald AONB; .....</li> </ul>	modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of the Framework.
MM8	Policy SA26, page 76	<p><i>Modify policy SA26: Land South of Hammerwood Road, Ashurst Wood, for 12 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> <li>• To deliver a sensitive extension to Ashurst Wood which reflects local distinctiveness and sits well within <b>conserves and enhances the landscape and scenic beauty of</b> the High Weald AONB .....</li> </ul> <p><i>Under AONB:</i></p> <ul style="list-style-type: none"> <li>• Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to protect <b>conserve</b> and enhance the landscape and scenic beauty of the High Weald AONB.</li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of the Framework.
MM9	Policy SA27, page 78	<p><i>Modify policy SA27: Land at St Martin Close, Handcross, for 35 dwellings, as follows:</i></p> <p><i>Under Objectives, insert new first bullet point:</i></p> <ul style="list-style-type: none"> <li>• <b>To deliver a high quality, landscape led, sustainable extension to Handcross, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents</b></li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national policy, as expressed in paragraph 172 of the Framework.

		<b>can access existing facilities.</b>	
MM10	Policy SA28, page 80	<p><i>Modify policy SA28: Land South of The Old Police House, Birchgrove Road, Horsted Keynes, for 25 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> <li>• To deliver a high quality, landscape led, sustainable extension to Horsted Keynes, which respects the character of the village and <b>conserves and enhances the landscape and scenic beauty</b> of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.</li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of <i>the Framework</i> .
MM11	Policy SA29, page 82	<p><i>Modify policy SA29: Land South of St Stephens Church, Hamsland, Horsted Keynes, for 30 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> <li>• To deliver a high quality, landscape led, sustainable extension to Horsted Keynes, which respects the character of the village and <b>conserves and enhances the landscape and scenic beauty</b> of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.</li> </ul>	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 172 of <i>the Framework</i> .
MM12	Policy SA34, page 93	<p><i>Modify policy SA34: Existing Employment Sites</i></p> <p><i>After first paragraph, insert the following text:</i></p> <p><b>Development proposals outside the traditional employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment</b></p>	The modification ensures the policy is both justified and effective in line with national policy for a strong, competitive economy, as expressed in paragraphs 80, 81 and 121 of <i>the Framework</i> , recognising that a balance has to be made between ensuring adequate employment land for the longer term and not holding on inordinately to employment land which is no longer marketable as such.

		<p><b>uses, is not viable, through the provision of:</b></p> <p>(i) Details of comprehensive marketing of the site for at least 12 months and appropriate to the prevailing marketing conditions; and</p> <p>(ii) A financial appraisal that demonstrates that the development of any employment generating use is unviable.</p> <p><b>Development proposals outside the traditional employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment uses causes, or would lead to site-specific, environmental problems, such as noise, pollution or disturbance through traffic generation, recognising the environmental benefits to be gained by redeveloping these sites for non-employment generating uses.</b></p>	
MM13	Policy SA35, page 96	<p><i>Modify policy SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements, as follows:</i></p> <p><i>Amend fifth paragraph as follows:</i> New development in these areas should be carefully designed, having regard to matters such as building layout, noise insulation, landscaping, the historic environment, and means of access <b>and meeting the requirement for biodiversity net gain.</b></p>	The modification ensures policy SA35 is in accordance with national policy on habitats and biodiversity, as expressed in paragraph 174 of <i>the Framework</i> .
MM14	Policy SA37, page 103	<i>Modify policy SA37: Burgess Hill/Haywards Heath Multifunctional Network, as follows:</i>	The modification ensures policy SA37 is in accordance with national policy on habitats and biodiversity, as expressed in paragraph 174 of <i>the Framework</i> .

		<p><i>Under third paragraph as follows:</i></p> <p>The area shown on the Policies Map illustrates where policy SA37 will apply; the precise alignment for the scheme will be informed by detailed design work <b>and it should be carefully designed having a clear consideration of matters such as biodiversity and landscape in order to avoid harmful impacts on those features.</b></p>	
MM15	Appendix B, page 141	<p><i>Modify Appendix B by inserting additional table, as set out below in Appendix 1, after the following text:</i></p> <p><b>The Council has identified some of the additional information it intends to record if it is available.</b></p>	The modification ensures the Plan is in accordance with national policy on habitats and biodiversity, as expressed in paragraph 174 of the Framework.
MM16	Housing Trajectory	<p><i>Include the Council's updated housing trajectory within the Plan.</i></p>	Paragraph 73 of <i>the Framework</i> states that all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. This Plan updates this information in the District Plan, and the inclusion of a housing trajectory in this Plan is therefore considered to be an appropriate tool for the effectiveness of the Plan.
MM17	Policy SA16, page 50	<p><i>Modify policy SA16: St Wilfrid's Catholic Primary School, School Close, Burgess Hill, for 200 dwellings, as follows:</i></p> <p><i>Under Urban Design Principles, at the end of the first bullet point, for 200 dwellings, insert:</i></p> <ul style="list-style-type: none"> <li>• <b>The anticipated yield of the comprehensive redevelopment scheme includes the 200 dwellings proposed in policy SA16, plus an additional 100 dwellings proposed in the Neighbourhood Plan for the Brow Quarter.</b></li> </ul>	The modification provides the realistic estimate of the total number of houses to be provided within the comprehensive redevelopment area. This is in the interests of the positive preparation of this key brownfield site within Burgess Hill.
MM18	Policy SA31, page 50	<p><i>Modify policy SA31: Land to the rear of Firlands, Church Road, Scaynes Hill, for 20 dwellings, as follows:</i></p> <p><i>Under Highways and Access, additional bullet point:</i></p>	The modification is necessary because a dedicated convenient and safe pedestrian route from the proposed development into the village of Scaynes Hill is required in the interests of pedestrian safety and the positive

		<ul style="list-style-type: none"> <li><b>Contribute towards provision of a footpath connecting the site to the existing footpath to the south. This could be done either as an extension to the Scaynes Hill Common footpath or exploring options for a formal footway alongside the carriageway.</b></li> </ul>	preparation and effectiveness of the allocation. This accords with the requirements of paragraphs 104 (d) and 108 (b) of <i>the Framework</i> .
MM19	SA14, page 46	<p><i>Modify policy SA14: Land to the South of Selby Close, Hammonds Ridge, Burgess Hill, for 12 flats, as follows:</i></p> <p><i>Under Highways and Access, first bullet point:</i></p> <ul style="list-style-type: none"> <li>Provide access from Hammonds Ridge. <del>or through CALA Homes development at Edwin Street to the west, the details of which need to be investigated further.</del></li> </ul>	The modification removes the indecision over which access is appropriate for the development, in the interests of the positive preparation and effectiveness of the allocation. The Hammonds Ridge option removes the need to remove any of the group TPO trees at the western end of the site.
MM20	SA29, page 82	<p><i>Modify policy SA29: Land South of St Stephens Church, Hamsland, Horsted Keynes, for 30 dwellings, as follows:</i></p> <p><i>Under Highways and Access: Delete first bullet point and insert:</i></p> <ul style="list-style-type: none"> <li><b>Safe and convenient pedestrian and vehicular access needs to be secured, in accordance with Manual for Streets (MfS) to enable (a) satisfactory access by waste collection vehicles and emergency services vehicles; and (b) safe and convenient pedestrian access, both along Hamsland and into the proposed development.</b></li> </ul> <p><i>Under Biodiversity and Green Infrastructure: Add new bullet point:</i></p> <ul style="list-style-type: none"> <li><b>Ensure adequate protection of the existing trees along the site boundary.</b></li> </ul>	The modification ensures that pedestrian safety is taken into account in the proposed development, in accordance with national policy to secure (and by inference maintain) high quality walking networks as expressed in paragraphs 104 (d) and 108 (b) of <i>the Framework</i> . The modification is also in line with the ethos of the July 2021 <i>Framework</i> as expressed in paragraph 128, to note the important contribution trees make to the character and quality of urban environments and to retain existing trees wherever possible.

MM21	SA22, page 65	<p><i>Modify policy SA22: Land North of Burleigh Lane, Crawley Down, for 50 dwellings, as follows:</i></p> <p><i>Under Highways and Access:</i></p> <ul style="list-style-type: none"> <li>• Provide access from Sycamore Lane <del>or Woodlands Close</del>. <del>Detailed access arrangements will need to be investigated further.</del></li> </ul>	<p>The modification is necessary to ensure certainty of delivery by requiring specification of the vehicular access to be via Sycamore Lane, so as to ensure delivery of the allocation within the plan period. This is to ensure the effectiveness of the allocation.</p> <p>If access cannot be demonstrated through agreement with the relevant landowner(s), then this allocation should be deleted from the Plan.</p>
MM22	SA20, page 61	<p><i>Modify policy SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead, for 550 dwellings, as follows:</i></p> <p><i>Under Biodiversity and Green Infrastructure:</i></p> <p><b>Additional text at end of bullet point 6: The management of the SANG should include regular monitoring of visitor numbers, where visitors travel from to visit the SANG, activities at the SANG, and any suggestions for future management.</b></p>	<p>It is important to assess the effectiveness of the Plan in relation to the proposal within policy SA20 to designate land for use as SANGS, including its role in protecting sites of national importance, such as the Ashdown Forest SAC and SPA from visitor pressures. This protection is in line with the requirements of national policy, as expressed in paragraph 176 of the Framework.</p>

## Appendix 1: MM15

Insert the following table to Site Allocations DPD Appendix B:

Policy	District Plan Objective	Indicator	Target	Implementation	Source
<b>SA GEN: General Principles for Site Allocations</b>	1, 3, 5	Percentage biodiversity net gain secured as demonstrated by the Biodiversity Metric	Maximise, but a minimum 10% biodiversity net gain	Developers	MSDC Monitoring Biodiversity Gain Plan
<b>To include:</b>					
<b>SA2-SA28: Employment Site Allocations</b>		Number and type of biodiversity units lost or gained	Maximise the biodiversity units gained		
<b>SA9: Science and Technology Park</b>		Location of secured biodiversity net gain (on-site or off-site)	Secure relevant and meaningful biodiversity net gain linked to wider nature recovery		
<b>SA12-SA33: Housing Site Allocations</b>					