

Main Modification 14 - Index by ID Number

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667	667/1/MM14	Megan Hughes	Burgess Hill Town Council	
710	710/1/MM14	Richard Cobb	Natural England	
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2555	2555/1/MM14	Wendy Thompson		
2557	2557/1/MM14	Helen Smith		
2565	2565/1/MM14	Simon Whitmill	Theobolds Residents Association	

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 6670
Response Ref: 667/1/MM14
Respondent: Megan Hughes
Organisation: Burgess Hill Town Council
On Behalf Of:

From: Megan Hughes [REDACTED]
Sent: 22 December 2021 14:41
To: Policy Consultation
Subject: SITE ALLOCATIONS DPD UPDATE - MAIN MODIFICATIONS CONSULTATION
Categories: SITES DPD MM

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Good Afternoon,

Please find below the comments made by The Burgess Hill Town Council Planning Committee on Monday 20 December.

The Committee supported the modified policy SA13.

The Committee agreed with the modified policy SA14 which called for the Inspector to remove the option of access through the CALA Homes Development, so developers would be required to provide access to Hammonds Ridge. This would remove the need to remove any TPO trees.

The Committee made no comments on the modified policy SA16.

The Committee supported a new policy under SA20, which called for 'specialised accommodation for older people comprising of at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 should be leasehold'.

The Committee supported the inspector's proposed modification policy SA37, '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'.

Kind Regards,

Megan Hughes
Projects and Administrative officer
Burgess Hill Town Council





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710

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 7100
Response Ref: 710/1/MM14
Respondent: Richard Cobb
Organisation: Natural England
On Behalf Of:

From: Cobb, Richard [REDACTED]
Sent: 17 January 2022 15:41
To: Policy Consultation
Subject: Mid Sussex District Council Site Allocations DPD: Main Modifications Consultation - 375995
Attachments: Natural England_Mid Sussex Site allocations main modifications_375995.pdf

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Dear Planning Policy Team,

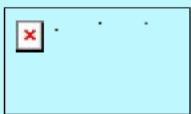
Thank you for your consultation. Please see our response attached.

Kind regards
Richard

Richard Cobb
Senior Adviser | Sustainable Development
Natural England | Sussex and Kent
www.gov.uk/natural-england

Thriving Nature
for people and planet

From: Planning Policy - Mid Sussex District Council
<planning.policy.mid.sussex.district.council@notifications.service.gov.uk>
Sent: 29 November 2021 15:00
To: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Subject: Mid Sussex District Council Site Allocations DPD: Main Modifications Consultation



**Mid Sussex District Council – Planning
Policy**

29th November 2021

Site Allocations DPD: Main Modifications Consultation

Following hearing sessions held in June 2021, the Planning Inspector appointed to examine the Council's Site Allocations DPD has suggested modifications, which will now be subject to consultation.

The role of the Sites DPD is to set out how the Council plans to meet the District's outstanding housing and employment needs up to 2031. The Sites DPD recommends 22 housing and 7 employment sites at locations across Mid Sussex, plus a Science and Technology Park.

The independent Inspector appointed by the Secretary of State held hearing sessions in June 2021 and heard evidence from all interested parties. Following this the Inspector is suggesting a small number of modifications to the Sites DPD to ensure it meets legal and soundness requirements.

The proposed modifications are now subject to consultation which will run for 8-weeks from 29th November 2021 until 24th January 2022.

The schedule of Main Modifications and accompanying documents are available online at www.midsussex.gov.uk/SitesDPD. The website also provides details on how to respond to the consultation.

Note that comments must be focussed only on the suggested modifications, which are put forward without prejudice to the Inspector's final conclusions. All representations will be taken into account by the Inspector who will aim to provide his final report for consideration by Council early in the new year.

You are receiving this email because you are a statutory consultee, provided comments to the consultation on the document above, or have signed up to receive Planning Policy

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Date: 17 January 2022
Our ref: 375995
Your ref:



Planning Policy – Mid Sussex District Council,
Oaklands,
Oaklands Road,
Haywards Heath,
RH16 1SS

policyconsultation@midsussex.gov.uk

BY EMAIL ONLY

Dear Planning Policy Team,

Site Allocations DPD: Main Modifications Consultation

Thank you for your consultation on the above dated 29th of November which was received by Natural England on the same date.

Overarching comments

We welcome the stronger policy wording for environmental and landscape protection and enhancement that has been added throughout the main modifications including:

- The changes outlined in MM1 that make the allocation more sensitive to the High Weald AONB in terms of scale and design
- The reference to conserving and enhancing landscape and scenic beauty of the AONB, National Park and their settings (e.g. MM4, MM5, MM6, MM7, MM8, MM9, MM10, MM11, MM14)
- The greater emphasis on protecting and enhancing biodiversity and meeting Biodiversity Net Gain (BNG) (e.g. MM13, MM14, Appendix 1: MM5)
- The retention of trees (MM20) to recognise their important contribution to urban environments in line with the NPPF.
- The strengthening of the SANG policy within MM22 regarding management and monitoring to help ensure effectiveness

Appendix 1: MM15 comments

We support the proposed addition to Site Allocations DPD Appendix B regarding biodiversity net gain which we are pleased to see addresses our Regulation 19 consultation feedback made 28th September 2020 (Our ref 324095). This is an important part of ensuring the benefits of BNG are delivered in practice. Since the Regulation 19 consultation was developed, guidance regarding BNG has advanced so we would now like to take the opportunity to advise that the following additions to this appendix table should also be made:

- All BNG indicators and targets should be monitored in line with good practice guidance from Defra/Natural England regarding BNG and the Biodiversity Metric 3.0, as appropriate. For example, the indicator 'Maximise the

biodiversity units gained' is welcome but should also ensure that appropriate habitat is created or enhanced based on the local context of the site. There should be a clear reference to relevant supplementary planning documents to ensure that wider good practice guidance is followed when delivering, reporting and monitoring BNG. We remain committed to working with the Council to develop supplementary guidance that reflects our latest advice.

- As well as a measurable BNG target (10% or higher), the appendix should reflect other requirements from the Environment Act including 1) the need for developers to submit a BNG Plan for Council approval 2) habitat sites considered as part of BNG calculations will need to be secured for at least 30 years and 3) details will need to be uploaded onto the national register once this is available to ensure there is a robust and transparent record of BNG plans and contributions.

Please see these FAQs for helpful guidance regarding BNG:

<https://www.local.gov.uk/pas/topics/environment/biodiversity-net-gain/biodiversity-net-gain-faqs-frequently-asked-questions>

We are committed to working with the Council to help ensure the best possible outcomes for people and the environment. For any queries relating to the specific advice in this letter only please contact Richard Cobb at Richard.cobb@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely

Richard Cobb
Senior Adviser
Sussex and Kent Area Team

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 7480
Response Ref: 748/1/MM14
Respondent: Jess Price
Organisation: Sussex Wildlife Trust
On Behalf Of:

Name	Jess Price
Job title	Conservation Officer
Organisation	Sussex Wildlife Trust
Respondent ref. number	748
On behalf of	Sussex Wildlife Trust
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Name or Organisation	Sussex Wildlife Trust
Which document are you commenting on?	Site Allocations DPD - Main Modifications
Main Modification (MM)	MM14
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	Yes
(1) Positively prepared	Sound
(2) Justified	Sound
(3) Effective	Sound
(4) Consistent with national policy	Sound
Please outline why you either support or object to the Main Modification?	The Sussex Wildlife Trust supports this MM and believes it is required to make the policy sound in relation to consistency with chapter 15 of the NPPF
Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.	N/A
If you wish to provide further documentation to support your response, you can upload it here	
Please notify me when-The publication of the recommendations from the Examination	yes
Please notify me when-The Site Allocations DPD is adopted	yes
Date	06/01/2022

1002

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 10020
Response Ref: 1002/1/MM14
Respondent: Janet Slater
Organisation:
On Behalf Of:

[REDACTED]

From: Janet Slater [REDACTED]
Sent: 24 January 2022 16:23
To: Policy Consultation
Subject: Sites DPD / SA37 Burgess Hill-Haywards Heath Cycle Network

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Re para 3.25

The chair of Theobalds Road Residents Association (TRRA) attended a Planning Inspector Hearing in June 2021 and raised the possibility of a route following the railway line and utilising land already owned by MSDC.

Why is the option not shown as one of the route options being investigated? A great deal of research was undertaken for this and the supporting documents are all in the original submission. My understanding was that the suggested route would connect with the public right of way to the south and a gap of open land to the north. See original submission from Robin Walker on behalf of TRRA for details.

Furthermore, I had understood that the 'Eastern Route' along Theobalds Road had been abandoned, I think due to the cost of maintenance and drainage/flooding issues, so why has it not been removed from the map?

Regards
Janet Slater
[REDACTED]

2555

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 25550
Response Ref: 2555/1/MM14
Respondent: Wendy Thompson
Organisation:
On Behalf Of:

Name	wendy thompson
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]
Which document are you commenting on?	Site Allocations DPD - Main Modifications
Main Modification (MM)	Burgess Hill to Haywards Heath Multifunctional Network
Do you consider the Site Allocations DPD is in accordance with legal and procedural requirements; including the duty to cooperate	No
(1) Positively prepared	Unsound
(2) Justified	Unsound
(3) Effective	Unsound
(4) Consistent with national policy	Unsound
Please outline why you either support or object to the Main Modification?	<p>We have three questions outlined below which we are seeking answers to. Depending on the answers to the question we reserve the right to object.</p> <p>Que 1 Will the multifunctional path all be tarmac or will it depend on the location e.g. in relation to flooding.</p> <p>Our objection: If the intent is to have the entire route as tarmacked path we would object to that The intended route is used by families, horses and children and we believe a tarmacked surface would be used by cyclists who would endanger others. This would represent a significant safety risk. Is it also worth noting that there are material areas of the proposed path that are regularly flooded I struggle to see how the council will build and maintain a path suitable for bikes on such areas.</p> <p>Que 2 Some of the path is privately owned including by ourselves What intent does the council have in respect of making changes and to what degree do we have a right of refusal</p> <p>Our objection If we do not have a right of refusal we would object to that. It is our private land and the consultations explicitly says they would be no compulsory purchase. Changing the path on our private land against our wishes would be contrary to this principle</p> <p>Que 3: What timeline will the proposed path be developed</p> <p>Our objection: Whilst I note that this consultation was listed in November 2021 we did not receive any specific notification despite the path being on private land that we own. We would expect a far greater opportunity to understand the proposal in more detail with an opportunity to modify such plans prior to any agreement.</p>

Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

This is dependent on the answers to the above questions.

Overall we note that previously the path was proposed to run along Theobalds Lane which received significant objections and has resulted in a change in route. All these objections equally relate to the new path and we would therefore seek to alter the route for the same reasons.

If you wish to provide further documentation to support your response, you can upload it here

Please notify me when-The publication of the recommendations from the Examination

yes

Please notify me when-The Site Allocations DPD is adopted

yes

Date

20/01/2022

2557

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 25570
Response Ref: 2557/1/MM14
Respondent: Helen Smith
Organisation:
On Behalf Of:

From: Helen Smith [REDACTED]
Sent: 22 January 2022 19:27
To: Policy Consultation
Subject: Comment on Burgess Hill to Haywards Heath Multifunctional Network

Follow Up Flag: Follow up
Flag Status: Completed

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These comments refer to the proposal to develop a multifunctional network using Rocky Lane, Clearwater Lane and the footpath that links Clearwaters Farm to the top of Rocky Lane.

Impact on traffic and accident potential:

It appears the proposed route takes cyclists and other users down a short section of Rocky Lane, under the bridge and onto Clearwaters Lane.

- This piece of road already has a significant number of accidents each year and to add cyclists into this would undoubtedly increase the risk of more.
- The bridge is low and larger vehicles have to move to the centre to get through. Other vehicles always have to wait one side of the bridge if e.g the bus is coming through. This means there is insufficient space for a safe cycle route on one side.
- Clearwaters Lane is not a rarely used drive. With 5 houses and additional businesses located there, at least 50 vehicles use it daily.. This is without considering deliveries, postal service, refuse collection etc.
- Clearwaters Lane is the access to Clearwaters Farm. Heavy and large farm machinery use it several times a day - in the summer when crops are harvested and stored, it is used many times a day and each time it is accessed from either Rocky Lane or crossing from Valebridge Road on a blind bend, potentially into the path of cyclists.

Impact on farming business:

- The proposed route uses the footpath in a field then into woods. From spring to autumn, this field is grazed simultaneously with an adjoining field next to the proposed route. The grazing animals are suckler cows with calves at foot along with a bull. . Because the track could not be fenced in without a negative impact on how the business operates, there would be an undoubted risk to public safety., as suckler cows can become very agitated when disturbed; this is different to a few people walking a footpath.
- Securing the access to the field would pose a problem - cyclists would not want to lift bikes over styles and we would need to be assured any system did not risk cattle escaping .
- The farm also has a livery yard and riders regularly ride or lead their horses in hand to exercise them using the farm drive. Clients would be put off coming if they knew part of the farm drive was a cycle route: horses and cyclists do not mix well.

Impact on the nature

- The proposed route passes almost directly under an established nesting site of a barn owl : the disturbance would probably drive them away
- When the route enters the wooded area it has to pass through 2 areas of ancient woodland. I imagine the protocols around minimising /eliminating risk to these precious environments would add considerable extra cost to any project and also attract considerable upset and protest from conservation minded people

Looking at the proposed routes, the one that proceeds through part of Heaselands Estate and joins the road and cycle route at Rocky Lane Roundabout seems the best option: it does not have to cross Rocky Lane or the railway line or have cyclists venturing onto a piece of road that is known for its accidents.

Helen Smith



2565

Site Allocations DPD: Main Modifications Response

Main Modification: MM14

ID: 25650
Response Ref: 2565/1/MM14
Respondent: Simon Whitmill
Organisation: Theobolds Residents Association
On Behalf Of:

From: Theobolds Residents Association <theoboldresidents@gmail.com>
Sent: 24 January 2022 15:36
To: Policy Consultation
Subject: Development Plan Documents

Follow Up Flag: Follow up
Flag Status: Completed

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Dear MSDC,

Over the past few years the residents of Theobalds Road have fought hard to protect the road from inappropriate development which we believe would have harmed the bridleway and adjacent countryside. The bridleway is an important public amenity space which needs to be protected. As Chairman of the Theobalds Road Residents Association (TRRA) I am writing to highlight the need to protect the bridleway and to strengthen its protection in the Plan.

We note that the map associated with the Plan seems to show a cycle route marked along Valebridge Road and turning into Theobalds Road for a short distance up to the MSDC boundary. We are not sure if this relates to the planned Multifunction Network between Burgess Hill and Hayward's Heath.

Whilst we strongly support the idea of a link, we consider that off-road connections into Burgess Hill are of greater value and should therefore be the priority. The shortest, most direct, flattest, traffic-free route is unarguably a central route, running alongside the railway line – most of which is already in MSDC's ownership, as strips of land were purchased in 2013. The feedback on the second round of public input on the scheme showed 94% of the public response was against the "eastern" route along Theobalds Road.

As we understand the situation the "eastern" route was abandoned in December 2020, in part because of the cost of maintaining it (the bridleway section is almost entirely tree-covered) and problems with drainage (the area floods regularly in winter rains as a result of being low lying).

We therefore request that the purple dashed line showing the cycle route turning into Theobalds Road is removed and follows a more direct route to Hayward Heath.

Thank you for helping us protect Theobalds Road and we hope you will be able to deliver a safe and direct cycle route between the two towns.

Regards,

Simon Whitmill

Theobolds Residents Association
theoboldresidents@gmail.com