

Town and Country Planning Act 1990

PINS Appeal Ref: 6002030

Local Planning Authority: Mid Sussex District Council

Local Authority Ref: AP/26/0017

Planning Application Ref: DM/23/2866

Appeal by: Fairfax Acquisitions Limited and the Norris Family

Appeal Site: Land East of Ansty Way Cuckfield Bypass Cuckfield West Sussex

Proposal: Outline planning application (all matters reserved except for access) for the redevelopment of land to the east of Ansty to create a new Garden Community, comprising of the erection of up to 1,450 homes (including 30% affordable housing), up to 90 residential care units (C2 class), a primary school, a SEND school, health hub, sports facilities including all weather hockey pitches and tennis centre, allotments, retail, community and employment uses together with ancillary and associated development including new and enhanced pedestrian/cycle routes, open spaces, and landscaping

Written CIL Justification by West Sussex County Council (Highways)

Date: 1st June 2026

1 Bus Service Improvements

The requirement for the appellant to enter into a bus service contract to fund the Bus Service Improvements between the site and Haywards Heath and between Haywards Heath and Burgess Hill via the site. Paragraph 117a of the National Planning Policy Framework states "..., applications for development should:... and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;". Mid Sussex District Councils Local Plan policy DP21 states "Appropriate opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public transport, including suitable facilities for secure and safe cycle parking, have been fully explored and taken up; It is therefore considered to be policy compliant, and in accordance with both national and local planning policy.

The proposals have been developed based on the location of key services and transport interchanges e.g Haywards Heath station and is anticipated to be commercially viable at the conclusion of the development.

Based on the information above WSCC, as Highway Authority, considers that the need to provide the delivery of a service, satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 58 in the NPPF (2024) in the following ways:

(i) necessary to make the development acceptable in planning terms – the proposed improvements are required to support and promote the use of sustainable transport methods;

(ii) directly related to the development – the Bus Service Improvements will directly benefit occupants of the Appeal Site as they will provide an alternative to travel to the private vehicle; and

(iii)fairly and reasonably related in scale and kind to the development – the improvement are proportionate to the size and type of the development within an area of existing poor public transport.

2 Highway Improvements

The requirement for the following works

- (a) Construction of a cycle route from the site to Haywards Heath
- (b) Construction of the northern access (A272)
- (c) Construction of the southern access
- (d) Construction of the western access
- (e) Improvements to the A272/B2272/Isaacs Lane roundabout
- (f) Improvements to the A272 / Bolney Road / B2036
- (g) Works to improve the PRoW Footway 8aCU towards Cuckfield to enhance the connection to Warden Park Academy
- (h) Works to the PROW Footway 69CR towards Copyhold Lane to enhance the connection onto Bridleway 67CR
- (i) Works to upgrade facilities at B2036 London Road/Ardingly Road mini roundabout

Are considered to accord with national and local planning policy.

Paragraph 115 of the National Planning Policy Framework states “In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users;.... d) any significant impacts from the development on the transport network (in terms of capacity and

congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

Based on the information above WSCC, as Highway Authority, considers that the need to provide the works, satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 58 in the NPPF (2024) in the following ways:

(i) necessary to make the development acceptable in planning terms – the proposed improvements are required to provide access to the development, mitigate the offsite impacts of development related trips and support and promote the use of sustainable transport methods;

(ii) directly related to the development – the works have been identified through the transport assessment and will provide access to the site, sustainable transport links to offsite facilities and mitigate the impact of the development on the local highway network. Improvements will directly benefit occupants of the Appeal Site as they are the closest located stops; and

(iii) fairly and reasonably related in scale and kind to the development – the improvement are proportionate to the size and type of the development.

3 Traffic Regulation Order Contribution

3.1 The requirement for a contribution towards promoting a Traffic Regulation Order to reduce the speed limit in the vicinity of the site is considered to accord with national and local planning policy. Paragraph 115 d of the National Planning Policy Framework states “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”. Under policy DP21

Transport, states, "To meet these objectives, decisions on development proposals will take account of whether:.... The scheme protects the safety of road users and pedestrians....." It is therefore considered to be policy compliant, and in accordance with both national and local planning policy.

The appellants transport assessment and access designs indicate a reduction in the speed limit would be required to support the delivery of the site access roundabouts.

Based on the information above WSCC, as Highway Authority, considers that the need to provide a contribution, satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 58 in the NPPF (2024) in the following ways:

(i)necessary to make the development acceptable in planning terms
– the proposed improvements are required to provide safe and suitable access to the development;

(ii)directly related to the development – the improvements will directly benefit occupants of the Appeal Site as they will support the provision of the site access to be used by future residents; and

(iii)fairly and reasonably related in scale and kind to the development – the contribution is proportionate to the work required to promote the Traffic Regulation Order.

4 Travel Plan, Monitoring fee and Travel Vouchers

4.1 The requirement for a Travel Plan is considered to accord with both national and local planning policy. Paragraph 118 of the National Planning Policy Framework states, "All developments that will generate significant amounts of movement should be required to provide a travel plan." Mid Sussex District Council's Local Plan, under policy DP21 Transport, states, "decisions on development proposals will take account of whether... Development which generates significant amounts of movement is

supported by a Transport Assessment/ Statement and a Travel Plan that is effective and demonstrably deliverable including setting out how schemes will be funded;” It is therefore considered to be policy compliant, and in accordance with both national and local planning policy to seek a Travel Plan in this instance.

4.2 The Travel Plan auditing fees reflect the amount of local authority officer time required to evaluate the initial plan, assess the monitoring data and participate in on-going review and agreement to any amended plans in the future, including post planning once the development is built out and occupied. The costs have been benchmarked against fees charged by other Local Authorities and are considered to be proportionate and reflective of the costs incurred.

4.3 Based on the information above WSCC, as Highway Authority, considers that the need to produce a Travel Plan, to promote and encourage active and sustainable transport and the monitoring fee to cover the additional resource implications placed on the Highway Authority for the ongoing review on this travel plan, through the lifetime of the plan satisfies the three statutory tests in the Community Infrastructure Levy Regulations (SI 2010/948) and endorsed in Paragraph 58 in the NPPF (2024) in the following ways:

(i) necessary to make the development acceptable in planning terms – the proposed Travel Plan will increase sustainable travel within the development and encourage and promote the use of sustainable transport methods;

(ii) directly related to the development – the Travel Plan will directly benefit occupants and carers of the Appeal Site; and

(iii) fairly and reasonably related in scale and kind to the development – the Travel Plan requirements are proportionate to the size and type of the development and benchmarked against other local authorities.

There is a clear planning policy basis for the request; the Travel Plan is directly related to seeking to mitigate the impact of travel to and from the development and therefore directly related to the development and the scale of the travel plan and the auditing fee have been bench marked with other authorities and therefore is considered to relate to the scale of the proposals.

5 Conclusion

WSSC contends that the infrastructure contributions and obligations set out are in full accordance with the requirements set out in the National Planning Policy Framework (2024) and in Regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 and, as such, requests that the Inspector includes these requirements, should it be determined that planning permission is granted.