

CPRE Sussex pre-examination submission re strategic sites DPSC 3 – DPSC7 (Matter 7, day 9)

CPRE Sussex made a submission at Regulation 19 stage arguing that these proposed allocations are neither justified nor effective. They are also the product of a flawed spatial strategy that prioritises large scale countryside development over densification of the District’s urban centres and organic growth of its other towns and villages.

The Council’s case for these allocations is based on, and dependent on, their collectively delivering what the Council calls a self-sustaining 20 minute community. Their locational sustainability depends on their being able to deliver on that aspiration. If they cannot deliver that, the settlement created will be an isolated, car dependent sprawl, the very opposite of what sound planning seeks to achieve and of the draft Plan’s own vision and objectives.

Extensive experience of multiple other developments in and beyond the UK demonstrates beyond argument that a self-sustaining 20 minute community can only successfully be created in an urban environment because its social and economic success requires size, density, extensive on-hand community etc infrastructure, and community engagement that only an urban setting can offer.

The Council has provided no robust evidence that it can deliver the self-sustaining 20 minute community at Sayers Common that these Policies pretend to offer to make them viable, sustainable and sound in NPPF terms.

In our view the Council has failed to give adequate attention to the environmental and ecological implications of siting such a large aggregate settlement where it proposes to do in the Low Weald.

We ask the Inspector to consider this submission in the context of what we said at Regulation 19 stage. The relevant part of our February 2024 representation is annexed for convenience.

CPRE Sussex pre-examination submission re policy DPA7 (Land east of Borde Hill Lane, Haywards Heath) (Matter 7, day 11)

We invite the Inspector to consider whether the risk of this site proving undeliverable in practice is sufficiently significant to justify recommending its removal as an allocated site. We are particularly concerned that the potential harm to the High Weald National Landscape from the proposed development within its setting and to the nationally significant Borde Hill Gardens and the Grade II listed buildings nearby may prove on full examination to be sufficiently serious to require the outstanding planning application for the site to be rejected as incompatible with the District Plan and national planning policy; thereby frustrating the purpose of the site’s allocation.

We are conscious particularly that the Council has not to date consulted the Planning officer at the High Weald NL Unit, who is the Council’s own expert on the impact of development proposals on the High Weald NL and its Management Plan.

If, notwithstanding, the Inspector is minded to endorse this site’s allocation, we urge him to support the Council’s proposal to limit the level of development on site to no more than 60 dwellings. The significant sensitivities of the site’s location do not support higher density development.

(504 words)

15. Sustainable Communities

DPSC GEN: Significant Site Requirements

1. **The Sustainability Appraisal assessment of housing policies:** We have a number of material issues with the Sustainability Appraisal (SA) of the housing policies in chapters 14 – 16 of the draft Plan Review on which your Council relies:
 - (i) We challenge the SA's reliance on its assumption (p.38) that an increase of 100 dwellings or more would necessarily be likely to have a major positive impact on the local housing provision. As a statement of fact, a large development must get one closer to achieving one's housing target. But as a metric for assessing sustainability of its impact, to assume in all cases a major positive outcome in advance is pejorative. It assumes the answer that the SA is there to assess, and ignores the implications of the development: It isn't a positive impact for society if the large housing increase produces an unsustainable community outcome. Each case needs to be assessed separately.
 - (ii) Whilst it is true that negative biodiversity/geodiversity impacts would be expected where the following ecological designations may be harmed or lost because of proposals (p45), it does not follow that negative impacts will not result from development on undesignated land, or that undesignated sites will be necessarily be more sustainable. The SA makes an unjustified assumption, particularly in its assessment of sites DPSC 1- DPSC7.
 - (iii) The impacts of development proposals on the natural capital assets and resources of allocated sites, and the potential loss of their economic value, is not part of the sustainability assessment. That is a material omission in respect of significant sites. It has the consequence of overstating the economic benefits of those options that involve rural development.
 - (iv) We challenge a number of the features of the analysis of sustainability of Option 2 listed on pages A16 - A22 of the SA.

The SA is unjustly skewed in favour of the sustainability of Plan Review housing policies as a result of these material shortcomings.

2. **The SA is insufficient evidence to justify significant site allocations:** Irrespective of the suitability of the SA, we consider it unsound for the Council to allocate significant sites without more substantive evidence that, when planning applications for the sites are submitted, there will not be ecological or other showstoppers to the proposed developments or inappropriate pressures on the Council to override what should be showstoppers.

We note for example that the SA points out that its conclusions are reached without the benefit of any ecological study that might or might not have influenced its sustainability assessment or recommendations; and that there is no confirmation that the areas' already highly stretched water resources and supply infrastructure will be sufficient to serve the new proposed communities as well as existing populations.

The consequence of having to reject a planning application in respect of any of the significant sites would be devastating for the spatial strategy on which the Plan Review depends. We do not consider that any of the proposed significant site allocations are safe in the absence of key evidence as to the actual deliverability of the sites.

3. **The principle of sustainable 20 minute neighbourhoods:** CPRESx is fully supportive of the principle of creating sustainable 20 minute communities. However, it is only possible to build a successful community of that kind in an urban environment that provides the density of development that is essential to creating an on-site population level needed to underpin the economics of successful, long term infrastructure, retail, community and sustainable transport facilities.

CPRESx accepts the argument that the allocations DPSC1 or DPSC2 can be viewed as urban extensions to Burgess Hill and Crawley respectively; so does not seek to challenge the principle of those significant site allocations, subject to the reservations expressed in this section and to appropriate development safeguarding conditions.

We take a different position vis a vis the proposed allocations DPSC3 – DPSC7. The keystone holding up the arch of the Council’s proposals for Sayers Common is that the 5 separate proposed allocations in Sayers Common and Albourne will, on development, constitute a single sustainable, 20 minute neighbourhood. The soundness of policies DPSC3 – DPSC7 depends fundamentally on that claim being robustly evidencable, and on the five sites all being developed as a coherent whole.

CPRE, nation-wide, knows of not a single successful 20 minute neighbourhood developed in a rural setting and with low density housing. We have however documented attempts to do so, all of which have failed to deliver on their ambitions.¹²

MSDC can no more turn these Sayers Common/Albourne sites into a sustainable 20 minute neighbourhood than an alchemist could turn base metal into gold. It cannot be done. It is wishful thinking, not sound planning. There is no evidence of deliverability of their fundamental self- sustainability purpose.

CPRESx would take the same negative view of the non-sustainability of the so-called Cuckstye site between Ansty and Cuckfield that was once mooted for allocation and is currently the subject of a planning application (DM/23/2866 and 2287) by its would-be developers. We fully support the Council’s decision not to propose that site for allocation, and for the same non-sustainability reasons as we oppose the Sayers Common/Albourne sites.

DPSC 3 – DPSC7 Sites in Sayers Common and Albourne

1. **The Sayers Common sites proposed for allocation via policies DPSC3 – DPSC7 cannot be made into sustainable communities, either individually or collectively. They are incompatible with NPPF para 78 which mandates that: “In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.”**

Accordingly these policies are unsound, not being either justified or consistent with national policy. They cannot even be reconciled with the vision and objectives in chapters 3 and 5 of the proposed Plan.

2. **The significance of multiple allocations:** The Plan proposes 2,543 homes being built on 5 separate allocation sites, each to be separately developed by different developers. The Council's case on sustainability, however, appears to depend on all being developed as if – contrary to the facts - they were a single development unit. But, as far as we are aware, there is not even a master plan, agreed by all would-be developers, for the overall development of the separate sites as a unified whole.

12 <https://www.transportfornewhomes.org.uk/the-project/garden-villages-and-garden-towns/>

The soundness of each of policies DPSC3 to DPSC7 requires assessment individually and on its own merits. If one or more of these 5 allocations were found not to be sound, or if one or more of them were not actually developed as the Plan envisages, then the sustainability case, such as it is, that the Council puts forward to justify these allocations necessarily falls away.

Given the Council's experience of dealing with the separate objectives of the would-be developers of different parcels of what has become the Northern Arc/Brookleigh site, we are very surprised that they are now proposing to repeat that experience by bringing forward these allocations as separate sites in the way that they have. The Council's own recent experience indicates that there has to be a significant chance that not all these sites will be developed or that, if they are it would not be as an integrated whole.

It is our case that these are high risk allocations that afford a material risk of non-deliverability of some or all of the housing that the allocations envisage. If that were to happen, the Council's own attempted justification of a 20 minute community for Sayers Common and its sites' sustainability case would collapse.

That said, CPRESx would not in principle oppose allocation of small individual sites that could be demonstrated to be responsive to local circumstances and needs of Sayers Common and Albourne as existing individual communities.

3. **The allocations are surplus to need:** For the reasons explained in our response above to policy DPH1 we consider that these allocations are not collectively required to satisfy the requirement for a positively prepared plan to satisfy the District's housing needs over the Plan period.
4. **Are these sustainable and sound allocations?** It is fundamental to the Council's case for these 5 proposed allocations, and fundamental to these Policies' soundness for the purposes of NPPF para 35, that it can be evidenced that
- They are sustainably located, and
 - They can be developed into a single self-sustaining 20 minute neighbourhood; and
 - They are consistent with the Council's vision and objectives for this updated Plan.

We will explain in the following paragraphs why we believe that these allocations fail these pre- requisites to soundness.

5. **Policies DPSC3 – DPSC 7 do not support national policy on new rural housing:** The large majority of the site allocations are in Albourne parish, not Sayers Common, which is a separate village. All are greenfield sites. Albourne parish has a population of 715 residents. Sayers Common (part of the parish of Hurstpierpoint & Sayers Common) has about 850. Both villages are category 3 settlements, meaning that they already provide essential services for their own residents and immediately surrounding communities, often shared with neighbouring settlements. Both Sayers Common and Albourne have their own village halls. Their schooling needs are already met.

Paragraphs 78 and 79 of the NPPF support new rural housing that is located where it would help promote the vitality of rural villages like Albourne and Sayers Common, and help smaller villages to support each other. CPRESx supports that national policy aim. What is proposed collectively in policies DPSC3 – DPSC7 however has nothing to do with that aim. The establishment of a new wholly greenfield 120ha settlement of 6,000 new residents will swamp and utterly change both existing village communities, quadrupling their combined current population.

6. **The new settlement would be isolated and not an urban extension of Burgess Hill:** Both villages lie on the western side of the main A23 trunk road connecting Brighton to the M23 and London. They are on the opposite side of the A23 from Burgess Hill. As the crow flies, the Sayers Common village is 5km from the centre of Burgess Hill, and Albourne Village is a further kilometre distant. The allocated sites, being to the west and south of the two village centres, are further still from Burgess Hill town centre and its train station. The far point of site DPSC3 near High Cross is nearly 2km from Sayers Common village, hence 7km from Burgess Hill – again as the crow flies.

The roads don't run as the crow flies, and involve longer, diversionary journeys to cross the A23 and into the centre of town. There are no direct cycle routes either, and those that exist involve cycling for some distances on narrow, unlit roads and crossing the A273 as well as the A23.

With these distances, and with the interposition of the A23, these housing allocations cannot be argued to be urban extensions of Burgess Hill. No resident in any of the DPSC3 – DPSC7 sites will be within acceptable walking distance of a supermarket or other range of shops, a train station, a GP, a dentist, a cinema or a leisure centre. The sustainability of these sites has to be assessed on their own facts and merits, and not as part of the Council's prudent policy of developing extensions around the District's main urban communities and their facilities.

7. **A Preferred option is not necessarily a sustainable option:** It is clear from the Council's Site Selections Conclusion paper that Sayers Common/Albourne has been chosen to host over 2,500 new dwellings only because it is deemed to be a better option than the Lindfield and Ansty alternatives, without serious consideration as to whether it is a sustainable location to do so. It is not clear whether the Site Selections Conclusion paper is addressing the 5 sites together or just the DPSC3 site. However, it is plain that the Council has determined to dump here the excessive housing it claims that the District needs without proper consideration of its sustainability implications, and without adequate analysis of other alternative strategies.
8. **The SA assessment does not provide evidence to support the proposed allocations in policies DPSC3 – DPSC7:** The Sustainability Appraisal (SA) leads us to the same conclusion that the fact

that one site represents a preferable option does not necessarily make it a sustainable option. Even allowing for the fact that the SA skews its conclusions in favour of significant sites being sustainable (see our comments re policy DPSC Gen) the SA evidence challenges the sustainability of the significant sites.

It is vital to note that, as regards its analysis of policies DPSC3 – DPSC7 the SA does not actually consider as an option the significant site development strategy that the Plan Review proposes: Options 1, 4 and 5 involve different strategies. Option 2 is described as *“Growth to support the sustainability potential of existing smaller settlements, with limited growth in protected landscapes. This spatial Option seeks to support growth in settlements with existing facilities, such as retail opportunities, schools, and health care. While recognising that urban extensions of a strategic size bring opportunities to support the development of new facilities.”*, and option 3 as *“Creating a new sustainable settlement with associated facilities”* (SA p.A-5).

Option 2 assumes (a) sustainable access to an urban centre and (b) that existing settlements already have significant facilities such as retail opportunities, schools, and health care facilities within them, which neither Sayers Common nor Albourne has. Option 3 is dismissed as undeliverable for want of an available site. The SA analysis of neither option therefore reliably reflects the proposed strategy of seeking to create a 20 minute neighbourhood through the allocation of rural sites DPSC3 – DPSC7. Whilst the SA option 2 feasibility conclusions on page A-8 may have relevance to policies DPSC1 and DPSC2 (though it appears to underestimate their size), it does not provide evidence to support these proposed DPSC3 – DPSC7 allocations.

Indeed the SA flags up significant sustainability objections to them. For example:

“Development of previously undeveloped land and greenfield sites is not considered to be an efficient use of land [contrary to NPPF para 119]. Development of an existing brownfield site would be expected to contribute positively to safeguarding greenfield land in Mid Sussex, and therefore, have a minor positive impact on this objective. Development proposals situated wholly or partially on previously undeveloped land would be expected to pose a threat to soil within the site perimeter due to excavation, compaction, erosion and an increased risk of pollution and contamination during construction. In addition, development proposals which would result in the loss of greenfield land would be expected to contribute towards a cumulative loss of ecological habitat. This would be expected to lead to greater levels of habitat fragmentation and isolation for the local ecological network restricting the ability of ecological receptors to adapt to the effects of climate change. The loss of greenfield land has therefore been considered to have an adverse effect under this objective.” (SA p.43)

“It is assumed that construction and occupation of previously undeveloped greenfield land would result in a net reduction in vegetation cover in the Plan area. This would also be expected to lead to greater levels of fragmentation and isolation for the wider ecological network, such as due to the loss of stepping-stones and corridors. This will restrict the ability of ecological receptors to adapt to the effects of climate change. The loss of greenfield land is considered under the Natural Resources objective (SA Objective 6) in this assessment. It should be noted that no detailed ecological surveys have been completed ... to inform the assessments made in this report.” (SA p.45)

“Urbanisation of the Countryside / Coalescence: Development proposals which are considered to increase the risk of future development spreading further into the wider landscape would be

expected to have a minor negative impact on the landscape objective. Development proposals which are considered to reduce the separation between existing settlements and increase the risk of the coalescence of settlements would be expected to have a potential minor negative impact on the landscape objective.” (SA p.48)

As already flagged elsewhere we also challenge the SA’s assumption that no negative biodiversity/geodiversity impacts would be expected on ecologically undesignated sites, or that undesignated sites will be necessarily be more sustainable.

9. **A sustainable 20 minute community cannot be created on these sites collectively or individually:** The Council’s case for the sustainability, and hence the soundness, of policies DPSC3 – DPSC7 hangs or falls on their own case that the housing built on these sites will collectively be capable, with appropriate planning, of becoming self-sufficient 20 minute communities that do not depend for residents’ everyday lives on private car use to access facilities and employment elsewhere. CPRESx says that there is no robust evidence that demonstrates the deliverability of the Council’s ambitions through these allocations. And what matters is not the aspiration, but the delivered reality.

The Council has defined what it means by a 20 minute neighbourhood as follows (Plan p.18): *“The 20-minute neighbourhood concept is about creating attractive, interesting, safe, inclusive, walkable environments in which people of all ages and levels of fitness are happy to travel actively for short distances from home to services and destinations they need to support their day to day lives; these include shopping, school, green spaces and more. One of the core principles is to ensure places are accessible by everyone on foot, wheeling, by cycle, by public transport and without having to use a car.”* Elsewhere (p.17) it is described as *“a place in which most people’s daily needs can be met within a short walk or cycle”*.

CPRESx fully supports the principle of 20 minute neighbourhoods, which can work well in appropriate locations. But all our experience, and all our research as an organisation, shows that they only work in an urban environment where density of housing is sufficient to create a local resident population large enough to generate economic conditions that allow on-site businesses – shops, pubs, health and social facilities, etc, to operate profitably. Even when the 2,500 proposed new homes are all built - which the Plan accepts will not be until after the end of the Plan period in 2039 – the 6,000 new residents cannot be expected to generate sufficient wealth to create a vibrant on-site community hub, even with the added Albourne and Sayers Common population. It would just not be a large enough or dense enough community to work.

The 5 sites are an amorphous assemblage of separate proffered sites. They simply do not form a coherent whole amenable to a central hub or the creation of a budding attractive community neighbourhood. The sites are spread out and angular, more resembling a giant hopscotch court than anything else. The far point of site DPSC3 is nearly 1.8km in a straight line from the junction between Reeds Lane and London Road, for example. The far point of site DPSC7 would be no nearer to any selected central point.

The impossibility of creating a new rurally based neighbourhood is all the greater when one is trying to start from scratch. It is likely to take 7 – 10 years to complete a development – or, in this case, a series of developments – of this scale during which the viability of any local business or community facility would be even more challenged and early residents would have formed a pattern of car- dependent behaviour of meeting their needs elsewhere.

We accept that, if the sites were developed, an all through school and full-day nursery care facility would be essential. However the only other public on-site facilities proposed in the draft Plan for what your Council claims will be a self-sustaining community are open spaces in various guises, undefined community facilities and a self-service library. No on-site surgery or other health services are proposed or would be likely to be deliverable (which is presumably why the Plan Review seeks financial provision for their delivery elsewhere).

Your Council's claim in its Sites Selection Conclusions paper that the allocations are justified in part because of the sustainability benefits to the existing Sayers Common/Albourne communities does not survive analysis. The additional facilities, such as it is suggested that they will be, offer no more than minimal benefit to existing residents of either village. They already have schooling provision, of course, and both villages already have village community halls. It is clear from the high level of local opposition that the communities' residents consider that the tsunami of 6,000 extra people will swallow up and destroy their communities rather than benefit them and enhance their sustainability as the Council naively asserts.

This minimal public facilities offer goes nowhere near providing the foundations for a self-sufficient, sustainable community at Sayers Common that could be called a 20 minute neighbourhood. It doesn't even go anywhere near to meeting your Council's own definition of what constitutes one.

Moreover, there has been no attempt to secure support from the residents of the two villages directly and hugely impacted by the proposed allocations for the claimed benefits of creating the new community in which they would be expected to participate. As the Town and County Planning Association's 'Guide to 20-minute Neighbourhoods' (March 2021) points out, it is key to the successful establishment of any new community neighbourhood that local people should become involved, and want to be involved, in the project. One cannot expect to create a successful new neighbourhood community by imposition rather than collaboration. Your Council's approach has only served to coalesce strong opposition.

10. **Where will the jobs be?** There is no robust evidence that the developments will be self-sustaining in terms of offering sufficient suitable jobs for the residents within, or in the close proximity to, the sites. It is likely that many residents will have or find employment in Brighton or in the Crawley/Gatwick/Horsham areas, and will prefer the ready accessibility of the A23 to get to and from their daily work rather than the use the far less convenient train from Burgess Hill station or other public transport.
11. **Car dependency, the antithesis of sustainability, is inevitable:** There is no transport sustainability evidence to support these allocations despite the Council's acceptance that this is key to the sustainability of the 20 minute neighbourhood that it aims to create here. We would be deeply sceptical as to the deliverability of sustainable transport proposals to make a material shift in people's behaviour in relation to these sites.

CPRE collaborated in 2020 with the organisation Transport for New Homes in the publication of an analysis of the delivered reality of 20 garden villages and towns across England. The conclusion of this report – Garden Villages and Towns: Vision and Reality¹³ - was that the promised vision of self-sustaining was not achieved in a single one of those communities. All of them ended up being car-dependent, and unsuitable for residents who could not, or would

not, drive. Incentives to divert residents onto sustainable travel alternatives had very limited success.

The rural location of these allocations makes car dependency inevitable. Car dependency is the death of isolated sustainable communities. The close proximity of the A23, and the new A2300 into Burgess Hill will inevitably prove to be ready lures to those wanting access to facilities not available on site, or travelling for work away from the site. There has been no transport study providing robust evidence that sustainable transport methods via a mobility hub will have anything more than minimal impact. We note from your Council's own sustainability appraisal that, in the case of the rejected Ansty site – where a Transport Study has been provided and studied – that it fails in that case to demonstrate that a substantial reduction in private car use can be achieved (in fact it claimed no more than a 5% diversion onto sustainable travel modes after 5 years)).

Distance precludes walking to and from Burgess Hill's facilities, or even the much more limited ones in Hurstpierpoint, as a sustainable option. There is no evidence put forward to give credence to a case that sustainable travel options will make a significant dent in regular private car use from the sites. Our evidence is that the delivered reality is that car dependency is never reduced in supposedly sustainable rural communities.

12. **Insufficient evidence exists as to the ecological and climate change implications:** We have called in our response above re policy DPSC Gen for more evidence of the ecological and natural resource impacts of significant site allocations before any of them are demonstrably suitable for allocation. There is no robust evidence presented that the creation of a low density 2,543 dwelling development in this rural setting of high biodiversity value (see Natural England's Low Weald NCA study referred to our response to policy DPC1) will end up providing environmental benefits or required levels of biodiversity gains as compared to the habitat, wildlife, natural capital resource and other ecological losses inherent in its building and subsequent existence on what is now open countryside.

The natural conservation work of the Sayers Common Woodland, Flora and Fauna Group, and other conservationists – encouraged by your Council for over 20 years – to reverse the area's declining barn owl, dormouse and bat populations will all be undone and their efforts wasted. Your proposals will threaten biodiversity via the fragmentation and erosion of habitats across the sites and the wider ecological network- a threat which the NPPF seeks to avoid and which the SA highlights as a challenge arising from the Plan's housing growth ambitions.

Nor is there any analysis or explanation of how these proposals will be compatible with the Council's net zero climate change policy and the NPPF para 152 instruction to "*shape places in ways that contribute to radical reductions in greenhouse gas emissions*". The loss of

¹³ <https://www.transportfornewhomes.org.uk/the-project/garden-villages-and-garden-towns/> (op cit)

greenhouse gas absorbing countryside, the inevitable car dependency, and inbuilt climate change costs of a major building project would all be significant. This is an example of the point we make re policy DPS1 that your Council, through its planning powers, has the ability significantly to influence the progress towards net zero.

We do not accept that it is obvious – or even likely - that biodiversity gain and climate change goals will be achieved. The absence of robust evidence and material uncertainty on these crucial habitat, biodiversity and climate change measurement criteria significantly further undermines the credibility of the proposed allocations as sustainable sites.

Conclusion: The Council has produced no robust evidence that these 5 proposed allocations can deliver a sustainable settlement consistent with the draft Plan’s stated vision to deliver “a thriving, attractive and resilient District, which is a highly sustainable and desirable place to live, work and visit.”. CPRESx’s evidence is that it cannot be achieved. Policies DPSC3 – DPSC7 are not justified or effective.