

Representations to Regulation 18 Draft Mid Sussex District Plan 2021-2039

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1. INTRODUCTION

- 1.1. These Representations are made for and on behalf of Hurstpierpoint and Sayers Common Parish Council, in response to the statutory public consultation on the Consultation Draft (Regulation 18) Mid Sussex District Plan 2021 - 2039 (the 'Draft Plan').
- 1.2. National planning guidance sets out that the planning system should be genuinely 'plan-led.' It states that succinct and up-to-date Plans should provide a positive vision for the future of each area, comprising a framework for addressing housing needs and other economic, social and environmental priorities providing a platform for local people to shape the surroundings.
- 1.3. The guidance sets out that Plans should:
 - a) Be prepared with the objective of contributing to the achievement of sustainable development;
 - b) Be prepared positively, in a way that is aspirational but deliverable;
 - c) Be shaped by early, proportionate and effective engagement between Plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
 - d) Contain policies that are clearly written and unambiguous, so it is evident how a decision-maker should react to development proposals;
 - e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and
 - f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in the National Planning Policy Framework, where relevant).
- 1.4. It sets out that strategic policies should set out an overall strategy for the pattern, scale and design quality of places and make sufficient provision for:
 - a) Housing (including affordable housing), employment, retail, leisure and other commercial development;
 - b) Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - c) Community facilities (such as health, education and cultural infrastructure); and
 - d) Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

- 1.5. The guidance states that strategic policies should look ahead over a minimum 15 year period from adoption to anticipate and respond to long term requirements and opportunities, such as those arising from major improvements and infrastructure. It notes that where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set with a vision that looks further ahead (at least 30 years) to take into account the likely timescale for delivery.
- 1.6. It notes that broad locations for development should be indicated on a key diagram and land use designations and allocations identified on a Policies Map. It sets out strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate to address objectively assessed needs over the Plan period, in line with a presumption in favour of sustainable development. It notes this should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms such as brownfield registers or non-strategic policies).
- 1.7. In consideration of examining Local Plans and spatial development strategies, these are assessed in terms of whether they have been prepared in accordance with legal and procedural requirements, and whether they are 'sound.' This means if they are:
 - a) Positively Prepared - Providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other Authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified - An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective - Deliverable over the Plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the Statement of Common Ground; and
 - d) Consistent with National Policy - Enabling the delivery of sustainable development in accordance with the policies in this framework and other statements of national planning policy, where relevant.
- 1.8. The guidance notes these tests of soundness will be applied to non-strategic policies in a proportionate way, taking into account the extent to which they are consistent with relevant strategic policies for the area.
- 1.9. The current consultation on the emerging Plan is being undertaken in accordance with the requirements set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.10. This sets out that a Local Planning Authority must (Regulation 18(1)(b)) invite representations to the Local Planning Authority about what a Local Plan ought to contain. It requires (Regulation 18(3)) in preparing the Local Plan, for the Local Planning Authority to take into account any representation made to them in response to the invitations under paragraph (1).

- 1.11. The Representations prepared for and on behalf of Hurstpierpoint and Sayers Common Parish Council have had full regard to national planning policy guidance on Plan-making, and the legal and procedural requirements of assessing whether the Plan is ‘sound.’
- 1.12. The Representations identify those areas of the emerging Plan where it is considered amendments and change should be made, in order for the Plan to adhere to relevant legal and planning policy guidance.

2. REPRESENTATION 1.01 - DISTRICT HOUSING NUMBERS

- 2.1. Policy DPH1: Housing details the calculated housing requirement that needs to be delivered over the Plan period 2021-2039. It calculates that the district’s Local Housing Need over this period is 20,142 dwellings (an average of 1,119 dwellings per annum). It notes this figure has been calculated using the standard method, and it is considered by the LPA that there are no exceptional circumstances to justify an alternative approach. It notes that having regard to existing commitments, and to ensure the housing need is met in full, the District Plan needs to make provision for a further 8,169 net additional dwellings over the Plan period.
- 2.2. National guidance on determining the minimum number of homes needed within a Plan area is set out in Chapter 5 of the NPPF. Paragraph 61 notes that this should be informed by a Local Housing Need Assessment *“conducted using the standard method in national planning guidance - unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.”*
- 2.3. In support of the preparation of the Plan, the LPA commissioned a Strategic Housing Market Assessment (SHMA) produced by ICENI Projects. Their final report was published in October 2021.
- 2.4. This summarises the approach to calculating Local Housing Need based on the ‘standard method’ issued by National Planning Practice Guidance in 2018. It notes that Step 1 is to establish a demographic baseline. It notes this is drawn from the 2014 based household projections based on a 10 year period (2021-2031). Step 2 is to consider the application of an ‘affordability’ uplift to the demographic baseline to take account of market signals (i.e. relative affordability of housing). The adjustment increase is where house prices are high relative to work place incomes. Step 3 is consideration of whether to apply a cap to the affordability adjustment.
- 2.5. Applying this approach, the SHMA calculates a minimum local housing need of 1,093 dwellings per annum. This is based on a demographic baseline of household growth of 710 dwellings per annum, taken from the 2014 based household projections, with an affordability uplift of 154%, based on the 2020 Median Workplace-Based Affordability Ratio.
- 2.6. It is considered that there is a fundamental weakness in basing the Local Housing Need on the 2014 based household projections. Since these were issued, the ONS has published two revised national population projections; in 2016 and 2018. Both projections show a decline in the projected growth of the population compared to the 2014 based figures (from a 2014 based projection of an annual population increase of 365,000; a 2016 based projection of an annual population increase of 285,000; and 2018 based projection of an annual population increase of 250,000).

- 2.7. The primary reasons for the reduction in the level of increase in population projection is primarily the projected number of children being born, and the projected reduction in the increase of average life expectancy.
- 2.8. The revised projections indicate that there will overall be a need for fewer houses than expected compared to the 2014 projections.
- 2.9. This is acknowledged in the SHMA. It notes that the percentage of population change in the district over the Plan period is a reduction from 12.5% in 2014 based assumptions to 7.5%.
- 2.10. This has significant implications for the overall level of change of the increase in the population of the district over the Plan period (from potentially 19,199 down to 11,394).
- 2.11. The SHMA acknowledges (paragraph 6.35) that taking account of the difference between the two projections, it points to the 2018 based projections being more realistic in terms of a trend based projection than those of 2014.
- 2.12. The SHMA therefore concludes that in moving the analysis forward *“it is suggested that the most suitable approach is to maintain the 2018 based SNPP as a baseline projection and amend migration estimates so that the level of need matches that previously suggested (for 1,093 homes per annum across the district).”*
- 2.13. The SHMA acknowledges that latest, and most up-to-date trend-based projection indicates a reduced level of housing need. However, it suggests retaining the level of need produced using the 2014 (standard method projections) by assuming increased migration into the district to make up for the level of reduced trend-based need.
- 2.14. The SHMA also recommends assumptions about increased household formation rates in order to produce what it acknowledges is a *“notably high level of population growth”* (33,000 additional people compared to 13,100 in the 2018 SNPP).
- 2.15. The SHMA therefore acknowledges the latest population projections indicate that the likely population growth over the Plan period will be less than that estimated in 2014 (used for the purposes of calculating Local Housing Need).
- 2.16. For these reasons, it is considered that the level of local housing need within the Plan is overestimated. The Plan should be amended to take account of the latest and most accurate population projections. This would reduce the overall baseline housing need within the district.
- 2.17. The SHMA acknowledges that the level of local housing need is significantly inflated above the demographic baseline assessment, as a result of the Step 2, ‘affordability adjustment.’ This arises from the Median Workplace-Based Affordability Ratio in 2020 of 12.62. As a result of this, the adjustment factor in the housing need figure is 154%, which raises the overall level of need from 710 (which has already been explained to be unduly high) to 1,093 dwellings per annum.
- 2.18. Whilst it is acknowledged that affordability of housing within the local area is a relevant and material factor, it is considered that the adjustment ratio in this instance is unduly high.

- 2.19. There are many elements which effect affordability, and these are not simply addressed by increasing the overall level of housing proposed to be planned for.
- 2.20. It is widely accepted that there is anecdotal evidence that housing supply may be restrained by residential providers, potentially in order to maintain house prices.
- 2.21. There are also other external considerations such as access to building materials, and appropriately skilled labour. These are not resolved by increasing housing supply requirements.
- 2.22. For these reasons, it is considered that the affordability adjustment should be significantly reduced to a cap of circa 20% of the baseline assessed level of need. This would still maintain a level of housing provision over and above the Local Housing Need, and maintain flexibility within the market to meet this. It would not however result in a level of over provision of housing within the district compared to its baseline need requirements.
- 2.23. It is considered the reduction in calculated Local Housing Need by a recalculation of the Step 1 baseline demographic by reference to the 2018 SNPP and a reduction in the subsequent affordability adjustment to 120% is both justified having regard to the evidence base, and would be positively prepared, consistent with achieving sustainable development.

3. REPRESENTATION 1.02 - SPATIAL DISTRIBUTION - HIGH WEALD AONB

- 3.1. The Draft Plan sets out that the current District Plan Spatial Strategy seeks to focus development towards the three main towns of the district (Burgess Hill, East Grinstead and Haywards Heath), and encourages proportionate growth of other settlements to meet local needs and support the provision of local services.
- 3.2. The Draft Plan sets out a proposed 'Updated District Plan Strategy'; to focus further growth identified within the Draft Plan in accordance with a revised Spatial Strategy based on four key principles. The first key principle is the intent to protect designated landscapes (including Areas of Outstanding Natural Beauty).
- 3.3. The Draft Plan sets out that the High Weald AONB, designated in 1983 covers some 50% of the land area of Mid Sussex district which equates to some 163.6 sqkm of land. It equates to approximately 11% of the entirety of the High Weald AONB. It covers the upper central swathe of the district, south of East Grinstead and Turners Hill, and north of Bolney, Ansty, Cuckfield and Haywards Heath.
- 3.4. Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONB's. It notes the scale and extent of development within such areas should be limited.
- 3.5. Paragraph 177 of the NPPF states that when considering applications for development within AONB's, permission should be refused for major development, other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

This should include an assessment of the need for the development including in terms of any national considerations and the impact of permitting it or refusing it, upon the local economy; the cost of, and scope for, developing outside the designated area; or any detrimental effect on the environment, landscape and recreational opportunities and the extent to which that could be moderated.

- 3.6. The aim of excluding the majority of new development from the AONB has significantly influenced the proposed Spatial Strategy for the distribution of housing development within the Draft Plan. For a number of settlements located within the AONB, the Draft Plan seeks to make no allocations of land for additional residential development. This includes large settlements.
- 3.7. It is considered that the Spatial Strategy to make no allocations for residential development in a large number of settlements that fall within the AONB is flawed.
- 3.8. The NPPF sets out that the scale and extent of development within AONB's should be limited, but it does not indicate that such areas should be the subject of no additional housing development.
- 3.9. Whilst it is acknowledged that the NPPF states that planning applications for 'major development' should be refused other than in exceptional circumstances, case law has established that the term 'major development' does not correspond to the definition of major development within the Development Management Procedure Order. The footnote to paragraph 177 of the NPPF states that whether a proposal is 'major development' will be a matter for the decision-maker, taking into account its nature, scale and setting and whether it could have a significant adverse impact on the purpose for which the area has been designated.
- 3.10. Additional, modest housing growth around the periphery of settlements in the district, contained within the AONB would be unlikely to constitute major development. The setting of the development would be an urban edge location, where subject to scale and design, additional development could be likely to take place without resulting in undue impact on landscape character. There is the potential for land to be allocated for residential development within the emerging Plan within AONB locations with an associated requirement for landscape mitigation measures to ensure impact is acceptable, and has the potential to conserve and enhance character.
- 3.11. It is considered that the Spatial Strategy should facilitate some additional growth within settlements in the AONB. This would help to sustain and underpin the vitality and viability of the settlements, without harm to landscape beauty.
- 3.12. It is considered that the proposed Spatial Strategy to avoid development in and adjoining settlements within the AONB is not appropriate. It is not justified, and would not be a Plan that is positively prepared.
- 3.13. It is considered that the Plan should be modified to allocate some additional development to settlements that fall within the AONB, beyond that set out in the proposed spatial distribution of the Plan.

4. REPRESENTATION 1.03 - SPATIAL DISTRIBUTION - URBAN FOCUS

- 4.1. The Draft Plan sets out that the current District Plan Spatial Strategy seeks to focus development towards the three main towns of the district (Burgess Hill, East Grinstead and Haywards Heath) and encourages proportionate growth at other settlements to meet local needs and support the provision of local services.
- 4.2. The Draft Plan sets out that the updated 'District Plan Strategy' is to focus further growth based on four key principles. The second key principle is the intent of 'making effective use of land.'
- 4.3. The Draft Plan sets out that this means, amongst other things, "*maximising opportunities for reusing brownfield sites.*"
- 4.4. It notes that as a predominately rural district, opportunities for brownfield development are largely limited to the three main towns and larger villages. It notes that ensuring land within the district is used effectively is an important consideration in achieving sustainable communities and reducing pressure on the countryside.
- 4.5. It notes that an Urban Capacity Study (UCS) was commissioned to assess the potential quantum of new housing that could be delivered from brownfield sites, to contribute towards the district's needs.
- 4.6. The UCS notes the small site completions equate to around 17.6% of all new completions on an annual basis within the district. It notes that this has contributed some 1,394 homes over the period 2007-2021 at an average of approximately 100 homes per annum.
- 4.7. The UCS primarily considers sites on an individual, planning unit basis. It has reviewed the potential for individual, typically small, land parcels to deliver self-contained development.
- 4.8. The UCS does not appear to have considered an holistic spatial planning approach to facilitate more comprehensive, coordinated development on brownfield land.
- 4.9. It notes that such measures to facilitate this could be undertaken by the LPA, including:
 - Facilitating discussions between landowners;
 - Supporting relocation strategy;
 - Creating site specific development briefs;
 - Marketing land for development; and
 - Use powers to acquire land and develop existing public sector land for new public sector housing across a variety of tenure types.
- 4.10. It is considered that were such measures employed by the Local Planning Authority, it would provide the potential to bring forward a significant contribution of new housing within existing urban centres on brownfield land to contribute to overall housing need.

- 4.11. This approach would directly contribute to spatial planning good practice, by maximising density within the most sustainable, urban locations, readily accessible to existing services and facilities, and non-car modes of transport. It also provides opportunities to underpin the vitality and viability of these communities.
- 4.12. The Draft Plan does not seek to allocate urban areas of the district for holistic renewal, nor to undertake steps (such as to coordinate and promote landowner collaboration) to bring forward more significant development.
- 4.13. The proposed allocation of land at Burgess Hill Station for 300 dwellings (Policy DPH7) and 100 dwellings at the Orchards Shopping Centre in Haywards Heath are examples of how such development could positively contribute significant housing in appropriate locations on previously developed land. These 2 allocations are an exception to the typical approach of allocating greenfield land.
- 4.14. It is considered that these allocations serve to emphasise the wider omission of the LPA in not seeking to proactively promote and bring forward more intensive development of brownfield land in sustainable urban and central locations within the district's 3 main towns. It is considered that an allocation of only 400 dwellings across the 3 central areas of the district's main towns does not reflect the stated spatial strategy of promoting an urban focus.
- 4.15. It is considered the Spatial Strategy should be modified to place greater emphasis on the potential for urban renewal and redevelopment to contribute to housing supply. This would directly contribute to delivering sustainable settlements and alleviate the pressure on the requirement for greenfield release for housing. Such an approach would minimise and avoid the harm resulting from the alternative approach of development of a substantial number and extent of Greenfield sites. In the absence of this change in spatial strategy, the Draft Plan is not positively prepared, justified or consistent with national planning policy.

5. REPRESENTATION 1.04 - SPATIAL DISTRIBUTION - THREE MAIN TOWN FOCUS FOR DEVELOPMENT

- 5.1. The Draft Plan sets out that the current District Plan Spatial Strategy seeks to focus development towards the district's three main towns (Burgess Hill, East Grinstead and Haywards Heath) and encourages proportionate growth of other settlements to meet local needs and support the provision of local services.
- 5.2. The Draft Plan sets out the updated 'District Plan Strategy' is to focus further growth based on four key principles. The third key principle is 'growth at existing sustainable settlements, where it continues to be sustainable to do so.'
- 5.3. The Draft Plan notes that the sustainable expansion of existing settlements can help provide the critical mass to support viable and sustainable travel solutions and improve active travel connectivity for the community to reduce the need to travel by car and reduce the district's carbon footprint.
- 5.4. In order to maintain and enhance existing sustainable settlements, the Draft Plan states that careful account has been given to the characteristics of each settlement, their role and function and not

simply their size, along with the infrastructure and services they support in order to determine the extent of new growth they can accommodate sustainably.

- 5.5. It notes the availability of site's which continue to be capable of accommodating sustainable growth has become more limited, particularly in and around East Grinstead and Haywards Heath and larger villages.
- 5.6. The proposed Spatial Strategy for development within the Draft Plan makes relatively modest allocations for growth at a number of the district's main towns and larger villages. Proposals for allocations within and around East Grinstead for the period 2021-2039 are to deliver a total of 45 dwellings and for Haywards Heath to deliver 235 over the same period.
- 5.7. In comparison to this, Burgess Hill is expected to deliver a further 1,758 dwellings over the remainder of the Plan period. Having regard to existing commitments, it will result in a total housing supply over the Plan period 2021-2039 for three main settlements as follows:
 - East Grinstead - 1,814;
 - Haywards Heath - 1,277; and
 - Burgess Hill - 7,037.
- 5.8. It can therefore be seen that the approach of the District Plan is not to distribute growth evenly between the three main towns.
- 5.9. The LPA have not sought to bring forward balanced growth to the three main towns, nor distribute development evenly across larger villages. Instead, it appears the LPA have selected sites for allocation for housing development based primarily on those that have been promoted by prospective developers through the Housing and Economic Land Availability Assessment.
- 5.10. In particular, it appears the LPA have not sought to robustly investigate the potential for bringing forward development in those towns which would make the most appropriate and meaningful contribution for delivering growth at existing sustainable settlements.
- 5.11. Whilst each settlement will have its distinct and unique circumstances and characteristics which shape and influence the level of growth, it is material to note that none of the settlements are wholly surrounded by land designated as AONB.
- 5.12. It is considered that the Spatial Strategy should be modified to distribute a larger portion of the required growth in and around the settlements of Haywards Heath and East Grinstead. This would deliver a more balanced level of growth to the district's existing main, sustainable settlements, and minimise the harm arising from the allocation of more rural, Greenfield sites. This approach would also balance pressure on infrastructure and help underpin and maintain the vitality and viability of these existing communities.
- 5.13. It is considered in the absence of this change to the Spatial Strategy, the Plan is not justified or consistent with national planning policy.

6. REPRESENTATION 1.05 - SPATIAL DISTRIBUTION - EXTENSIONS TO IMPROVE SUSTAINABILITY OF EXISTING SETTLEMENTS

- 6.1. The Draft Plan sets out that the current District Plan Spatial Strategy seeks to focus development towards the three main towns of the district (Burgess Hill, East Grinstead and Haywards Heath) and encourages proportionate growth of other settlements to meet local needs and support the provision of local services.
- 6.2. The Draft Plan sets out that the updated District Plan Spatial Strategy is to focus further growth based on four key principles. The fourth key principle is 'opportunities for [urban] extensions, to improve sustainability of existing settlements that are currently less sustainable.'
- 6.3. The supporting text sets out that the Draft Plan recognises there are some settlements that are less sustainable, but have opportunities for growth. It states that by planning for a level of development to support the provision of new facilities including education and health facilities, this would not only meet the needs of new residents but provide much needed facilities for existing communities which would allow the settlements to be more sustainable, reducing reliance on the private car and embracing the principle of 20 minute neighbourhoods.
- 6.4. The Draft Plan states that the existing District Plan Spatial Strategy has historically sought to resist all but small scale growth of smaller rural settlements on the basis that they are currently unsustainable. It notes that this has reinforced a strong reliance on the use of the private car to access all but the most basic of services and needs in neighbouring larger settlements. It notes such small scale, sometimes piecemeal development, has increased population size but not reached critical mass to support new facilities and services.
- 6.5. It notes that the proposed updated District Plan Spatial Strategy seeks to extend existing, less sustainable communities which currently have the benefit of only limited services, with the development of a scale which can provide infrastructure and services which not only meet the needs of the new community but those in the existing community as well. It notes that based around the 20 minute neighbourhood principles, the Plan seeks to deliver complete, compact and well connected communities which provide the facilities and services to support the day to day needs of the communities as a whole, accessed by walking, wheeling and cycling.
- 6.6. The Draft Plan allocates a significant amount of new development on the edge of Sayers Common. In addition to the proposed delivery of some 2,000 new dwellings through Policy DPSC2 on land to the south of Reeds Lane, Sayers Common, the Plan also seeks to deliver a little under 550 additional dwellings on a further four allocated sites (DPH19; DPH20; DPH21; and DPH22).
- 6.7. The result will be a substantial and significant change in the form and character of Sayers Common, in addition to the development which has already been approved during the current Plan period.
- 6.8. The LPA's justification for this level of allocation is to seek to improve the sustainability of the settlement.
- 6.9. The Draft Plan sets out that an Infrastructure Delivery Plan (IDP) has been prepared to identify what infrastructure provision is needed and where and when it needs to be delivered in order to support the development and anticipated future growth identified in the Draft Plan.

- 6.10. The IDP (October 2022) is part of the evidence based to the Draft Plan. It sets out amongst other things, infrastructure position statements in relation to a range of matters, including education and health, and transport.
- 6.11. DPSC2 requires a new primary school on-site. The IDP states that discussions are ongoing with developers of the significant sites (assumed to include Sayers Common) that are identified within the Draft Plan as to land availability, suitability and appropriateness of sites to incorporate new educational facilities. It notes an additional 7,000 homes in the district will generate the need for a significant number of new primary and secondary school places.
- 6.12. It notes that as a starting point, West Sussex County Council (WSSCC) have advised that new primary schools will be required on each of the significant sites and a new secondary school for the district. It notes that alternatively, and considering the location of the significant sites, the provision of two all-through schools with two-form entry at primary and four-form entry at secondary with or without a sixth form and the provision of a primary school on the remaining significant site may be more desirable.
- 6.13. The IDP notes that the approach “*is broad brush at this stage*” and dependent on demographic changes and forecasts. It notes that projects planned to be undertaken in order to cater for the increase in pupil numbers are subject to change particularly if they are more than five years away and children are not yet born.
- 6.14. The IDP analysis sets out that there is clear and continuing uncertainty as to the overall requirement for education provision, but that demand arises due to the overall level of development planned within the district.
- 6.15. The LPA assert that the delivery of education provision at Sayers Common will improve the sustainability of the settlement. However, residents of Sayers Common are typically located in reasonable proximity to Albourne Primary School located a short way to the south, which is accessible on pavements alongside the public highway.
- 6.16. The main change therefore in settlement sustainability from the development in educational terms would be the provision of secondary level schooling. However, Policy DPSC2 does not require this to be delivered on-site, and the IDP indicates that there is no certainty of delivery of this within the Sayers Common area.
- 6.17. Policy DPSC2 does not require healthcare infrastructure on-site as part of the development. The IDP does not indicate the healthcare plans or requirements for the district over the plan period. The IDP states that this is ‘pending information.’ On this basis, there is no assurance that the proposed allocation will deliver any material improvement in access to healthcare for the existing or future residents of Sayers Common, as a result of the allocation.
- 6.18. Policy DPSC2 includes a requirement to deliver a ‘transport hub’ to enable ‘sustainable travel connections to Burgess Hill.’
- 6.19. There are currently limited services and facilities at Sayers Common. The existing level of public transport serving the settlement is also limited. Given the likelihood of future residents needing to access higher tier centres, in order to achieve sustainable transport modes, the improvement in

travel connections to Burgess Hill should be an essential requirement of the allocation of the proposed level of development in and around the settlement.

- 6.20. At present, there is inadequate evidence as to how sustainable travel connections to Burgess Hill will be materially improved and delivered in conjunction with the Draft Plan allocations for the settlement. There are no measures contained within the spatial strategy that will evidentially deliver a material modal shift in transport use.
- 6.21. Such details should be set out as an essential requirement of the allocation in order to provide assurance of achievement of the sustainable development.
- 6.22. In the absence of this, such a scale of development at Sayers Common would be likely to have a significant detrimental impact on the road network serving the settlement and wider area. For example, it would be likely to exacerbate existing levels of congestion experienced at the crossroads junction of the High Street and Brighton/ Cuckfield Road (B2117) in Hurstpierpoint
- 6.23. Having regard to the above, the proposed allocation of land at Sayers Common delivers no assurance of the requisite and timely delivery of associated infrastructure to improve the sustainability of the settlement.
- 6.24. In the absence of evidence of delivery of infrastructure, the proposed allocation of development at Sayers Common would be unsustainable and result in significant harm to good spatial planning principles.
- 6.25. On this basis , the Draft Plan is not positively prepared, justified or consistent with national planning policy, including Chapter 3 (plan-making) of the NPPF. This in particular notes that *“significant extensions to existing villages ... that form part of the strategy for the area should be set within a vision that looks further ahead (at least 30 years) ...”*

7. REPRESENTATION 1.06 - COALESCENCE

- 7.1. Policy DPC2 of the Draft Plan seeks to prevent coalescence. It notes that the settlement pattern of Mid Sussex makes an important contribution to the distinctive character of the District. Therefore a strategic objective of the Plan is to promote well located and designed development that reflects the existing distinctive towns and villages and retains their separate identity and character and prevents coalescence.
- 7.2. This approach reflects policies contained within successive Development Plan documents prepared by the District Council.
- 7.3. The Parish of Hurstpierpoint and Sayers Common Neighbourhood Plan (HSCNP) was ‘Made’ by the District Council on the 18th March 2015. The strategic objectives for the HSCNP include keeping the village feel and sense of place and protecting and enhancing the environment, whilst meeting housing needs in the plan area up to 2031.
- 7.4. Within this context, Policy Countryside Hurst C3 of the HSCNP, designates ‘local gaps’ to prevent coalescence between:
 - Hurstpierpoint and Hassocks;

- Sayers Common and Albourne;
- Hurstpierpoint and Albourne; and
- Hurstpierpoint and Burgess Hill.

- 7.5. Within these local gaps, the policy supports development, provided that it does not individually or cumulatively result in coalescence and loss of identity of neighbouring settlements.
- 7.6. The importance and sensitivity of local gaps has been acknowledged in the Appeal Decision by the Secretary of State to refuse planning permission for the construction of 81 dwellings and associated works on land to the east of College Lane, Hurstpierpoint in September 2014 (Appeal Reference APP/D3830/V/14/2211499).
- 7.7. In that decision, the Secretary of State noted that, at that time the LPA were unable to demonstrate a five year housing land supply, and as such policies that impacted on the supply of housing were considered to be out of date. Notwithstanding this, it was considered that the local gap policy relating to land between Hurstpierpoint and Hassocks continued to serve an important planning function in preventing the coalescence of these two settlements and maintaining their separate identities and amenities. It noted that this important spatial planning function accorded with the overall thrust of the NPPF.
- 7.8. The Secretary of State considered that the development proposed would undermine the purposes of the local gap and change its character and that the gap continued to serve a useful and much valued planning purpose. This value was irrespective of any landscape capacity assessment of the site. It was considered that an increase in built development would result in a small but nonetheless significant diminution of openness.
- 7.9. This appeal decision emphasises the fundamental importance of local gaps and their contribution to maintaining settlement identity and individual character, and that this spatial planning approach accords with national planning guidance.
- 7.10. It is considered that maintaining settlement identity and preventing coalescence should be integral to the Spatial Strategy of the Draft Plan.
- 7.11. The settlements within the Parish of Hurstpierpoint and Sayers Common are at significant risk of erosion of character and loss of identity by further development that encroaches towards and upon the built up edge of nearby settlements.
- 7.12. Iterative growth over a number of years has resulted in the significant erosion of gaps between existing settlements, leaving them vulnerable to the impact of further housing growth. Future erosion of the local gaps would fundamentally undermine the distinctive character and identity of individual settlements within and around the Parish.
- 7.13. Numerous sites have been submitted to the LPA in promotion of allocation for development in the Draft Plan, that are located within the Parish of Hurstpierpoint and Sayers Common. This emphasises that the settlements of the Parish, and their identity are at significant risk of irrevocable harm through successive accretive development.

- 7.14. Land has been promoted for allocation for development to the north, southeast and west of Hurstpierpoint; to the north, south and southeast of Sayers Common and to the south and west of Burgess Hill on land that falls within and impacts upon the Parish and its character.
- 7.15. Furthermore, the Draft Plan allocated substantial additional housing growth in the Parish over the remainder of the Plan period. The number of properties proposed equates to a more than 60% increase in the number of existing homes in the Parish.
- 7.16. This proportion is significantly increased by inclusion of the already committed development in the Parish on land West of Burgess Hill (area of residential development of DPH9 in the adopted Local Plan that is located within the Parish), and the allocation of 1850 dwellings on land south of the Parish in the Draft Plan, that adjoins Sayers Common, and falls within the parish of Albourne.
- 7.17. This emphasises the importance of local gaps in preventing coalescence. It is considered that the Draft Plan should be modified to specifically identify local gaps, and for these to be protected from development over the Plan period.
- 7.18. It is considered that the identification of local gaps should include land between Hurstpierpoint and the surrounding settlements of Hassocks, Burgess Hill and Albourne, and between Sayers Common and Albourne.
- 7.19. It is considered that the identification of local gaps are of key importance to provide Plan-led certainty of land to be protected under Policy DPC2: Preventing Coalescence. In the absence of this, the vulnerable spaces between settlements in and around the Parish will remain at risk of accretive development and erosion of settlement identity and character. This would be harmful to existing character and community cohesion.
- 7.20. In the absence of local gap allocations, the plan would not be justified or consistent with national policy.

8. REPRESENTATION 1.07 - POLICY DPSC1: LAND TO THE WEST OF BURGESS HILL

- 8.1. The Draft Plan seeks to allocate significant development in the north of the Parish of Hurstpierpoint and Sayers Common, through Policy DPSC1: 'land to the west of Burgess Hill.' The policy envisages a development of some 1,400 dwellings and associated infrastructure.
- 8.2. The supporting text to the policy acknowledges that Burgess Hill is already identified for significant growth, with some 3,500 homes consented as part of the Northern Arc development. It considers that the proposed site allocation is one of three within the district that is suitable for significant additional growth on the basis that it is "*well connected to existing and planned sustainable transport networks.*"
- 8.3. The policy indicates that a significant redefinition of the proposed built-up area boundary of Burgess Hill will be undertaken, running south from Goddards Green along Cuckfield Road, before then turning east along Pomper Lane and crossing the A273 (Jane Murray Way), to connect back into the existing settlement edge.

- 8.4. The Site Allocation includes the southern and western edge of the area, but does not include the central and eastern areas. The Draft plan does not provide reasoning for this 'piecemeal' approach to the allocation.
- 8.5. The supporting text to the policy notes that built development may not extend up to the site boundary in circumstances such as where landscape buffers and retention of existing natural boundaries are required.
- 8.6. It notes that the "*Site Promoter has prepared a visioning document for this site, which includes an Indicative Masterplan showing approximate location of uses and mitigation.*" This document is made available on-line in the supporting evidence base pack that supports the Draft Plan.
- 8.7. The document is not considered to represent an Indicative Masterplan. It is a 'Vision Document' that sets out, at a high level, how the site might be developed.
- 8.8. A Masterplan should comprise an overarching planning document and spatial layout to be used to structure land use and development. There is no formally agreed process to creating a 'Masterplan', but a number of elements and stages should be included within the Masterplan exercise. It should include an understanding of the aims and objectives of the prospective development, a contextual appraisal of the site and its surroundings, and a spatial framework of opportunities and constraints.
- 8.9. It should include details of an initial testing exercise to consider land use designation, key connections and open spaces. This should inform the development of a preferred strategy which should include block structure of patterns and density areas; a movement framework detailing street hierarchies and character of routes; and open space and network characterisation including functions. It should include design refinement to provide a concept of the architecture of the area, including street design concepts and landscape concepts.
- 8.10. The 'Indicative Masterplan' referred to by the LPA is not considered to be sufficiently robust to represent an adequate spatial planning document.
- 8.11. It does not set out detailed considerations of the preferred masterplan layout, and in particular does not consider how the development relates to existing built form including the spaces that surround it. In particular, it does not consider and seek to relate to existing land that lies outside of the area being promoted by representatives of the landowner. Rather, it represents an insular concept document, only briefly outlining how development within the boundaries of the site might be laid out. It has inadequate coherence or integration into existing development and surrounding land use.
- 8.12. This is evidenced in the absence of consideration of the treatment and landscaping of the peripheral areas of the promoted area to ensure adequate transition and protection of the rural character of its surroundings.
- 8.13. The evolution of Burgess Hill developed around the concept of a peripheral ring-road (Jane Murray Way (A273)) and an associated green space buffer around the southern edge of the settlement. This includes public open space and ecological designations (Batchelors Farm Nature Reserve and Hammonds Ridge Meadows Nature Reserve).

- 8.14. This spatial planning approach typically provides a clear defined edge to the built-up area and suitable buffer, with appropriate green landscaping between the edge of the built-up area and the countryside beyond.
- 8.15. The proposed allocation of land in Policy DPSC1 fails to acknowledge or reflect this approach. It does not seek to provide any equivalent transitional landscape buffer between the proposed urban edge and the undeveloped countryside. It does not seek to respect or reinforce the established spatial strategy for the treatment of the edge of Burgess Hill.
- 8.16. Importantly, the proposals do not acknowledge the sensitivity of the outward encroachment of development into the Parish of Hurstpierpoint and Sayers Common, and the erosion of the undeveloped gap between Burgess Hill and surrounding settlements.
- 8.17. Any allocation of land for residential development to the west of the existing defined edge of Burgess Hill should be the subject of a comprehensive and detailed Masterplan that evidences how appropriate and robust boundary delineation between the edge of the built-up area and surrounding countryside can be brought forward to deliver and ensure protection of surrounding landscape character and settlement identity in perpetuity.
- 8.18. As a minimum, any development should be the subject of a Masterplan brought forward as a pre-requisite to the allocation of the site. This should include significant landscape buffering along the southern and western edge of the prospective development. It should also include details of land beyond this, within the local gap between the development and surrounding settlements, in particular Hurstpierpoint, to detail the extent of land that will remain undeveloped in perpetuity.
- 8.19. These elements are not included in the Draft Plan, nor in the associated evidence base documents.
- 8.20. The Draft Plan should be modified to include a Masterplan detail to accompany any proposed strategic allocation of land for development. This is required to mitigate the harm arising from the proposed strategic development.
- 8.21. In the absence of this, Policy DPSC1 would not be justified or consistent with national planning policy, including Chapter 3 (plan-making) of the NPPF.

9. REPRESENTATION 1.08 - POLICY DPSC2: LAND TO THE SOUTH OF REEDS LANE, SAYERS COMMON

- 9.1. The Draft Plan seeks to allocate significant development in and around the settlement of Sayers Common. It includes the allocation of up to some 2,000 dwellings together with associated infrastructure to the south-west of the settlement through Policy DPSC2: 'land to the south of Reeds Lane, Sayers Common.'
- 9.2. The supporting text to the policy states that the site will 'deliver a sustainable urban extension, bring new community facilities and services to the area as part of mixed use development.'
- 9.3. The supporting text to the policy notes that the boundary of the allocation represents the extent of all allocations, but built development may not extend to the site boundary, for instance where landscape buffers are to be provided.

- 9.4. The text states that the Site Promoter has prepared a visioning document for the site which includes an Indicative Masterplan showing approximate location of uses and mitigation. This is indicated to be available as a background evidence document. This document is made available on-line in the supporting evidence base pack that supports the Draft Plan.
- 9.5. The document is not considered to represent an Indicative Masterplan.
- 9.6. A Masterplan should comprise an overarching planning document and spatial layout to be used to structure land use and development. There is no formally agreed process to creating a 'Masterplan', but a number of elements and stages should be included within the Masterplan exercise. It should include an understanding of the aims and objectives of the prospective development, a contextual appraisal of the site and its surroundings, and a spatial framework of opportunities and constraints.
- 9.7. It should include details of an initial testing exercise to consider land use designation, key connections and open spaces. This should inform the development of a preferred strategy which should include block structure of patterns and density areas; a movement framework detailing street hierarchies and character of routes; and open space and network characterisation including functions. It should include design refinement to provide a concept of the architecture of the area, including street design concepts and landscape concepts.
- 9.8. The 'Indicative Masterplan' referred to by the LPA is not considered to be sufficiently robust to represent an adequate spatial planning document.
- 9.9. It does not contain adequate detail for spatial masterplanning. In particular, it does not provide a clear and detailed explanation on the proposed spatial layout or location of infrastructure and how the development will integrate with the achievement of sustainable neighbourhoods and development.
- 9.10. It does not consider how the development relates to existing built form including the spaces that surround it. It does not consider and seek to relate to land that lies outside of the area being promoted by representatives of the landowner. Rather, it represents an insular concept document, only briefly outlining how development within the boundaries of the site might be laid out. It has inadequate coherence or integration into existing development and surrounding land use.
- 9.11. The lack of a comprehensive spatial planning approach is reflected in the allocation area, which represents a fragmented and disconnected series of field parcels, that poorly relate to the allocated area, and with the existing built-up edge of Sayers Common.
- 9.12. This is acknowledged by the LPA within the Draft Plan. Policy DPSC2 states that "*opportunities to improve connectivity and masterplanning between the eastern and western parcels of the site, by inclusion of further land parcels on the southern boundary should be investigated. Any extension to the site must ensure there is significant open space and landscaping to the southern boundary to ensure a gap between Sayers Common and Albourne to maintain the separate identity of these settlements.*"
- 9.13. This is reinforced by the absence of consideration of the treatment and landscaping of the peripheral areas of the promoted area to ensure an adequate landscape buffer and transition to protect the rural character of its surroundings.

- 9.14. Furthermore, the background evidence fails to acknowledge and respond to the encroachment of the proposed development between the undeveloped gap of Sayers Common and Albourne. At its proposed southern extent, the development would result in the visual coalescence of the two settlements. This conflicts with the established planning principles of retained individual settlement identity.
- 9.15. The proposed allocation of land at Policy DPSC2 is of inadequate detail and represents poor spatial masterplanning.
- 9.16. The site should not be allocated for development without appropriate comprehensive masterplanning that includes all land, including that beyond the confines of the Promoter's interest, to ensure robust and adequate Plan-making. In particular, it should also include a clear landscape edge to the built-up area boundary and afford open space in perpetuity to maintain the separate settlement identities of Sayers Common and Albourne.
- 9.17. As a minimum, development should be the subject of a Masterplan brought forward as a pre-requisite to the allocation of the site. This should include significant landscape buffering along the southern edge of the prospective development. It should also include details of land beyond this, within the local gap between the development and Albourne, to detail the extent of land that will remain undeveloped in perpetuity.
- 9.18. These elements are not included in the Draft Plan, nor in the associated evidence base documents.
- 9.19. The Draft Plan should be modified to include a Masterplan detail to accompany any proposed strategic allocation of land for development.
- 9.20. In the absence of this, Policy DPSC2 would not be justified or consistent with national planning policy, including Chapter 3 (plan-making) of the NPPF. This in particular notes that *"significant extensions to existing villages ... that form part of the strategy for the area should be set within a vision that looks further ahead (at least 30 years) ..."*

10. REPRESENTATION 1.09 - POLICY DPH16: LAND WEST OF KEMPS

- 10.1. The Draft Plan seeks to allocate some 5.8ha of land to the west of Kemps in Hurstpierpoint for development of some 90 dwellings. This allocation includes land that is in close proximity to the defined Langton Lane Conservation Area and the Grade II Listed Langton Grange.
- 10.2. The Mid Sussex District Council summary of Conservation Areas notes that Langton Lane is characterised by its 'linear rural character' and views out of the area.
- 10.3. The proposed site allocation is comprised of land that is crossed east-west at its southern end, and south-east to north-west at its northern end by public rights of way. These currently benefit from a clear rural character beyond the edge of the built up area of Hurstpierpoint.
- 10.4. It is considered that the allocation of 90 dwellings on the site would be harmful to the character and setting of the Langton Lane Conservation Area, and the rural amenity of the public rights of way.
- 10.5. It is considered that the proposed allocation of 90 dwellings on this site is excessive, and would not be consistent with national planning policy, including Chapter 16 of the NPPF.

11. REPRESENTATION 1.10 - SAYERS COMMON - DRAINAGE

- 11.1. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change.
- 11.2. Paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, whether that is an existing or future risk.
- 11.3. Paragraph 160 that states that strategic policy should be informed by a Strategic Flood Risk Assessment (SFRA), and manage flood risk from all sources. It notes this should consider cumulative impacts in or effecting local areas susceptible to flooding. It notes that all Plans should apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so as to avoid where possible, flood risk to people and property. It notes that LPA's should manage any residual risk by applying the sequential test and then if necessary the exception test.
- 11.4. Paragraph 162 notes that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. It notes development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It notes that the SFRA will provide the basis for applying this test. It notes the sequential approach should be in areas known to be at risk now or in the future from any form of flooding.
- 11.5. The evidence base that supports the Draft Plan appears to rely on the MSDC SFRA (Level 1), dated June 2015.
- 11.6. This sets out that WSCC, as Lead Local Flood Authority (LLFA), are required to set out how it will deliver local flood risk management under the Flood and Water Management Act. It notes that the WSCC have prepared a Local Flood Risk Management Strategy covering the county to meet their duties as the LLFA. The analysis undertaken in this strategy identifies 53 (wet spots) in West Sussex, of which six are identified in Mid Sussex. This includes land at Sayers Common.
- 11.7. The report notes the majority of properties identified are in areas of surface water flood risk. It notes that such flooding is known to exist in Sayers Common. The table within the SFRA identifies 50 properties that are at risk of surface water flooding within Sayers Common.
- 11.8. Appendix C of the SFRA notes that *“numerous records of historical flooding exist in and around Sayers Common predominately due to poor surface water drainage systems....”*
- 11.9. The MSDC SFRA therefore acknowledges and identifies Sayers Common as being in an area at risk of surface water flooding.
- 11.10. In accordance with the requirements of national planning guidance, this risk of flooding should be the subject of detailed consideration in the prospective allocation of additional land for development within this area. This prospect of flooding should consider both existing and future development.

- 11.11. Unless and until it can be demonstrated that the proposed allocations of land for development in and around Sayers Common are not at risk of flooding, and do not materially impact the risk of flooding of existing properties, then land in Sayers Common should not be allocated for development. Alternative areas at lower risk of flooding should be identified for development in accordance with the sequential test.
- 11.12. In the absence of this, the allocations of land for development in and around Sayers Common would not be justified or consistent with national policy.

12. SUMMARY

- 12.1. These representations are made for and on behalf of Hurstpierpoint and Sayers Common Parish Council.
- 12.2. They respond to the statutory public consultation of the Regulation 18 Mid Sussex District Draft Plan.
- 12.3. The Draft Plan envisages a significant level of development within the Parish, and immediately surrounding it. As drafted, the Plan would represent a substantial and harmful change in the character of the villages of the Parish and their rural hinterland.
- 12.4. The representations outline the concerns with the Draft Plan, the harm it would cause to the parish and its residents, and the conflict of the Spatial Strategy and allocations to established, national planning guidance.
- 12.5. It is considered that the Draft Plan should be substantially amended to address the concerns raised and render it positively prepared, justified, and consistent with national planning guidance.
- 12.6. It is considered that it requires a revision to the over-arching spatial strategy to refocus and redistribute the proposed level of development, and where strategic development is to be delivered, such allocations are brought forward in accordance with clear, and appropriate detailed Masterplans, that are an integral part of site allocation, not prepared, separately and subsequently.
- 12.7. The changes sought to the Draft Plan would significantly diminish the level of development envisaged to the Parish, and that which is brought forward would be co-ordinated with the protection of surrounding land in perpetuity as local gaps, and delivered with appropriate requisite infrastructure.