

From: [REDACTED]
Sent: 15 January 2019 10:53
To: property
Subject: for the attention of Peter Stuart and Tom Clark re TC/CPC/HURST/SCHOOL and TC/CPC/HURST/BACP- HHTC

Dear Mr Stuart and Mr Clark,

I am emailing for information regarding the notices posted in the Mid Sussex Times on 3rd January 2019.

They appear to relate directly with land included in the outline planning application DM/17/2739 which is 'awaiting decision' on the council website. If this is the case, it would be helpful to put as much information on the planning website in order that the public can make an informed comment / objection. For example, does this sale involve any Ancient Woodland and will its full protection be guaranteed? Maps of the areas involved would be helpful, along with an estimated time frame of how and when the sale might take place. How does this sale relate to the land that was acquired by MSDC for public amenity? I am also awaiting notification of an application to put a TRO on Hurstwood Lane. How does the sale of this land to WSCC affect this application?

I would appreciate your most comprehensive responses to my request for more information and a place to easily access this for other members of the public, so that I have good time to get my comments in.

Kind Regards,

[REDACTED]
Fox Hill Residents Association (FHA)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Mr Clark,

This letter forms my objection to the notices, TC/CPC/HURST/SCHOOL and TC/CPC/HURST/BACPHHTC, posted in the Mid Sussex Times on 3/1/19. My reasons are as follows –

An outline planning application currently exists on an area of land known as Hurst Farm which includes the areas mentioned in each notice. As it stands, this application is still 'awaiting decision'. The property department, charged with disposal of this land, must understand that the possibility of permission to build on any piece of land will significantly affect the price that the land may achieve. In the public interest, this land should not be sold or disposed of before its full value can be assessed. The property department must surely be liaising with the planning department to understand the issues that remain unresolved regarding full permission of this outline application.

Mid Sussex District Council appears to be disposing of land which is within the boundary of East Sussex according to the plan emailed to me by Mr Coppens.

Neither area of land has access to a public highway. Designated Ancient Woodland which is afforded an increased level of protection, would be destroyed forever if the proposed outline application is achieved. In my opinion, the property department should be made aware of the importance of protecting this area of Ancient Woodland before simply disposing of it. Once again it seems obvious that the outline planning application would inform the property department on these matters and particularly on information and advice which may need revisiting and updating such as the status of Ancient Woodland and the presence of protected species such as kingfishers and crested newts. To date, the current research on the width of Ancient Woodland buffer zones in relation to the size of development has been completely ignored by every planning application for a large development that has come before the MSDC planning committee.

It is foolish to place all the proposed public amenities in this area of Haywards Heath because the road traffic network on the southern side of Haywards Heath is already congested. Traffic surveys, carried out as part of the outline planning application, are out of date and inaccurate. The proposed Traffic Regulation Order (TRO), required to close Hurstwood Lane, as part of this outline application, will increase this congestion. This in turn will cause air pollution along the affected roads to remain at potentially dangerous levels. In my opinion, air pollution has not been properly considered by the District Planning Committee to date and up to date emission figures were not available at the outline planning meeting.

Thank you for considering these concerns regarding the proposed disposal of this land.

Kind Regards,

[REDACTED]

[REDACTED] (Fox Hill Association)

From: [REDACTED]
Sent: 15 January 2019 15:02
To: Tom Clark
Cc: Steven King; Garry Wall (Cllr); [REDACTED]; Haywards Heath Town Clerk
Subject: Proposed Land Sale TC/CPC/HURST/SCHOOL, TC/CPC/HURST/BACP-HHTC

With reference to the notices posted TC/CPC/HURST/SCHOOL and TC/CPC/HURST/BACP-HHTC these presumably refer to section 106 obligations in respect of planning application DM/17/2739 (Hurst Farm). It is disappointing that the application has not been updated to reflect the proposed section 106 agreement and I note that the WSCC section 106 consultation response lapsed on the 9th November and has not been updated or revised as required after 3 months. It is impossible for the council or the public to scrutinise this application or the section 106 arrangements and asset disposals that underpin it from the outdated and incomplete information provided.

Additionally in order to assess if these disposals are in the public interest and represent best value it is essential to know what commercial and compensation arrangements are in place with the developer Cross Stone; a significant beneficiary from these disposals. Mr Stuart has previously made clear that the council have outsourced all and any obligations for procurement to Cross Stone whose appointed design team has drawn up plans which will involve a considerable amount of MSDC land being sacrificed under section 106 to facilitate development by Cross Stone concentrated upon land owned by Cross Stone. I note no land or assets of Cross Stone are being disposed of in facilitation of this scheme under section 106.

No documents have been forthcoming as to how the obvious conflicts of interest have been managed, monitored or mitigated; nor how MSDC is to be compensated for the considerable costs and capital losses it faces as all the undeveloped space under Cross Stones design and all land allocated by Cross Stone under section 106 for planning gains is to be disposed of below market value by MSDC to facilitate development on Cross Stones land. It would be unlawful to dispose of public assets without clarifying how the value of MSDCs land holdings are protected and evidence that the full cost of all section 106 contributions facilitating Cross Stones development are to be restored to MSDC by the developer. Cross Stone stands to gain considerably from the facilitation of MSDC disposing of public land. At no point has MSDC provided any evidence that the maximum value of taxpayer assets has been sought or protected, this is the first duty of the council in disposing of public assets, especially land of such significant value.

For clarity, none of the land owned by Cross Stone land is being used for public benefit, planning gains or in any way to facilitate development under section 106. Instead Cross Stone elected to zone the 20% of the land they own 100% for the highest density of development. MSDC has failed to protect either the public interest or public finances by proposing to dispose of valuable public assets without any due diligence or compensation. Before MSDC can dispose of its land in this way it must demonstrate that Cross Stone has acted to deliver the best value of the public assets being disposed of

including full compensation for the value any facilitation by such a disposal will deliver for future land value or development gains by Cross Stone.



From: [REDACTED]

Sent: 19 January 2019 09:57

To: Chris Coppens

Cc: Tom Clark; Peter Stuart; Thuso Selelo

Subject: Re: Proposed Land Sale TC/CPC/HURST/SCHOOL, TC/CPC/HURST/BACP-HHTC

Thank you for your letter which I note is entirely identical to that provided to other substantively different objections. As you were unable to speak to most of the concerns raised I hope Mr Clark or your planning lawyers will directly respond to the resining points.

With reference to the disposal(s) TC/CPC/HURST/SCHOOL, TC/CPC/HURST/BACP-HHTC, the following objection should be brought to the committees attention.

Except with the consent of the Secretary of State, a council shall not dispose of land under section 123, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.

The disposal advertised clearly fails to meet this very simple test. Your claim that this disposal is unrelated to the Hurst Farm application is either commercially naive or wilfully misleading. The disposal of these parcels of land provides very significant value to Cross Stone and others in facilitation of their proposed development and as a headline part of the planning gains for the application the land value gains generated rests entirely upon them. No evidence has been provided that the council has fully received from all interested parties the value created on their behalf by the disposal of the councils assets. Without such, any disposal or loss of public/open access to this land does not deliver the full commercial value created to the taxpayer from the disposal of their assets and the best value that can reasonably be obtained has not been achieved.

Without prejudice

[REDACTED]