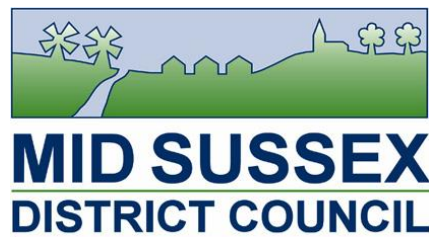




COUNCIL

29 JUNE 2022



21 June 2022

Unless a majority of the Council resolve to extend the meeting before 10.00 pm it will automatically end at 10.00 pm in accordance with Council Procedure Rule 17.2.

NOTE: There will be limited public access to observe the meeting. Those wishing to do so must reserve a seat by completing a [Registration Form](#) by 4pm on the working day prior to the meeting. Access is also available via a live stream through the [Mid Sussex District Council's YouTube channel](#).

To all Members of the Council,

You are hereby summoned to attend a meeting of the **MID SUSSEX DISTRICT COUNCIL** to be held in the **COUNCIL CHAMBER** on **WEDNESDAY, 29TH JUNE, 2022 at 7.00 pm** to transact the following business:

Yours sincerely,

KATHRYN HALL
Chief Executive

Pages

1. Opening Prayer.
2. To receive questions from members of the public pursuant to Council Procedure Rule 9.
3. To confirm Minutes of the meeting of Council held on 27 April and Annual Council on 11 May 2022. **5 - 16**
4. To receive declarations of Interest from Members in respect of any matter on the Agenda.
5. To consider any items that the Chairman of the Council agrees to take as urgent business.
6. Chairman's Announcements.
7. Site Allocations Development Plan Document - Adoption. **17 - 264**

Working together for a better Mid Sussex

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|-----|---|------------------|
| 8. | Representatives on Outside Bodies. | 265 - 270 |
| 9. | Adoption of Modern Slavery and Human Trafficking Transparency Statement. | 271 - 282 |
| 10. | MSDC Pay Policy Statement 2022/23. | 283 - 294 |
| 11. | Scrutiny Committee Responsibilities for 2022/23. | 295 - 298 |
| 12. | Recommendations from Cabinet held on 6 June 2022. | 299 - 300 |
| 13. | To receive the Leader's Report. | |
| 14. | Report of Cabinet Members, including questions pursuant to Council Procedure Rule 10.1. | |
| 15. | Questions from Members pursuant to Council Procedure Rule 10.2. | |

To: **Members of Council:** Councillors M Belsey (Chairman), P Coote (Vice-Chair), G Allen, J Ash-Edwards, R Bates, J Belsey, A Bennett, L Bennett, A Boutrup, P Bradbury, P Brown, H Brunsdon, R Cartwright, P Chapman, R Clarke, E Coe-Gunnell White, M Cornish, R Cromie, J Dabell, R de Mierre, B Dempsey, J Edwards, S Ellis, R Eggleston, A Eves, B Forbes, L Gibbs, I Gibson, S Hatton, J Henwood, S Hicks, S Hillier, T Hussain, R Jackson, J Knight, C Laband, Andrew Lea, Anthea Lea, J Llewellyn-Burke, G Marsh, J Mockford, A Peacock, C Phillips, M Pulfer, R Salisbury, S Smith, A Sparasci, L Stockwell, D Sweatman, C Trumble, N Walker, R Webb, N Webster and R Whittaker

**Minutes of a meeting of Council
held on Wednesday, 27th April, 2022
from 7.00 pm - 7.55 pm**

Present: M Belsey (Chairman)
P Coote (Vice-Chair)

J Ash-Edwards	S Ellis	Anthea Lea
R Bates	R Eggleston	J Llewellyn-Burke
J Belsey	A Eves	G Marsh
A Bennett	B Forbes	J Mockford
A Boutrup	L Gibbs	A Peacock
P Brown	I Gibson	C Phillips
R Cartwright	S Hatton	M Pulfer
R Clarke	J Henwood	A Sparasci
M Cornish	S Hicks	D Sweatman
R Cromie	S Hillier	C Trumble
J Dabell	R Jackson	N Walker
R de Mierre	J Knight	R Webb
B Dempsey	C Laband	N Webster
J Edwards	Andrew Lea	R Whittaker

Absent: Councillors G Allen, L Bennett, P Bradbury, H Brunsdon,
P Chapman, E Coe-Gunnell White, T Hussain, R Salisbury,
S Smith and L Stockwell

1. OPENING PRAYER.

The opening prayer was read by the Vice-Chairman.

2. TO RECEIVE QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE 9.

The following question was received from Mr P Cox:

Regarding the advice commissioned by the Council from BOP Consulting on the future of Clair Hall:

According to the Invitation to Tender relating to the contract, the consultants will provide an interim report on May 27th and the Council will then provide feedback to advise the remainder of the study.

Can the Cabinet Member responsible please clarify whether the interim report will be provided to full Council or a subgroup of the Council and if so which subgroup?

The following response was provided by the Leader, Cllr Jonathan Ash-Edwards:

Thank you for your question. As you highlighted, the Council appointed BOP, a globally recognised cultural and creative consultancy to advise on the Clair Hall site. I am delighted that an organisation with such an impressive global reputation in the creative industries sector has agreed to work with us. I welcome them on board and we hope they can now be given space to consider all the available information to help us develop evidence based proposals for the future of community facilities on the Clair Hall Site.

To answer your question, I would like to direct you to the Cabinet report in February which outlines timescales for this work. The interim report is expected to be discussed at the Cabinet meeting in the summer and will be published as part of our regular governance process.

The Invitation to Tender, the document you are referring to, has been published in the spirit of full transparency and it is important that it isn't taken out of context. The work and timelines included are only indicative and will be driven by the work the consultants are still planning.

The Council will continue to share as much information as it is possible. I would like to encourage residents to sign up to the Clair Hall engagement Hub where residents can get the latest information on the progress of the project. That link is on the Council's website and has been shared via social media.

The link to the engagement hub, and the request to subscribe to be kept informed as work progresses, has been shared via MSDC social media channels too.

Mr Cox asked the following supplementary question: Past experience has shown that inadequate scrutiny of decisions on Clair Hall can lead to bad outcomes. The Consultant's advice will be key to settling the future of Clair Hall which is an issue that is of great importance to thousands of our residents. How can the public be assured that the Consultants work will be scrutinised by a representative cross section of Council Members?

The following response was provided by the Leader:

The Council has established a Member Steering Group to guide the work and provide advice to Cabinet and they will be looking at the interim report before it is published and goes to Cabinet. That group contains representation from Haywards Heath Town Council on behalf of the community. In terms of the outcome, we are working to deliver on the mandate given to this Council by the 95% of residents who supported change and modernisation on the Clair Hall site and it is important that we deliver modern a community facility for Haywards Heath and the wider area.

3. TO CONFIRM MINUTES OF THE MEETING OF COUNCIL HELD ON 30 MARCH 2022.

The Chairman noted an amendment to the attendance list. The amended minutes of the meeting of Council held on 30 March 2022 were agreed as a correct record of the meeting.

4. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF ANY MATTER ON THE AGENDA.

Councillor Hillier declared that he is a West Sussex County Councillor in relation to comments he made under item 7.

5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN OF THE COUNCIL AGREES TO TAKE AS URGENT BUSINESS.

None.

6. CHAIRMAN'S ANNOUNCEMENTS.

The Chairman drew attention to the Council's Platinum Jubilee Competition for children to design a woodland bench, and encouraged Members to share details within the community. She also noted attendance at recent events, details of which are available on the Council's website, noting the very enjoyable celebration event for Clair Hall Vaccination Volunteers.

7. SUSTAINABLE ECONOMY STRATEGY AND ACTION PLAN 2022-2025.

The Chairman began by noting that the Council is one of the first to form such a plan and that a Working Group has spent many hours developing the document.

Councillor Pulfer moved the item as Chairman of the Working Group acknowledging that the group had good cross-party involvement where it was agreed that the document should progress to Council for approval. He noted that the Strategy shows the way the Council is moving forward into the next 5 years. The item was seconded by Councillor Ash-Edwards.

The Cabinet Member for Economic Growth and Net Zero also commented on the document, thanking Councillor Pulfer for chairing the Working Group and for their dedication. He noted that the document will replace two previous strategies and recognises that the Council has a key role as an employer, landowner, provider and procurer of services, strategic leader, place shaper and a key partner to enable others to deliver for themselves. He noted the importance of partnership working both with the Government and West Sussex County Council and the importance of flagging-up best practice and innovation elsewhere. He also highlighted that it is realistic for the economy to be growing whilst the nation reduces its environmental impact, as the two dynamics are not mutually exclusive. He reminded Members that the document under consideration is about supporting the local economy to grow to provide jobs across the earnings spectrum and to reduce the environmental and life-quality impact of outward commuting as well as giving confidence that Mid Sussex is also an environmentally responsible place to live and do business.

Members discussed the statistics on child obesity contained in the profile document. The Leader noted that the figures are to give context to the challenges and successes across a broad range of indicators as a starting point. He acknowledged that there would need to be collaboration with others such as schools and public health groups as well as the planned investment in sports and leisure to address the issues.

Several Members welcomed the report thanked the Working Group and Officers for the extensive work to compile the document. Some Members acknowledged that the

document is ambitious and provides a direction of travel over the coming years. A few Members also noted areas that they felt could be strengthened such as aspirations for modal shifts and the inclusion of Net Zero in the Vision. It was noted that there was consensus by the Working Group and that it was important to leave room for the plan to develop and evolve over time.

In seconding the item, the Leader thanked the Working Group for consideration of a complex set of topics to provide a comprehensive and evidence based final document. He also addressed questions raised by Members. In response to questions around increasing energy performance certificates and improving home insulation he noted that the target in the strategy is on reducing emissions from the worst performing 20% of homes, in line with National Initiatives. He acknowledged that the Council has limited powers to make people improve homes, especially as it does not own housing, so must work with wider incentives. With regards to how the Council will engage with voluntary organisations because of this strategy he confirmed that the Council already does and will continue to do so.

The Leader acknowledged the improvements provided by one Member with regards to Objective 8 which provides detail for a clear plan for nature recovery showing that the Council will not just be able to be compliant with the Environmental Act but working towards being best-in-class. The Leader also provided clarification on two points raised by Members, one in relation to housing numbers which is not directly correlated to an increase in population figures and one in relation to workplace parking levies. He noted that this is a tax on any employer who provides a parking space for their employees and not taken up by Mid Sussex as it is felt inappropriate to enforce in a District where people do need to use a car to commute to places such as schools and hospitals. Several Members noted the importance of reducing carbon emissions and becoming carbon neutral, including the need to reduce transport emissions, support local businesses to reduce their footprint and the inclusion of KPI's or measures in the procurement process to hold contractors and suppliers to account.

The Leader summarised by noting that the strategy is important in bringing the economy, environment, sustainability, and climate change all together as they have an intrinsic relationship. The Council must also become Net Zero itself and this sets up the path for that to happen. It is a broad strategy which recognises that people and collaborative working have a role in achieving its goals.

The Chairman took Members to a vote on the recommendations as contained in the report which was approved with 39 in favour and 5 abstentions.

RESOLVED

Council approved:

- (i) the draft Sustainable Economy Strategy and Action Plan 2022-2025 and the District Profile;
- (ii) Noted the next steps regarding delivery of the Sustainable Economy Strategy Action Plan and
- (iii) Delegated approval for any minor updates (including updates to evidence base datapoints or third-party strategy names) to officers in consultation with the Cabinet Member for Economic Growth and Net Zero.

The meeting finished at 7.55 pm

Chairman

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**Minutes of a meeting of Annual Council
held on Wednesday, 11th May, 2022
from 7.00 - 7.27 pm**

Present: M Belsey (Chairman)
P Coote (Vice-Chair)

J Ash-Edwards	S Ellis	J Mockford
J Belsey	A Eves	A Peacock
A Boutrup	B Forbes	C Phillips
P Brown	L Gibbs	M Pulfer
H Brunsdon	I Gibson	R Salisbury
P Chapman	J Henwood	A Sparasci
R Clarke	S Hicks	L Stockwell
E Coe-	T Hussain	D Sweatman
Gunnell White	R Jackson	C Trumble
R Cromie	J Knight	N Walker
J Dabell	C Laband	R Webb
R de Mierre	Andrew Lea	N Webster
B Dempsey	Anthea Lea	R Whittaker
J Edwards	J Llewellyn-Burke	
R Eggleston		

Absent: Councillors G Allen, R Bates, A Bennett, L Bennett, P Bradbury, R Cartwright, M Cornish, S Hatton, S Hillier, G Marsh and S Smith

1 OPENING PRAYER.

The Vice-Chairman read the opening prayer.

2 TO ELECT THE CHAIRMAN OF THE COUNCIL.

The Legal Officer asked for nominations for Chairman.

Councillor Coote nominated Councillor Margaret Belsey for Chairman of the Council. This was seconded by Councillor Ash Edwards. As there were no other nominations, Councillor Margaret Belsey was confirmed as Chairman of the Council for 2022/23.

RESOLVED

That Councillor Margaret Belsey be elected Chairman of the Council for the 2022/23 Council year.

3 TO APPOINT THE VICE-CHAIRMAN OF THE COUNCIL.

The Chairman nominated Councillor Coote for Vice-Chairman of the Council. This was seconded by Councillor Webster. As there were no other nominations, Councillor Coote was confirmed as Vice-Chairman for 2022/23.

RESOLVED

That Councillor Coote be appointed Vice-Chairman of the Council for the 2022/23 Council year.

4 CHAIRMAN'S ANNOUNCEMENTS.

In accepting the continuation of her role, the Chairman thanked fellow Councillors and stated that it was a privilege and honour to be re-elected. She confirmed that she will continue to support Kangaroos, her chosen charity for this year.

The Chairman drew Member's attention to two posters they have been given (relating the Energy Rebate and Clair Hall) and asked for their support in placing them within their Wards to promote the information to residents.

The Chairman also acknowledged that Peter Stuart, Head of Finance and Section 151 Officer will be leaving the Council and invited comment from Group Leaders. The Leader along with the Deputy Group Leaders for the Green and Liberal Democrat parties and the Leader of the Independent Group thanked Peter for his considerable service to the Council of over 30 years, noting his professionalism and extensive knowledge which has been of great benefit to residents and Members.

5 TO NOTE THE MEMBERS APPOINTED TO THE CABINET AND FOR THE LEADER TO APPOINT THOSE MEMBERS.

The Leader confirmed that the Cabinet will return to being composed of 7 Members. He thanked the current Members for their continued work and welcomed Councillor Cromie as the Cabinet Member for Housing and Customer Services.

The Chairman took Members to the recommendation to note the appointments which was agreed unanimously.

RESOLVED

That Council noted the following appointments:

- Deputy Leader – Councillor J Belsey
- Cabinet Member for Community – Councillor Webster
- Cabinet Member for Economic Growth and Net Zero – Councillor Hillier
- Cabinet Member for Planning – Councillor Salisbury
- Cabinet Member for Leisure and Parking – Councillor De Mierre
- Cabinet Member for Housing and Customer Services – Councillor Cromie

6 TO RECEIVE AND NOTE THE NOMINATIONS TO THE FOLLOWING COMMITTEES FOR 2022-23. (TO BE TABLED)

The Chairman moved the item drawing Member's attention to the tabled report detailing the Nominations for Committees for the year 2022/23.

As there were no questions, the Chairman took Members to a vote on the recommendation to note the nominations, which was agreed unanimously.

RESOLVED

The appointment of Members to Committees as set out below were noted:

Audit Committee (7 Members)

Anne Boutrup	Judy Llewellyn-Burke
Matthew Cornish	Mike Pulfer
Ian Gibson	Lin Stockwell
Simon Hicks	

Licensing Committee (15 Members)

Graham Allen	Anthea Lea
Matthew Cornish	Gary Marsh
John Dabell	Julie Mockford
Bruce Forbes	Samantha Smith
Lee Gibbs	Neville Walker
Janice Henwood	Roger Webb
Jim Knight	Norman Webster
Clive Laband	

Licensing Sub Committee A (5 Members)

Graham Allen	Anthea Lea
Janice Henwood	Gary Marsh
Jim Knight	

Scrutiny Committee for Housing, Planning and Economic Growth (15 Members)

Richard Bates	Janice Henwood
Paul Brown	Clive Laband
Margaret Belsey	Gary Marsh
Rod Clarke	Julie Mockford
Phillip Coote	Adam Peacock
Robert Eggleston	Neville Walker
Bruce Forbes	Rex Whittaker
Sue Hatton	

Scrutiny Committee for Community, Customer Services and Service Delivery (15 Members)

Anne Boutrup	Ian Gibson
Roger Cartwright	Tofojjul Hussain
Peter Chapman	Anthea Lea
Rod Clarke	Judy Llewellyn-Burke
John Dabell	Mike Pulfer
Benedict Dempsey	Alexander Sparasci
Jenny Edwards	Dick Sweatman
Sandy Ellis	

Scrutiny Committee for Leader, Finance and Performance (15 Members)

Alison Bennett	Andrew Lea
Heidi Brunsdon	Christopher Phillips
Phillip Coote	Mike Pulfer
Anne Eves	Samantha Smith
Janice Henwood	Lin Stockwell
Simon Hicks	Colin Trumble
Rodney Jackson	Rex Whittaker
Jim Knight	

District Planning Committee (12 Members)

Richard Bates	Clive Laband
Phillip Coote	Gary Marsh
Anne Eves	Adam Peacock
Bruce Forbes	Dick Sweatman
Sue Hatton	Colin Trumble
Rodney Jackson	Rex Whittaker

Planning Committee (12 Members)

Paul Brown	Tofojjul Hussain
Roger Cartwright	Gary Marsh
Phillip Coote	Christopher Phillips
John Dabell	Mike Pulfer
Robert Eggleston	Dick Sweatman
Bruce Forbes	Roger Webb

Standards Committee (6 MSDC Members)

Alison Bennett	Emma Coe-Gunnell White
Pete Bradbury	Anne Eves
Rod Clarke	Samantha Smith

7 APPOINTMENT OF CHIEF FINANCE OFFICER AND SECTION 151 OFFICER.

Councillor Ash-Edwards moved the item. In seconding the item, Councillor John Belsey supported the appointment of Stephen Fitzgerald whilst also thanking the outgoing Section 151 Officer Peter Stuart for the work he has done in bringing the Council to the position which it is today.

As there were no questions, the Chairman took Members to a vote on the recommendation which was agreed unanimously.

RESOLVED

Council agreed to appoint Stephen Fitzgerald as its interim S151 Officer, effective from 12 May 2022.

8 PROGRAMME OF MEETINGS 2022-23.

Councillor Webster moved the item noting that the Council carries out regular risk assessments to take reasonable steps to manage the risks of Covid and to reflect the public health guidelines and guidance that remains in place. He also acknowledged that Councillor Andrew Lea had proposed an amendment to the recommendation and Councillor Webster was happy to accept this amendment. This was seconded by Councillor Ash-Edwards.

Councillor Andrew Lea's amendment to the recommendation includes the following wording:

"From the 23rd May Council and committee meetings will be in the chamber. When due to Covid or other Health and Safety considerations it is not considered prudent to hold the meeting in the chamber, a report detailing the reasons and risk assessment will be presented to that meeting."

This was seconded by Councillor Stockwell. Members discussed the amendment and it was noted that bringing a report to the meeting would not change the circumstances of where that meeting was held. It was however hoped that in doing so it would make clear why a meeting might not be held in the Council Chamber and influence subsequent meetings. Members also discussed the timings of meetings when they return to the Chamber. The Chairman noted that this would be discussed with individual Chairman with Members advised of the outcome.

The Chairman took Members to a vote on the amendment which was agreed with 40 in favour and 3 abstentions.

On the substantive motion, a Member queried the maximum number of Members and Officers allowed in the Chamber and commented on the benefits of holding Scrutiny Committees in person. It was confirmed that the current maximum number of people in the Council Chamber is 24 but there is confidence that the full Council can be accommodated in the room from June. The amendment relates to all meetings however Scrutiny Committees can remain online at the individual Chairman's discretion.

The Chairman took Members to a vote on the recommendations as amended which were agreed unanimously.

RESOLVED

Council agreed:

That the Programme (attached to the report as Appendix 1) and additional recommendation as stated above be approved.

The meeting finished at 7.27 pm

Chairman

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SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT - ADOPTION

REPORT OF: Judy Holmes, Assistant Chief Executive
Contact Officer: Sally Blomfield – Divisional Unit Leader for Planning and Economy
Email: Sally.Blomfield@midsussex.gov.uk Tel: 01444 477435
Wards Affected: All
Key Decision: Yes
Report to: Council
29th June 2022

Purpose of Report

1. The purpose of this report is to recommend Council adopt the Site Allocations Development Plan Document (the 'Sites DPD') in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Summary

2. This report provides a summary of the content of the Sites DPD, the key issues raised in the Inspector's Report and sets out the next steps in the formal process of adopting the Sites DPD.
3. The Report on the Examination of the Sites DPD was received on 30th May 2022. The Inspector's Report concluded that the Sites DPD, when incorporating Main Modifications suggested by the Inspector, is legally compliant, sound and capable of adoption.

Recommendations

4. **Council is recommended to:**
 - (i) **Adopt the Site Allocations Development Plan Document;**
 - (ii) **Publish the Site Allocations Development Plan Document, Sustainability Appraisal Report and the Adoption Statement;**
 - (iii) **Give delegated authority to the Divisional Unit Leader for Planning and Economy, to make typographical and minor factual corrections to the documentation as necessary before publication.**
-

Background

5. The Mid Sussex District Plan 2014-2031, adopted in March 2018, commits the Council to the preparation of a Site Allocations Development Plan Document (the 'Sites DPD') to ensure that housing and employment needs for the district are met in full.
6. The Council commenced preparation of the Sites DPD in 2018. There were two formal rounds of consultation (October/November 2019 and August/September 2020), allowing all stakeholders to submit their views.
7. The Sites DPD contained:
 - 22 housing sites
 - 7 employment sites

- a Science and Technology Park to the west of Burgess Hill
 - additional policies to support delivery of the allocations and promote sustainable development
8. At its meeting on 22nd July 2020, Council agreed to submit the draft Sites DPD and supporting documentation to the Secretary of State for examination. The Sites DPD was submitted to the Secretary of State on 16th December 2020.

Examination of the Sites DPD

9. The examination process for the Sites DPD commenced at the point of submission to the Secretary of State. An independent Inspector was appointed by the Planning Inspectorate to assess compliance with all legal requirements and whether the plan is 'sound' by reference to the tests of soundness within the National Planning Policy Framework (NPPF).
10. The examination consists of the Inspector's consideration of written material and oral participation at hearing sessions.
11. The Inspector provided his initial questions for the Council in March 2021. Following this, the Inspector published his "Matters, Issues and Questions" in April 2021 and invited statements from all interested parties. The Matters, Issues and Questions formed the basis for the examination hearing sessions.
12. There were 10 hearing sessions which commenced on 1st June 2021 and concluded on 16th June 2021.
13. The Sites DPD and accompanying evidence base has been thoroughly scrutinised by the Inspector, to allow him to draw conclusions in his report.
14. The examination hearings involved 50 invited participants and covered legal requirements, the housing requirement and provision, examination of each of the proposed site allocations, environmental policies, constraints and designations, transport and infrastructure and Development Management issues.

Post-Hearing Actions and Main Modifications

15. During the hearing sessions, the Inspector set 22 "Post-Hearing Actions" for participants. These included requests for additional statements and clarifications on issues and matters that arose during the hearing sessions. The Inspector allowed participants the opportunity to respond (in writing) to any additional statements prepared.
16. Throughout the examination, the Inspector explored the potential for Main Modifications to resolve any soundness issues identified. The Inspector set out 22 Main Modifications which he felt were required in order to ensure the Sites DPD could be found 'sound'. The Main Modifications (Appendix B) were subject to consultation between November 2021 and January 2022; approximately 300 responses were received and submitted to the Inspector to inform his final report.

Inspector's Report Conclusions

17. Following consideration of all submitted material the Inspector submitted his report to the Council on 30th May 2022. The Inspector's Report is at Appendix A.

18. The Inspector concludes that, with the recommended Main Modifications, the Mid Sussex Sites DPD satisfies the requirements referred to in Section 20(5)(a) of the Planning and Compulsory Purchase Act 2004 and is sound and capable of adoption. The following paragraphs 19 - 34 of this report set out the key findings.

Legal Compliance

19. The Inspector concludes that the Council has engaged constructively, actively and on an on-going basis and that the duty to co-operate has been met (paragraph 19).
20. The Plan is legally required to be accompanied by Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA), which should be used to inform the plan-making process. The Inspector concludes that the SA and HRA meet the requirements (paragraph 34).
21. The Inspector concludes that all consultation was carried out in accordance with the Council's adopted Statement of Community Involvement (SCI) and is therefore legally compliant in that regard (paragraph 329).
22. Overall, the Inspector concludes that the Sites DPD is compliant with all legal requirements (paragraph 329).

Housing Provision

23. The Inspector concludes that:
- The spatial distribution of sites within the Sites DPD is in general conformity with the adopted District Plan Strategy, and is therefore sound (paragraphs 70 – 76, 78)
 - Adequate allowance (i.e. over-supply, for contingency) has been included in the plan (paragraph 80)
 - The Council's calculation is a land supply figure of 5.59 years. Following the Inspector's detailed examination of evidence, the Council can demonstrate to a reasonable degree of certainty a 5-year housing land supply (paragraph 84)
 - The Council's allowance for windfall development is a conservative estimate, which is highly likely to be exceeded, but is realistic (paragraph 89).
 - An additional policy should be included to provide for specialist accommodation for Older People and Care Homes, supporting proposals that contribute to meeting this need subject to criteria being met (paragraph 100 – 103).

Housing Sites

24. The Inspector sets out his conclusions on each proposed housing site (paragraphs 107 – 218). The report sets out the various matters raised by participants, and the Inspector's assessment of the evidence submitted.
25. Overall, the Inspector concludes that the proposed housing site allocations are justified and deliverable (paragraph 218). The Inspector has not recommended removal of any of the submitted sites, nor has he recommended that any additional sites are included.

26. The Inspector has, however, recommended reducing the yield of SA25: Land to the west of Selsfield Road, Ardingly, from 70 dwellings to 35 dwellings. This Main Modification was required to be consistent with national policy in relation to the site's potential impact on the High Weald Area of Outstanding Natural Beauty.
27. The District Plan housing requirement (2014 – 2031) is a total of 16,390 dwellings. The Sites DPD proposes allocations totalling 1,704 dwellings. When combined with sites already completed, sites with planning permission, District Plan allocations, Neighbourhood Plan allocations and windfall, the total supply for the plan period is 17,297. This is an over-supply of 907 (a buffer of 5.5%), which the Inspector has confirmed is a reasonable amount of flexibility.

Environment, Landscape, Biodiversity and Heritage

28. The Inspector concludes that the Plan's provisions for the protection and enhancement of the environment, including landscape, biodiversity and heritage aspects are justified, effective and consistent with national policy (paragraph 238). This includes detailed consideration of the effectiveness of Suitable Alternative Natural Greenspace (SANG) to reduce the likelihood of harmful visitor pressure on Ashdown Forest.

Employment Need and Site Allocations, including the Science and Technology Park

29. The Inspector sets out his conclusions on each proposed employment site individually (paragraphs 239 – 264).
30. A broad location for a Science and Technology Park to the west of Burgess Hill, capable of accommodating at least 2,500 jobs, was identified in the adopted District Plan. The Sites DPD sets out the precise location and sets development criteria and transport mitigation. The Inspector concludes that the scale and location for the Science and Technology Park is justified and in conformity with the District Plan (paragraph 262).
31. The Council identified an employment need of 10-15ha. The Sites DPD contains 7 employment allocations totalling 17.45ha. The Inspector has concluded that the proposed employment site allocations are sound.

Infrastructure and Transport

32. The impact of the Sites DPD on the transport network was subject to significant examination. Transport was discussed in detail in relation to sites SA12 and SA13 (Burgess Hill) and SA19 and SA20 (East Grinstead) as well as at a dedicated hearing session related to transport matters. The Inspector sets out his detailed conclusions on these matters in paragraphs 278 – 309). In summary:
- The Mid Sussex Transport Model and the modelling carried out by the Council's highways consultant (Systra) is fit for purpose (paragraph 288)
 - Whilst there are existing transport issues in Burgess Hill, the Inspector considers the town will experience an overall improvement in traffic impact following implementation of the Plan subject to the delivery of planned sustainable transport measures and highways improvements. (paragraph 300)

- The Mid Sussex Transport Study is supported by other more detailed traffic studies for the proposed sites in East Grinstead and that proposed interventions would mitigate the impact of the allocations and provide a strategic betterment (paragraph 305)

Overall Conclusion and Recommendation

33. The Inspector was requested by the Council to recommend Main Modifications to the Plan to make it sound and capable of adoption. As described in paragraph 16 of this report, the Inspector recommended Main Modifications which were subject to consultation.
34. The Inspector concludes that the duty to co-operate has been met and with the Main Modifications, the Sites DPD is sound and capable of adoption (paragraph 331).

Site Allocations DPD – Adoption

35. The Council resolved to submit a Sites DPD in July 2020. Given the Inspector’s conclusions, the final stage of the process is to adopt the Sites DPD. Once adopted, it will form part of the Development Plan for Mid Sussex and will be afforded full weight in determining planning applications.
36. The Planning and Compulsory Purchase Act (2004) is very clear that an authority may adopt the document “as it is” or, where required by an Inspector, with “main modifications”. The Act goes on to state that authorities can only adopt a Plan where it meets either of these criteria. This means the Council does not have the option to remove policies or only adopt elements of the Plan. Therefore, at this stage the Council can either:
 - Adopt the Sites DPD incorporating the Inspector’s Main Modifications; or
 - Not adopt the Sites DPD
37. Planning Practice Guidance (ID 61-058-20190315) states:

“While the local planning authority is not legally required to adopt its local plan following examination, it will have been through a significant process locally to engage communities and other interests in discussions about the future of the area, and it is to be expected that the authority will proceed quickly with adopting a plan that has been found sound.”
38. The purpose of the Sites DPD is to demonstrate that Mid Sussex can meet its housing and employment needs in full (as required by the District Plan) and to secure the five-year housing land supply to avoid speculative, unplanned development. It allows the Council to set policy criteria and mitigation and provides developers, infrastructure providers, and the community certainty about future growth. Adopting the Sites DPD achieves these aims.
39. If the Council does not adopt the DPD, it will not be able to demonstrate it is meeting its current housing requirement in full, which would put the five-year housing land supply position at imminent risk and lead to speculative, unplanned development.

40. If the Sites DPD were not adopted, given the favourable findings of the evidence base and conclusions of the Inspector, it is likely that the promoters of the sites within the DPD would submit planning applications in any event. The site-specific requirements for infrastructure and mitigation set out in each site policy could only be enforced with an adopted DPD. As the Council would not be able to demonstrate it is planning to meet its housing requirement in full, and the likelihood of not being able to demonstrate a five-year housing land supply, it would be difficult to recommend refusal of a planning application for these sites.

Policy Context

41. The preparation of a Site Allocations DPD is a requirement of the adopted District Plan. It was therefore identified in the Service Plan for Planning and Economy. It aligns with the Council's priorities for Sustainable Economic Growth and Strong and Resilient Communities.

Other Options Considered

42. The Council could choose not to adopt the Sites DPD, the implications of this are set out in paragraphs 35 - 40.

Financial Implications

43. The Sites DPD, accompanying evidence base and examination have been funded by a specific reserve for this purpose. There are no further direct costs associated with the Sites DPD.

Risk Management Implications

44. Adoption of the Sites DPD will enable the Council to demonstrate that it is meeting its current housing and employment needs in full and set policy requirements for the implementation of the allocated sites.

45. Should the Council decide not to adopt the Sites DPD, it would not be able to demonstrate how it is planning to meet its housing and employment needs – a requirement of National Planning Policy. It would place the five-year housing land supply requirement at risk. These issues would make the Council vulnerable to unplanned, speculative development.

Equality and Customer Service Implications

46. An Equality Impact Assessment has been prepared and has been published at all stages alongside the Sites DPD, to ensure opportunities to promote equality and/or barriers to service are considered and addressed.

Other Material Implications

47. There are no other material considerations.

Sustainability Implications

48. It is a legal requirement for the Sites DPD to be accompanied by a Sustainability Appraisal (incorporating Strategic Environmental Assessment) at each formal stage of the plan-making process. The SEA/SA documents the impacts of proposed policies, strategy and sites against the sustainability criteria and informs the plan-making process by ensuring the plan is the most sustainable given all reasonable alternatives. The Sites DPD was accompanied by Sustainability Appraisal at each stage of the process. The Inspector confirms that the Sustainability Appraisal was prepared in accordance with best practice and robust and meets legal requirements.

Appendices

Appendix A: Report on the Examination of the Mid Sussex Site Allocations Development Plan Document

Appendix B: Sites DPD Examination – Main Modifications

Appendix C: Site Allocations Development Plan Document – Adoption Version

Appendix D: Adoption Statement (Proposed, subject to Council’s approval to adopt)

Background Papers

The adopted Policies Map and proposed changes as a result of the Sites DPD are available online at <https://www.midsussex.gov.uk/planning-building/policies-maps/>

The full evidence base, examination library and examination documents are available online at www.midsussex.gov.uk/SitesDPD

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The Planning Inspectorate

Report to Mid Sussex District Council

by Mike Fox BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Date: 30 May 2022

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Mid Sussex Site Allocations Development Plan Document

The Plan was submitted for examination on 16 December 2020

The examination hearings were held between 1 and 16 June 2021

File Ref: PINS/D3830/429/6

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Abbreviations used in this report

AH	Affordable Housing
AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
BLV	Benchmark Land Value
C2	Use Class C2 (Residential institutions, such as care homes)
CC	County Council
CSA	CSA Environmental (consultants)
DC	District Council
DfT	Department for Transport
dpa	Dwellings per annum
DPD	Development Plan Document
dph	Dwellings per hectare
DTC	Duty to Cooperate
E	Use Class E (Commercial, Business and Service)
EA	Environment Agency
ha	hectare
HEDNA	Housing and Economic Development Needs Assessment
HMA	Housing Market Area
HRA	Habitats Regulation Assessment
IDP	Infrastructure Delivery Plan
IR	Inspector's Report
km	kilometres
LEP	Local Economic Partnership
LGS	Local Green Space
LPA	Local Planning Authority
LUC	Land Use Consultants
LVA	Landscape and Visual Appraisal
LVIA	Landscape and Visual Impact Assessment
m	metres
MIQ	Matters Issues and Questions
MM	Main Modification
MSDC	Mid Sussex District Council
MSTS	Mid Sussex Transportation Study
NE	Natural England
NP	Neighbourhood Plan
OAN	Objectively Assessed Housing Need
OCP	Opportunities and Constraints Plan
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SAMM	Strategic Access Management and Monitoring
SANG	Suitable Alternative Natural Greenspace
SCG	Statement of Common Ground
SDNP	South Downs National Park
SDNPA	South Downs National Park Authority

SEL	Strategic Employment Land
SEP	Strategic Economic Plan
SHLAA	Strategic Housing Land and Employment Land Availability Assessment
SPA	Special Protection Area
sq ft	square foot
STP	Science and Technology Park
SuDS	Sustainable Drainage System
TA	Transport Assessment
<i>The Framework</i>	National Planning Policy Framework (NPPF) July 2021 version
WSCC	West Sussex County Council

Non-Technical Summary

This report concludes that the Mid Sussex Site Allocations Development Plan Document provides an appropriate basis for the planning of the District, provided that a number of main modifications [MMs] are made to it. Mid Sussex District Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications. The MMs were subject to public consultation over an eight - week period. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Reduce allocation SA25 at Land West of Selsfield Road, Ardingly, from 70 to 35 dwellings in order to align its proportionality to the size and needs of the existing settlement and to ensure its status as a minor development within the High Weald Area of Outstanding Natural Beauty (AONB);
- Modify policy SA20 for 550 dwellings at Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead, to include provision for at least 142 older persons' dwellings on a specific designated site within the overall allocation;
- Modify policy SA20 to ensure regular monitoring of the proposed Suitable Alternative Natural Greenspace (SANG);
- Include new criteria-based policy to provide for specialist accommodation for older persons' housing within Mid Sussex;
- Modify policy SA13 for 300 dwellings at Land East of Keymer Road and South of Folders Lane, Burgess Hill, to ensure the acceptable mitigation of its impact on the setting of the South Downs National Park; (SDNP)
- Modify policy SA14 for Land to the South of Selby Road, Burgess Hill, to specify proposed vehicular access;
- Modify various policies for new housing within the High Weald AONB, to ensure the inclusion of the requirement to conserve and enhance the landscape and scenic beauty of the AONB;
- Modify policy SA22 for Land North of Burleigh Lane, Crawley Down, to specify and secure proposed vehicular access;
- Modify policy SA29 for Land to South of St Stephens Church, Hamsland, Horsted Keynes, regarding vehicular and pedestrian access and tree protection;
- Modify policy SA31 for Land to the rear of Firlands, Church Road, Scaynes Hill, to secure provision of safe and convenient pedestrian access.

- Modify policy SA34, to ensure reasonable marketing expectations when determining applications for change of use from employment to non-employment sites;
- Modify policy SA37 for the Burgess Hill/Haywards Heath Multifunctional Network, to ensure effective mitigation of ecological impact;
- Modify policy SA35 for the safeguarding of Land for Delivery of Strategic Highway Improvements, to meet the requirement for biodiversity net gain;
- Include a new monitoring indicator, related to biodiversity net gain; and
- Include a few other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the Mid Sussex Site Allocations Development Plan Document Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (*the Framework*) (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Mid Sussex Site Allocations Development Plan Document submitted in December 2020 is the basis for my examination. It is the same document as was published for consultation in August 2020.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs. The schedule was subject to public consultation for eight weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as *Policies Maps for Draft Submission Site Allocations DPD Regulation 19* (comprising 21 main maps and a number of insets).
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map.

7. These further changes to the policies map were published for consultation alongside the MMs (Document DPD3a – Main Modifications – Policy Maps, dated November 2021).
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the MMs.

Context of the Plan

9. The Mid Sussex Site Allocations Development Plan Document (2014-2031) is the Part 2 or 'daughter plan' to the Mid Sussex District Plan, covering the same planning period. It allocates additional development sites to meet the residual amount of housing and employment land to meet the strategic requirements set out in the District Plan. It also updates, through policy SA10, the residual housing requirement set out in policy DP4 of the District Plan, along with its spatial distribution. Further, it provides a more detailed planning framework for the implementation of a Science and Technology Park, to serve the economy of the wider sub region.
10. Mid Sussex is a largely rural District, in geographical terms, focused on the three towns of Burgess Hill, Haywards Heath and East Grinstead. It is well located by rail and road to London to the north and Brighton to the south, with easy access to Gatwick Airport, a few miles to the north of the District, leading to high pressures for development. About half the area of the District, mainly in the north, is designated within the High Weald Area of Outstanding Natural Beauty (AONB), whilst the southern part of the District is within the South Downs National Park (SDNP) and falls outside of the planning jurisdiction of the District. Around a quarter of the District in the north-east, largely overlapping with the AONB, forms part of the Ashdown Forest 7 km Zone of Influence, which further limits development options within the District.
11. Mid Sussex's attractive physical environment, high Gross Domestic Product (GDP) and accessible location, is reflected in its high house prices. There is a fine balance to be struck between maintaining its superb physical assets, respecting its development constraints, whilst meeting its not inconsiderable housing and employment needs in a sustainable way.

Public Sector Equality Duty

12. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has taken into consideration several matters during the examination including qualitative housing needs, such as housing for older people, and acknowledging that aspects such as affordable housing and accessible housing are covered adequately within the District Plan. The Plan satisfactorily addresses gypsy and traveller

accommodation, although again, this subject is addressed in the District Plan at a strategic level.

Assessment of Duty to Co-operate

13. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
14. The Plan, as a Site Allocations DPD, or Part 2 Plan, is largely non-strategic in nature. Therefore, in the main, the Council is not required through its strategic policy making duties to co-operate further with the specific Duty to Co-operate (DTC) bodies, having already done so for the preparation of the strategic District Plan. However, the Council has sought to engage with its neighbouring authorities during the preparation of this Plan. This has included where site allocations are in close proximity to neighbouring local planning and highway authorities, for example in relation to site allocations SA19 and SA20, which are close to the neighbouring District of Tandridge and Surrey County Council, where highways and other impacts have been jointly assessed.
15. There has also been joint consideration between the Council and the South Downs National Park Authority (SDNPA) in relation to the potential impact of proposed housing schemes on the setting of the National Park, for example in relation to site allocations SA12 and SA13, on the south-east fringe of Burgess Hill. These two allocations are also close to the boundary of the District of Lewes and East Sussex County Council, and there has been ongoing joint considerations in relation to policy SA37 which proposes the Burgess Hill/Haywards Heath Multifunctional Network.
16. There has also been ongoing joint work on environmental matters with the High Weald AONB Unit and several other local planning authorities and bodies and agencies, especially in relation to the potential impacts of new development on the Ashdown Forest Special Protection Area (SPA) in the neighbouring District of Wealden, including its 7 kilometre Zone of Influence, which extends into Mid Sussex.
17. In all of the above areas where joint working and co-operation has been undertaken, the Council has pointed to Statements of Common Ground (SCGs) which confirm that the Council has co-operated with its neighbouring local planning and highway authorities, in addition to the SDNPA, the High Weald AONB Unit and relevant statutory bodies. These are set out in detail in the Council's DTC Statement¹.
18. Concern was expressed in representations and debated in the hearing sessions that the DTC has not been complied with, for example in

¹ Examination Statement DC1

relation to the housing needs of other areas and traffic and visual impacts associated with several proposed site allocations in the Plan, some of which I cover later in my report. The evidence, however, clearly points to a history of ongoing co-operation with a range of parties, including statutory bodies, local planning authorities and action groups, in relation to these site allocations and other policies. All the responses from statutory consultees have been broadly supportive of the Plan. It is also important to recognise that the DTC is not a duty to agree.

19. On the basis of the above evidence, I am satisfied that where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Soundness

Main Issues

20. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified seven main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan. The bulk of my report now addresses each of these main issues below.

Issue 1 - Are the Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) justified and do they provide effective input into the policies of the Plan?

Sustainability Appraisal (SA)

21. The evidence submitted and which came to light during the examination of the Plan shows that the SA has been undertaken at each stage in the preparation of the Plan, with the overall process, including an appraisal of reasonable alternatives, summarised in the non-technical summary². The Council also set out a topic paper³ to further explain the SA process. It is important to recognise that the Plan is in effect the 'daughter document' of the District Plan, meaning that its scope is necessarily limited by the strategic parameters of the District Plan. It would therefore be inappropriate if the SA for this Plan were to provide

² Mid Sussex SA DPD Sustainability Appraisal (Incorporating Strategic Environmental Assessment) Non-Technical Summary Regulation 19; July 2020.

³ Mid Sussex DC-TP3: Introduction to the Site Allocations DPD; December 2020.

input into strategic options, which will no doubt be assessed at the review stage of the District Plan.

22. The baseline information covers a wide mix of social, environmental and economic issues, and they are clearly set out in the main SA report. The SA comprehensively identifies the current sustainability issues faced by Mid Sussex, which include the District's increasing and ageing population; the need for affordable housing in the context of high house prices/housing stress and a few pockets of deprivation; high car ownership; a high quality natural environment; high pressure on water usage in an area of potential water shortage; high flood risk in certain areas; high levels of commuting, including to London; some infrastructure deficits in sewerage and water supply, transport and play provision, which could be exacerbated by further development; and the potential for the three main town centres to benefit from regeneration and renewal.
23. The assessment of reasonable alternatives involved detailed evidence testing against 16 sustainability criteria and I am satisfied that this work was carried out at an appropriate level of thoroughness for a local plan and that these criteria are appropriate for assessing the sustainability of the Plan. It is also important to bear in mind that the main strategic direction for development in Mid Sussex has already been determined through the District Plan, which itself had undergone SA, and that the focus of the SA for this Plan was to consider the most sustainable outcomes for the residual requirement, i.e. the 1,280 dwellings still (as a minimum) required as the residual figure which was changed during the examination to meet the District Plan requirement⁴.
24. Whilst concerns have been raised that insufficient alternatives were considered and that 'wrong' or unsustainable allocations were included in the Plan, these representations were often linked to alternative housing sites which did not make it to the final allocation stage. However, the SA work is only part of the site selection process, and sufficient sites were considered and selected to meet the overall residual requirements of the District. Moreover, the SA employed a three-option set of reasonable alternatives for assessment, which included a list of 20 'constant' sites (Option A), a list of constant sites plus three additional sites in the Folders Lane area of Burgess Hill (Option B), and finally a list of constant sites plus a site at Haywards Heath Golf Course (Option C). The assessment of these three options was clear and transparent and, in my view, was rigorous.
25. Some representations argued that the SA process was insufficiently rigorous in diverting development away from the High Weald AONB. However, in a District with such a large proportion (over 50% of its land area) within the AONB as well as containing additional areas within the

⁴ See Document MSDC-06b.

setting of the SDNP, it is inevitable that conflicts were going to arise between meeting housing need and environmental protection, given the community needs of settlements within the AONB for limited development schemes. It would therefore be unreasonable in my view to have imposed a blanket ban on development allocations within the AONB, a view which is supported by the High Weald AONB Unit. Difficult choices have had to be made, as witnessed by the large volume of objectors to several of the allocations in the Plan.

26. I am satisfied, however, from the detailed evidence in written submissions and at the examination hearings, that the SA work got the balance right, and that key sustainability considerations, such as the need for affordable housing (AH) and sufficient employment land, have been taken into account as well as environmental criteria.
27. In addition to assessing land for new housing allocations, the SA appraised 24 potential employment sites, aligned into three options, plus two options for a Science and Technology Park (STP) as well as allocating sufficient employment site provision to meet local, as well as sub-regional need. Again, the process in achieving this is justified, clear and transparent. The detailed evidence points to the SA being a major influence in informing key development decisions, rather than being a bolt-on process.
28. I also note from the examination evidence that no adverse effects are identified in the SA that cannot be effectively mitigated, and that most of the preferred options which have been included in the Plan do not contain any significant negative impacts against any of the SA objectives.
29. Overall, I am satisfied that the SA was methodical, clear and transparent and was prepared in accordance with best practice, in an iterative fashion. It is therefore robust.

Habitats Regulations Assessment (HRA)

30. The Council makes it clear in its response to the Matters, Issues and Questions (MIQs) discussion document that the full District Plan housing requirement of 16,390 dwellings, of which a residual of 1,280 dwellings is subject to this Plan, is contingent on the findings of the HRA. The Council's response to the MIQs⁵ demonstrates that HRA reports were undertaken for each stage of the preparation of the Plan.
31. In addition, the HRA assessed the potential effects of development on the Ashdown Forest, which is located within the neighbouring District of Wealden, close to the north-east boundary of the District; its 7

⁵ MSDC: Site Allocations DPD-MSDC-02b: Matter 2 – Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA); 14 May 2021.

kilometre (km) Zone of Influence extends into the District, including 'washing over' East Grinstead, one of the three main settlements in Mid Sussex. The Ashdown Forest is designated as a Special Area of Conservation (SAC) because of the presence of breeding populations of Dartford warbler and European nightjar, and it is a SAC because of its heathland habitats.

32. The HRA which was carried out for the Regulation 19 Plan concludes that the Plan does not present any potential risks to any European sites that are not considered capable of being mitigated. The HRA also concludes that, in addition to the impact of development, adverse effects on the integrity of the Ashdown Forest SPA and SAC relating to air quality and recreation impacts can be ruled out. Therefore, the Plan is justified and effective in relation to the Habitats Regulations. I note that Natural England (NE) supports the HRA conclusions and from the evidence before me, I see no reason to come to a different conclusion.
33. The Council has also taken account of the 'People Over Wind & Sweetman' judgment in its HRA. The SA cross-references to the HRA for matters concerning the Ashdown Forest. The relevant mitigation in relation to proposed site allocations includes a strategic SANG as part of policy SA20.

Issue 1 - Conclusion

34. I conclude that the SA and HRA are justified and provide effective input into the policies of the Plan.

Issue 2 – Does the Plan deliver both the quantitative and qualitative aspects of housing provision in the District Plan to meet Mid Sussex's requirements over the plan period in accordance with national policy?

Quantum of housing provision

35. The District Plan for Mid Sussex, covering the years 2014-2031, sets out a minimum requirement of 16,390 new homes for Mid Sussex⁶. Policy DP4 in the District Plan explains that this figure exceeds the objectively assessed needs (OAN) figure, which was calculated at 14,892 dwellings, i.e. providing a buffer of 1,498 dwellings, or 9.14 per cent; this figure addresses the unmet housing need of the North West Sussex Housing Market Area (HMA), principally related to Crawley.

⁶ That is, the housing requirement for Mid Sussex District outside the South Downs National Park, which is a separate local planning authority.

36. Most of Mid Sussex's housing provision over the plan period is accounted for by four strategic developments proposed in the District Plan. These are located at:
- (i) Kings Way, Burgess Hill (to the east of the town) (policy DP8) for up to 480 new homes;
 - (ii) North and North-West of Burgess Hill, on land referred to as the Northern Arc (policy DP9) for approximately 3,500 additional homes;
 - (iii) Land to the East of Pease Pottage (policy DP10) for approximately 600 new homes (linked to addressing Crawley's unmet housing need); and
 - (iv) Land to the North of Clayton Mills, Hassocks (policy DP11) for approximately 500 new homes.
37. These four strategic sites comprise a total of 5,080 dwellings, representing a substantial proportion (30.9%) of the District Plan requirement for Mid Sussex.
38. The submitted Plan, policy SA10, also sets the scene in relation to numbers of housing completions, commitments through sites with planning permission, allocations made in Neighbourhood Plans (NPs) and a windfall allowance. This leaves a residual housing requirement, to be addressed in this Plan, which was estimated in District Plan policy DP4 to be 2,439 dwellings, and which has reduced over the period from April 2017 to the submission of this Plan, in December 2020, to 1,280 dwellings.
39. Policies SA12-SA33 allocate sites for a minimum of 1,764 units, resulting in an oversupply of 484 dwellings, or 2.95 per cent of the District Plan requirement. However, the Council updated this calculation and presented it towards the end of the hearing sessions⁷, in the following table (Table 3 Housing Supply), which I have amended slightly (see Note (1)):

⁷ Mid Sussex DC – Updated Housing Land Supply Trajectory; dated 11 June 2021 - Response to AP4 Matter 3.4 [Examination Document MSDC-06b].

	Examination Update (as at April 2021)
District Plan Requirement	16,390
Completions	6,033
Commitments (planning permissions, District Plan allocations and Neighbourhood Plan allocations)	9,140
Windfalls	420
Site Allocations DPD (1)	1,704
Total supply during plan period	17,297
Over supply	+907

Note (1) Allocation SA25 is reduced in total from 70 to 35 dwellings (MM1); therefore, the allocations total in this Plan is reduced from 1,764 to 1,704 dwellings.

40. The over-supply of 907 units amounts to a buffer of 5.5%, which, other things being equal, amounts to a reasonable amount of flexibility, and answers the representations of several parties, who expressed the view that the earlier figure of 2.95% was inadequate. Some representations object to the size of the oversupply, claiming it is unnecessary and therefore wasteful of land. However, national policy, as expressed in paragraph 74 of *the Framework*, talks about a 5% figure as being appropriate to ensure choice and competition in the market, and in my view the size of the buffer is not unreasonably high in relation to the housing needs of the District.
41. I assess below whether I consider the delivery rates of the proposed housing provision, including the strategic sites and the allocations (SA12-SA33) in the Plan, are realistic as well as the Council's assumptions around non-delivery and windfalls. But the 'basic maths' of the Council's housing provision is accepted in this report as a valid starting point for examining the quantum of housing provision for Mid Sussex.
42. It is important, however, for the Plan to illustrate the anticipated rate of housing development over the plan period, and this needs to be shown on a year-by-year basis, in accordance with paragraph 74 of *the Framework*. Modification **MM16** therefore includes the Council's trajectory for housing completions within the plan period. This is also an important tool for the effectiveness of the Plan.

43. In assessing the effectiveness of the Council's housing provision, I need to look at whether the following implementation rates are realistic:
- for the four strategic sites in the District Plan;
 - for the 22 allocations in the Plan;
 - for non-implementation; and
 - for windfalls.

The four strategic sites

44. Concerns were expressed by representors as to whether the actual delivery of the quantum of housing provision proposed in Mid Sussex can match the Council's trajectory. The reliance on strategic sites is set in the District Plan, which was found to be sound; however, given the length of time that has elapsed since the adoption of the District Plan (March 2018), I consider the question to be a reasonable one to ask. I therefore requested the Council to provide me with an update of progress and future estimates of completions in relation to the four strategic sites, including comments from sources 'on the ground', such as site promoters and house builders.
45. The first of the strategic housing sites at Kings Way, Burgess Hill (policy DP8) has been under construction since 2015, and the necessary on-site and off-site infrastructure is now in place. Phases 1-3a, amounting to 235 units, have been completed, with a further 39 units in phase 3b under construction, averaging in the region of 47.5 dpa since the first dwellings were started. A full planning permission has been granted for a further 237 units to be implemented over the period 2022/23 – 2026/27. The total yield of 513 units will then have exceeded the original estimate in policy DP4 by 33 units. These figures and dates are all confirmed in a SCG signed between the Council and the developers⁸.
46. The second of the strategic housing sites is the Northern Arc, Burgess Hill (policy DP9). Concern was expressed by representors that the Plan is over-reliant on this strategic development, which alone accounts for 21.4% of the total housing requirement over the plan period. This concern is all the more pressing in the light of the lack of progress in relation to the delivery of housing on the ground, raising the serious prospect that the stalling of this development could derail the effectiveness of the Plan in delivering its overall housing target for Mid Sussex. This is critical to the soundness of this Plan, which in turn impacts on whether the residual housing requirement in this Plan is sufficient for soundness.

⁸ SCG between MSDC and Persimmon Homes regarding Kingsway, Burgess Hill, District Plan policy DP8 (480 units); signed 4 June 2021 [Examination Document AP3a].

47. The critical questions for this report to consider are first, what are the reasons why progress on this strategic housing allocation has been delayed? Also, what are the realistic prospects that District Plan allocation DP9 can deliver housing in significant numbers to ensure the soundness of the Plan? The Council has submitted a detailed Note and a SCG signed by the Council and Homes England in response to these concerns⁹.
48. The first major consideration in answering these questions is to look at what has happened since the adoption of the District Plan. Strategic sites, such as allocation DP9, often require considerable investment in major infrastructure prior to the development of any housing. From the evidence submitted, it is clear that there has been significant progress in this regard. Furthermore, there has been a positive impact on the delivery mechanism of the site and the financial backing of the allocation with Homes England taking over ownership of the site in July 2018 from three developers/promoters. Homes England has now assumed the role of key master developer delivery lead.
49. Within a few weeks of Homes England taking over, a masterplan was approved by the Council in September 2018 and outline planning consent was granted for 3,042 units in October 2019. A substantial amount of necessary infrastructure work to enable site delivery has been, and is being, undertaken, including securing permissions for the construction of two key roads – the Eastern Bridge Link Road and the Western Link Road, which together form the spine of the total development; both of these projects are scheduled for construction during the period late 2021-mid 2022. Other key infrastructure components include the up-grading of the A2300 (the major link to the A23 – work has already been completed by April 2022); investment in the Goddard's Green Wastewater Treatment Works (to secure odour mitigation by the end of 2021); and the first primary school (due to open in September 2023).
50. It is also unsurprising that the impact of Covid-19, something that could not have reasonably been foreseen during the preparation and examination of the District Plan, has taken its toll on the rate of progress. Another consideration which has to be factored in, due to its proximity to strategic allocation DP9, is allocation SA9 for the proposed STP, immediately to the west of the Northern Arc strategic housing site, for an estimated 2,500 jobs, necessitating its own significant and costly infrastructure which needs to be integrated with the Northern Arc proposals.

⁹ Council Note MSDC 05b [Action Point AP3b] in response to Matter 3.1 (iv) – SCG between MSDC and Homes England regarding the Northern Arc District Plan policy DP9 (3,500 homes); 9 June 2021.

51. The above mentioned Note and SCG have taken stock of the situation and revised the estimates of housing delivery that are in the District Plan housing trajectory. The initial estimate of 3,042 homes in the outline consent has now been reduced to 2,310, with the balance of 730 homes to be developed outside the plan period. The national document which addresses delivery of strategic sites – *Start to Finish*¹⁰ – produced by Lichfields, which is regularly referred to in local plan examinations, states that the average lead times for large sites (500+) is around 36 months from obtaining planning permission to first dwelling completion (page 5 of the report).
52. However, *Start to Finish* covers sites across England and South Wales, and I cannot find any acknowledgement in the document that some parts of the country have greater pressures for housing development than others. This is especially relevant for areas such as Mid Sussex with its relatively close proximity to London, its high prosperity (about to be stimulated even further by the proposed STP), proximity to the coast and acknowledged high quality landscape.
53. I note that the first site to come on stream at the Northern Arc, at Freeks Farm, for 460 dwellings, has succeeded in reducing this time from 36 to 24 months. I also note that Homes England are in advanced negotiations with several phase 1 developers to deliver 653 homes with contracts to submit reserved matters applications within 100 days from the start of contract, using a number of contractual mechanisms. These include providing support for small builders through diversification, using methods of modern construction, simplifying procurement using Homes England's Building Lease arrangements which are contracted to deliver between 115% to 150% of the market rate.
54. I note the comments from some parties that even Homes England cannot influence market forces. Nevertheless, it is clear that Homes England has achieved faster delivery times than hitherto for the reasons set out above, and on this basis, I see no reason why the Council's revised projected delivery rates should not be considered realistic.
55. The evidence points to a significant upsurge in the building rate from hereon in. The above mentioned Note and SCG set out, in detail, scheme-by-scheme tables, and summarised in financial years, a projected delivery rate of 460 completions at Freeks Farm by 2025/26 and 2,310 homes on the remainder of the Northern Arc up to 2030/31, producing a combined total of 2,770 dwellings.
56. The third strategic site, at Pease Pottage (policy DP10) has yielded 199 completions since 2019/20. It is on track to deliver 619 dwellings by

¹⁰ Lichfields: *Start to Finish* – What factors affect the build-out rates of large scale housing sites? Second Edition; February 2020.

2023/24, i.e. a small surplus of 19 dwellings, well within the plan period. The relevant details are set out in a SCG between the Council and Thakeham Homes Ltd¹¹, and I am satisfied that the dwellings completion rate is realistic.

57. The fourth strategic site, on land North of Clayton Mills, Hassocks (policy DP11) is programmed to deliver its full complement of 500 dwellings by 2028/29. The relevant details are set out in a SCG between the Council and Taylor Wimpey, and I am satisfied that the dwellings completion rate is realistic.
58. The updated evidence points to a reduced total for the four strategic sites during the plan period of 4,402 dwellings, down from the District Plan total of 5,080, i.e. a reduction of some 678 dwellings. I am satisfied, based on the above considerations, that the reduced total stands a realistic chance of being implemented over the plan period.

The residual site allocations and their distribution

59. Most of the 22 housing allocations in the Plan were debated at the examination hearings, with a small minority attracting none or minimal comments or challenges regarding their soundness.
60. The distribution of the proposed 1,764 dwelling units in the 22 allocations in this Plan largely follows the strategic parameters for sustainable growth set out in policy DP4 of the District Plan. The District Plan Inspector's Report (IR) commented (Para 32) that the settlement hierarchy needed to provide sufficient guidance on the numerical distribution of housing for this Plan with a significant risk that unbalanced growth could take place in inappropriate locations or that growth in sustainable locations could be suppressed. The consequential changes to the District Plan's settlement strategy took this advice on board.
61. The District Plan, and in particular policy DP4, provides quantitative and qualitative strategic parameters which govern the overall distribution of settlements in Mid Sussex.
62. Firstly, a significant proportion of the residual housing and the majority of the employment land provision is focused in and around Burgess Hill, which, together with Haywards Heath, is one of the two most sustainable settlements in the District and which has the greatest opportunities for sustainable growth in Mid Sussex.
63. The District Plan also addresses some of the unmet housing need in North West Sussex (primarily Crawley).

¹¹ MSDC 05c: SCG between MSDC and Thakeham Homes Ltd regarding Pease Pottage site policy DP10 (600 homes); 9 June 2021 [Examination Document AP3c]

64. District Plan policy DP4 also sets out a sustainable settlement hierarchy for Mid Sussex, providing numerical guidance (in dwelling numbers) over the plan period at five distinct levels, which are updated in policy SA10 in the submitted Plan as follows:
- Towns – 10,653 minimum required; updated minimum residual housing figure 706
 - Larger villages – 3,005 required; updated minimum residual housing figure 198
 - Medium sized villages – 2,200 required; updated minimum residual housing figure 371
 - Smaller villages – 82 required; updated minimum residual housing figure 5
 - Hamlets – windfall growth only
65. District Plan policy DP17 also states that the proposed distribution of housing in Mid Sussex can be implemented where it does not cause further harm to the integrity of Ashdown Forest SAC.
66. District Plan policy DP18 states that development that contributes to the setting of the SDNP will only be permitted where it does not detract from or cause detriment to the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, and in particular should not adversely affect transitional open green spaces between the site and the boundary of the SDNP, and the views, outlook and aspect, into and out of the National Park by virtue of its location, scale, form or design.
67. District Plan policy DP16 states that small scale proposals which support the economy and social wellbeing of the AONB that are compatible with the conservation and enhancement of natural beauty will be supported.
68. The relationship of the distribution of the housing allocations in this Plan to the strategic parameters in the District Plan which I have outlined above was raised in several representations and debated at the hearing sessions. Clearly, significant departures from the strategic settlement distribution, in terms of either numbers of dwellings or principles of environmental sustainability, would amount to a soundness concern.
69. Several concerns in relation to the above strategic parameters were expressed during the examination and I deal with these below.

Concerns over the perceived overconcentration of housing allocations at Burgess Hill

70. The Plan focuses a significant proportion of the residual housing allocations, totalling 642 dwellings, at Burgess Hill. This town is a highly sustainable settlement, and it is the primary focus for the District Plan housing strategy including the location of two of the four strategic housing sites (78.3% of the total of units), as well as being the location for the proposed STP and most of the other employment sites allocated in the Plan. The concentration of development, including housing, is clearly in accordance with the District Plan strategy.

Concerns over the perceived under-provision of housing at Haywards Heath

71. Haywards Heath has almost the same population as Burgess Hill and is not the focus of a significant amount of new development proposed in the Plan. However, it is within close proximity to Burgess Hill for access to its services and facilities (although it is also a major service provider), and I note that it has received a large amount of recently consented development, some still in the pipeline. Again, the Plan reflects the District Plan strategy, which proposes no strategic housing sites at Haywards Heath, and for the above reasons it is my view that there are no soundness issues raised by the relatively low level of residual housing provision allocated at Haywards Heath.

Concerns over the increased focus of the Plan on the three main towns in relation to the District Plan strategy

72. The allocations in the Plan for the three top tier (Category 1) settlements of Burgess Hill, Haywards Heath and East Grinstead almost double the updated minimal residual housing figure in the District Plan strategy; the submitted Plan allocates 1,409 dwelling units within and on the edge of the three main settlements, which is an increase of 703 units above the suggested amount in policy DP4. Given that these three towns are the most sustainable settlements in Mid Sussex, even the significant amount of additional housing focused on these towns is not contrary to the District Plan strategy of placing its emphasis on development in and around the main towns, and no soundness issues are raised by the increased focus on these three towns.

Concerns over the perceived overconcentration of housing for the East Grinstead/Crawley Down/Felbridge area

73. The allocations in the Plan for the East Grinstead/Crawley Down/Felbridge area have raised concerns over impact of the two largest allocations, for 200 and 550 dwellings, on highways capacity and the lack of any employment allocations in this area. However,

employment opportunities exist in East Grinstead, whilst Crawley is a focal point for job opportunities (including Gatwick Airport) and is within easy commuting distance from this area. The Plan also allocates a few employment sites in the north of the District, near Copthorne and Pease Pottage. Impact on the highways network is acknowledged, although congestion is not considered by the Council or by West Sussex County Council (WSSCC) as the local highway authority to be at the level of 'severe', an issue which I consider in some detail later in this report. The evidence before me therefore indicates that these allocations sound.

Concerns over under-provision of allocated housing in the larger villages (local service centres)

74. Policy SA10 updates District Plan policy DP4 and makes provision for an updated minimum residual housing figure of 198 units for the six second tier, larger villages; the submitted Plan allocates 105 units, i.e. a reduction of 93 units below the District Plan figure. However, the residual District Plan housing figure, as updated, represents a small percentage of the total District Plan provision for Mid Sussex, and the shortfall in the Plan before me, of 93 dwellings, is only 3.1 percent of the total District Plan provision for category 2 settlements, whilst three of the six settlements in this category have specific allocations and the remaining three villages – Copthorne, Hurstpierpoint and Lindfield - are located close to urban areas (Crawley, Hassocks and Haywards Heath respectively). For the above reasons, no soundness issues are raised by the level of provision in the larger villages.

Concerns over under-provision of allocated housing in the medium sized (third tier) villages

75. Policy SA10 updates District Plan policy DP4 and provides for an updated minimum residual housing figure of 371 units for the 12 third tier, medium sized villages; the submitted Plan allocates 238 units, i.e. a reduction of 133 units below this figure. However, the residual District Plan figure, as updated, represents a small percentage of the total District Plan provision for Mid Sussex, and the shortfall in the Plan before me, of 133 dwellings, is only 6% of the total District Plan provision for category 3 settlements. Moreover, 8 of the 12 settlements in this category have specific allocations; of the remaining villages, West Hoathly is located within the 7 km Area of Influence around the Ashdown Forest SPA, Pease Pottage is the site of one of the 4 strategic housing sites and Balcombe is within the High Weald AONB and has a station situated on the London to Brighton railway with correspondingly good access to other housing areas. For the above reasons, I consider the level of provision in the Plan for the medium sized villages to be sound.

Concerns over the perceived impact of proposed housing allocations on the setting of the SDNP and the character and appearance of the High Weald AONB

76. I will address these issues later in my report, and any initial conclusions set out in this section of my report will be subject to my conclusions in relation to these landscape-based issues.

Concerns over development in small villages and the open countryside

77. Policy SA10 updates District Plan policy DP4 and provides for a very small updated minimum residual housing figure for the 5, 4th tier smaller villages, totalling 5 units; the submitted Plan allocates 12 units, an increase of 7 units above the updated suggested figure which still amounts to a very small total. Assumed growth in the smaller hamlets will be from windfalls only. This accords with District Plan policy DP15, which places a strict limitation on new homes in the countryside.

Residual allocations and their distribution - conclusion

78. From the evidence before me, I am satisfied that the overall distribution of residual housing allocations is in general conformity with the strategic framework set out in policy DP4 of the District Plan.

Should an allowance for non-implementation be included in the Plan?

79. The Council has applied a 40% non - implementation rate to small sites and this is borne out by the recent track record of planning permissions in Mid Sussex. (This is defined by the Council as being between 1-4 units inclusive). No consistent evidence is available to apply a standard rate to larger sites, which have been assessed individually. The implementation rate of the largest, strategic sites has been assessed in close liaison with the relevant developers (see above), and as I have already indicated, the estimated yields are considered to be realistic. It was also pointed out in representations that the overprovision of the Plan in relation to the residual requirement also provides cover for non-implementation, a point I accept.

80. Taking all these points into consideration, I am satisfied that an adequate allowance has been included in the Plan for non-implementation.

Would the Plan at adoption be able to demonstrate that it has a 5-year housing land supply of specific, viable and deliverable sites to meet the Plan's requirements?

81. In response to questioning during the examination hearing sessions, the Council updated its 5-year housing land supply statement¹². This covers the 5-year period from 1 April 2021 to 31 March 2026, and has followed the requirements of national policy, as set out in paragraph 75 of *the Framework*. The statistical base for the calculations is the District Plan, which is less than 5 years old and which states (policy DP4) that the annual housing requirement for Mid Sussex is 876 dpa up to 2023/24, with a stepped trajectory which rises to 1,090 dpa between 2024/25-2030/2031.
82. I note that both the IR for the District Plan and the view of an Inspector at a recent appeal¹³ have stated that the shortfall in the District should be spread over the plan period and not just over 5 years. One of the principal reasons given for spreading the shortfall over a longer period than the 'normal' 5 years is the time required to implement the large strategic sites, especially the Northern Arc, in order to ensure that major highways and other elements of infrastructure are in place prior to housing completions in any numbers, and this factor of course is also linked to the adoption of a stepped housing trajectory. I am therefore satisfied that spreading the shortfall out over the rest of the plan period, sometimes referred to as the 'Liverpool' method, is appropriate for Mid Sussex (as opposed to the 'Sedgefield' method, which requires the entire shortfall to be included within the five year calculation).
83. The total shortfall over the period since the start point of the District Plan in 2014 is 99 dwellings, whilst the completions in the two most recent years has exceeded the annual requirement (+127 dwellings in 2018/19 and +240 dwellings in 2020/21). I therefore agree with the Council that this amount of shortfall justifies applying a 5% buffer over the remainder of the plan period. I note that the Council's 5-year requirement, taking these factors into consideration (including three years at 876 dpa and the remaining two years at 1,060 dpa) is 5,100 dwellings.
84. The Council's summarised calculation¹⁴ gives a 5-year land supply figure of 5.59 years. The Council has also included an appendix to this document, which is a detailed site-by-site analysis of every planning permission, including sites under construction, major (10+ dwellings) and minor sites, together with an assessment of site allocations which it is considered are likely to yield dwellings within the 5-year period. I am

¹² MSDC 06a Response to AP4 Matter 3.4: Housing Land Supply – 5 year Housing Land Supply Statement; 11 June 2021 [Examination Document AP4].

¹³ Appeal – Land off London Road, Bolney APP/D3830/W/19/3231997.

¹⁴ Calculation table at para 5.1 of Examination Document AP4 (MSDC 06a).

satisfied that this level of detail is sufficient to demonstrate that the Council's estimates on future delivery are reliable beyond reasonable doubt.

85. I have noted the concerns of some parties that the delivery rates assumed by the Council are optimistic and unrealistic. However, progress on major infrastructure in relation to the strategic sites (especially in relation to the Northern Arc, for example completion of the two link roads), appears from reading the SCGs, to have reached the point where predictions on the delivery of homes can be made with more certainty than hitherto. It should also be borne in mind that the calculation of supply is not an exact science, with the impact of Covid-19 a case in point.
86. On the basis of the above considerations, I am satisfied that the Council can demonstrate, to a reasonable degree of certainty, a 5-year supply of housing land to meet the Plan's requirements.

Is the reliance in the Plan on windfall sites (504 dwellings or 84 dpa for the rest of the plan period) realistic?

87. Paragraph 69 of *the Framework* states that, as part of promoting a good mix of small and medium sized sites, local planning authorities should support the development of windfall sites through their policies and decisions. However, paragraph 71 also states that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply.
88. The District Plan establishes the principle of including a windfall allowance, which was calculated at 45 dpa during the examination of that Plan. The Council updated its windfall analysis as input to this Plan¹⁵, with detailed checks to ensure no double counting, and applying a discount of 20 per cent to the total completions figure, to be consistent with the 2015 study.
89. It is clear from the updated analysis of small sites completions (1-9 units) that the number of completions has exceeded 100 dpa continuously since 2015/2016, and the increase in the windfall allowance in the Plan from 45 to 84 dpa is a conservative estimate, which is highly likely to be exceeded. I therefore conclude that the increase of the windfall reliance to 84 dpa is realistic.

¹⁵ MSDC Windfall Study Update; July 2020 [Examination Document H1].

Are the qualitative aspects of housing supply sound?

90. The Council argued in its MIQ response¹⁶, that, as this Plan is a 'daughter document' of the District Plan, all sites are required to meet the policy requirements of the District Plan in relation to affordable housing (AH) (policy DP31) and accessible housing (policy DP28), and that the District Plan determined that there is no requirement for student housing in Mid Sussex. I accept that these are not matters within the scope of this Plan.
91. The Council, in its response to the MIQs, states that through its District Plan policy DP30, it is proposing that site SA20 (South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead) may include accommodation for Gypsies, Travellers and Travelling Showpeople. This would contribute to meeting the identified needs set out in the District Plan, alongside the strategic sites allocated in that Plan. The Council's Local Development Scheme sets out that as part of the District Plan Review, a new needs assessment for Gypsy and Travellers and Travelling Showpeople will be undertaken alongside a review of the approach to delivering culturally suitable accommodation. I understand that this work is underway.

Older persons' housing

92. In relation to older persons' housing, the Council's view is that it was not necessary to allocate sites for Use Class C2 (residential institutions, including residential care homes), other than that sought in allocation SA20, because District Plan policy DP30 enables specialist accommodation to come forward; it states that there are no indications of significant unmet need or excess demand within the District; and apart from allocation SA20, no suitable sites have been identified. The Council also explained that work has already commenced on the District Plan Review, which among other things, will focus on specialist accommodation needs for older people.
93. The Council's argument that there are no indications of significant unmet demand appears to be based on its topic paper for housing for older people¹⁷, which stated that there was a surplus of C2 accommodation and no immediate or unmet need for this type of accommodation in Mid Sussex at this point.
94. The recent appeal decision in relation to a proposal for an extra care development of up to 84 units at Albourne (within Use Class C2), plus associated communal facilities and associated development and

¹⁶ MSDC Matter 3- Quantitative and Qualitative aspects of housing provision (except 3.3); 14 May 2021 [Examination Document MSDC-02c (i)].

¹⁷ MSDC: Site Allocations DPD-Housing for Older People Topic Paper; December 2020 [Examination Document TP4].

landscaping¹⁸, however, challenges the Council's position with regard to older persons' housing. It underlines the importance of providing for older persons' housing as set out both in paragraph 62 of *the Framework*, and also in the Planning Practice Guidance, which stresses that the need to provide housing for older people is critical in view of the rising numbers in the overall population. Moreover, these numbers are set to increase significantly in Mid Sussex during the rest of the plan period, with no signs of slowing down.

95. Paragraph 21 of the above appeal decision refers to District Plan policy DP30 (Housing Mix), which states that if a shortfall is identified in the supply of specialist accommodation and care homes falling within Use Class C2 to meet the demands of the District, the Council will consider allocating sites for such uses through a Site Allocations Document. There can therefore be no doubt that the provision of older persons' housing falls within the scope of this examination. Moreover, there have been no relevant material changes in planning policy since the Albourne appeal decision. It is therefore clear to me that, following this decision, the issue of providing specialised accommodation for older people is an important issue which needs to be addressed as a matter of urgency in this Plan.
96. Policy DP30 predicates the requirement of this Plan, considering the need for older persons' housing, on whether a shortfall in the provision of such housing has been identified within Mid Sussex. The Albourne decision not only points to a shortfall in older persons' accommodation in Mid Sussex but also to the fact that the Council's data base is out-of-date, a point the Council conceded at the Albourne Inquiry, especially as 68 extra care units have been demolished since 2014. This takes into account an established tool for assessing the need for specialist housing for older people¹⁹, which identifies an assumed 'provision rate' of 25 units required per 1,000 of the population over 75 years old, or 2.5%. Another paper referred to in the Albourne decision, *Housing in Later Life*, increases the provision rate to 4.5%. Based on the lower rate of 2.5%, this indicates a demand for 386 extra care units in 2020.
97. Although the Council's assessment of extra care housing was set at 73% rent and 27% purchase, I agree with the Albourne appeal Inspector's assessment, that the need in an area like Mid Sussex is more appropriately estimated at about 60% rent and 40% purchase,

¹⁸ Appeal Decision Ref APP/D3830/W/19/3241644 – Site of the former Hazeldens Nursery, London Road, Albourne, West Sussex BN6 9BL, for extra care development of up to 84 units, all within Use Class C2, etc, outline planning permission allowed on 11 September 2020.

¹⁹ Strategic Housing for Older People Analysis Tool (SHOP@) toolkit was used by the Council in its HEDNA (Housing and Economic Development Assessment Addendum, dated August 2016) based consideration of the housing needs of elderly people.

which more accurately reflects the fact that most older people in Mid Sussex are owner occupiers.

98. The evidence submitted by two of the parties with experience in providing for specialist older people's accommodation²⁰, is that there is an identified need for at least 665 additional extra care units (Use Class C2) by 2030, of which 570 should be on leasehold. The Housing and Economic Development Needs Assessment (HEDNA) Addendum (August 2016) identified forecast demand for care homes (Use Class C2) in 2031 at 2,442 bedspaces. Even the Council's requirement for specialist older persons' accommodation, which is calculated at 386 units, is 244 units greater than its existing supply of 142 units.
99. Even the lower figure represents a significant level of unmet need for specialist older persons' housing in Mid Sussex. Policy SA20 is the only site allocation which refers to the inclusion of care homes within its total provision of 550 dwellings. This level of need in the District reinforces the need to address this issue more comprehensively within this Plan and not wait until any District Plan Review.
100. **MM3** introduces a new criteria-based District wide policy to provide for specialist accommodation for Older People and Care Homes within Mid Sussex. This policy would set out the identified need for specialist accommodation for older people and give a clear indication of support for proposals that will contribute to meeting the types of specialist accommodation identified in the HEDNA for Mid Sussex.
101. The new policy also includes key locational criteria, to encourage the provision of older people's accommodation in housing allocations within this Plan or a Neighbourhood Plan (NP), or within strategic allocations, or on sites within built up area boundaries. The policy also sets out sustainability criteria for the development of such specialist accommodation, including being well related to existing development, with appropriate access to or provision of services and facilities, and in locations where there would be the likelihood of reduced reliance on the private car. The policy also requires applications for such accommodation to be accompanied by a Travel Plan.
102. I have resisted requests to make the policy applicable across the District within rural areas away from the edges of built up areas. The requirement for new care homes to be located within sustainable locations is important, not just for the sake of the residents, but also for workers in care homes and visitors, in order to reduce car-based dependence where possible. This is especially important in a District

²⁰ Barton Willmore and Turley, which set out their older persons' housing need statement in Document MSDC-15; 20 September 2021.

which experiences high levels of traffic congestion. There may well be areas within the country where meeting community needs such as housing the elderly may necessitate finding locations beyond existing settlements, as paragraph 85 of *the Framework* states, but in my view Mid Sussex has sufficient opportunities within and on the edge of established settlements for this not to be a necessity for this Plan.

103. The above policy thus sets out a target-based requirement for the Plan to achieve the necessary older persons' dwellings to address the significant shortfall of such accommodation in the District, within a sustainable context, in the interests of the positive preparation and justification of the Plan.
104. Policy SA20, for land to the south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead, whilst it makes provision for housing for older people, fails to indicate any quantitative provision for this use. **MM2** rectifies this lack of positive preparation by introducing a change in the policy to provide for a minimum of 142 older persons' dwellings in a 'care village' in a specific part of the site allocation facing Imberhorne Lane, which will be identified on the Policies Map.
105. I also do not accept the argument that locating older persons' dwellings facing a busy road is unacceptable or insensitive to the needs and expectations of older people. Nor do I accept that the site is unsustainably located in relation to services for older people. Moreover, policy SA20 makes provision for the expansion of local GP services, possibly on-site, or through a Section 106 contribution.

Issue 2 - Conclusion

106. From the evidence before me, I conclude in relation to Issue 2, that, subject to the above modifications, the Plan is positively prepared, justified and effective and is likely to deliver both the quantitative and qualitative aspects of housing provision which are provided for in the District Plan to meet Mid Sussex's requirements over the plan period in accordance with national policy.

Issue 3 - Are the proposed housing site allocations justified and deliverable?

Allocations in and around Burgess Hill

107. The District Plan identifies the town of Burgess Hill as the main focus for new development in the District over the plan period, and to this end it designates two of the four strategic housing allocations on the edge of the town, totalling 3,980 dwellings, plus, at a short distance

away to the west, the proposed STP, which is an allocation in this plan (SA9), for approximately 2,500 jobs. In addition to its strategic housing provision, Burgess Hill is also a focus of the residual housing provision proposed in this Plan. Out of the 1,764 residual housing units allocated in the Plan, 612 dwellings (35%) are proposed on six sites within and on the fringes of Burgess Hill. I assess these sites below.

Policy SA12 - Land South of 96 Folders Lane, Burgess Hill – 40 dwellings; and policy SA13 - Land East of Keymer Road and South of Folders Lane, Burgess Hill – 300 dwellings

108. These two greenfield sites are situated close to each other on the south-east fringes of the Burgess Hill urban area, and they are separated by three small lakes. Site SA12, to the east of the lakes, forms a continuation of a housing development already under construction by the same housebuilder, immediately to the west of the site and the intention is for a shared access onto Folders Lane. Site SA13 is controlled by two housebuilders. Both allocations are important for the Plan, as they comprise a significant proportion of the residual housing total (nearly 20%), closely located to what is regarded as one of the two most sustainable settlements in the District, and all three builders have given strong indications that they intend to fully implement their schemes within the first five years of the plan period. It is probably realistic to assume that a proportion of allocation SA13 would be delivered in years 6-10, as set out in the Council's Updated Housing Land Supply Trajectory²¹.

Highways

109. Regarding traffic impact on the surrounding highways network, concerns were expressed in particular on the cumulative impacts of the two allocations on highway safety and congestion on the Burgess Hill morning peak in the south-eastern parts of the town. The Station Road railway bridge was identified by some as the choke point, together with congestion already experienced at several other locations, such as at the Keymer Road/Folders Lane junction. Concerns were also expressed regarding the impact of the proposed development on the road between Burgess Hill and the rural settlements of Hassocks and Keymer, to the south.

110. The Systra traffic model used to inform the Plan has been accepted as fit for purpose by WSCC (the local highways authority) and has been validated by National Highways (formerly Highways England), and I see no grounds from evidence submitted at the examination to pronounce this model to be flawed. WSCC clarified that the Systra

²¹ Examination Document MSDC-06b.

study methodology also included the impact of planning commitments within its reference case.

111. Whilst the local highways authority confirmed that the Keymer Road/Folders Lane junction would operate at overcapacity in the '2031 plus committed development' scenario, and whilst queue length and waiting time would increase, its critical finding is that the traffic impact arising from policy SA12 and SA13 would not be 'severe'. This finding is important, bearing in mind that national policy, as expressed in paragraph 111 of *the Framework*, states that: "*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". Indeed, the application of whether the highways impact would be 'severe', was debated fully during the examination hearings, and is dealt with in some detail in the Council's Matter 6 statement in response to the MIQ questions²².
112. The local highways authority has already considered a withdrawn planning application for a similar scheme on the SA12 allocation site and raised no highways objections in relation to the proposed quantum or access arrangements for this development. Also, no objection has been raised by the local highway authority in relation to the development proposed for Site SA13.
113. The SA13 developers have also commissioned a Highways Appraisal²³ which demonstrates that the site access from Keymer Road could be suitably widened and extended into the allocation and could cater, in capacity and safety terms, for the additional dwellings proposed for policy SA13. The Appraisal also demonstrates that there would be adequate provision for pedestrians and cyclists and that emergency access would be achievable. Although a bus service accessing from within the site is not envisaged, the Appraisal notes that the development would provide material contributions towards improved bus infrastructure, both at the bus stops on Keymer Road and Folders Lane, and at Burgess Hill Station.
114. The highways evidence from WSCC and the scheme promoters also points to scope for increasing the sustainable mode share of traffic generated by the proposed development at sites SA12 and SA13, which are located on the edge of one of the most sustainable settlements in Mid Sussex. In particular, these sites are located within easy walking distance of the town's railway station which has

²² MSDC: Site Allocations DPD: Matter 6 – Transport, Infrastructure, Implementation, Modelling; 14 May 2021 [Examination Document MSDC-02f].

²³ Odyssey: Highways Appraisal, Keymer Road, Burgess Hill; July 2020 [Examination Document SA13.4].

frequent train services to London, Brighton and several other towns in Sussex.

115. The sites are also relatively close to Burgess Hill town centre, schools and a range of other community facilities and services. Moreover, there is realistic potential to introduce footpaths, cycleways and bus service improvements to serve these developments, which the scheme developers aim to implement. Another significant consideration is that, if policies SA12 and especially SA13 were deleted from the Plan, it is highly unlikely that a similar quantum of housing development could be located within an equally sustainable location within Mid Sussex.
116. The highway authority's estimate of a likely switch to a more sustainable mode share as a result of the developers' proposals was put at 1.5%, based on evidence included in the Mid Sussex Transport Study (MSTS). Moreover, the highways officers at the examination hearings stressed that this was a conservative estimate.
117. In summary, in relation to traffic impact, the sustainable location of the two sites on the edge of Burgess Hill, close to the town centre, employment opportunities, main services, railway station and bus routes, coupled with the Systra study finding that these developments would not result in unacceptable, 'severe' traffic congestion, together with the likely switch of the order of at least 1.5% to a more sustainable mode share of the traffic generated by the two allocations, amount to a compelling argument in support of these allocations within the Plan.
118. Policies SA12 and SA13 both require a strategy to provide sustainable transport infrastructure, which, among other things would demonstrate how the developments would integrate with the existing highways network and provide safe and convenient routes for walking, cycling and public transport to serve the development.
119. Given these findings, alongside my findings on related issues under Issue 6 later in the report, I consider that policies SA12 and SA13 are sound in relation to highway matters.

Character and appearance

120. In terms of the impact of the developments on the setting of the SDNP, the South Downs National Park Authority (SDNPA) has indicated at several stages in the formulation of the Plan, that both allocations SA12 and SA13 would erode the rural buffer between Burgess Hill and the SDNP, with the implication that this would be harmful to the character and appearance of the National Park itself.

However, the SCG signed between the Council and SDNPA²⁴, and the recent SCG signed by these two parties and also by the potential developers²⁵, state that the parties agree that both sites are able to accommodate some development without harming the National Park.

121. The SDNPA indicates in the SCGs that its concern is principally with regard to allocation SA13, and I agree with this view. The SDNPA also accepted at the examination hearings that both Sites SA12 and SA13 could accommodate some development without harmful impacts on the setting of the National Park.
122. In terms of close impact on the National Park, neither allocation abuts the SDNP boundary, and although they both occupy countryside to the south of the built up area of Burgess Hill, neither is located within land which has a formal landscape designation in any development plan. All parties, however, agree that the character of the countryside in the vicinity of the two allocations, which is identified as part of the Low Weald, is considered to be visually attractive, with multiple hedgerows and trees, historic field patterns and a relatively undisturbed, gently undulating topography.
123. The closer of the two allocations to the SDNP, at site SA13, lies some 139m away from the nearest National Park boundary to the south of Wellhouse Lane, whilst site SA12 is located 185m away from the nearest National Park boundary to the south-west, and is 211m away from the boundary from a point due south. The relationship between allocation SA13 and the National Park boundary is also significant because Wellhouse Lane runs to the south of a line of dwellings, which in their maturely landscaped setting, would effectively form a low density visual barrier between the proposed development and the edge of the National Park.
124. It is critically important that all relevant authorities, including Mid Sussex District Council (MSDC), are required to have regard to the purpose of the SDNP. This is set out in Section 62 of the Environment Act 1995, which states that the first purpose of the National Park is: "*to conserve and enhance the natural beauty, wildlife and cultural heritage of the area.*" The SCGs referred to above demonstrate that their signatories are committed to ensuring that all new development respects the setting of the SDNP, and to this end, they demonstrate that the parties have worked together to make policies SA12 and SA13 more sensitive to their potential impact on the SDNP and to introduce more effective mitigation than they were hitherto.

²⁴ SCG-Update to Memorandum of Understanding January 2016 and SCG 2018 between MSDC and SDNPA, dated 7 August 2020 [Examination Document DC11].

²⁵ Document MSDC-20 SCG in relation to SA12 and SA13; 12 October 2021.

125. In order to minimise impact on the setting of the National Park, the following changes at the Regulation 18 and 19 consultation stages have therefore been introduced:
- In relation to both policies SA12 and SA13 - Inclusion of reference to the setting of the SDNP in both policies; and inclusion of a requirement for any external lighting scheme to be designed to minimise light spillage to protect dark night skies in both policies.
 - In respect of policy SA13 – Locate lower density development towards the southern end of the allocation to reflect the existing settlement pattern; ensure the design and layout works with the natural grain of the landscape; and substantially enhance the landscape structure and respect historic field boundaries with native tree planting throughout the layout to contain the new housing and limit the impact on the wider landscape.
 - In respect of policy SA GEN - include a specific requirement outlining the importance of a landscape-led approach for development.
126. These requirements of policies SA12 and SA13 significantly reduce their impact on the surrounding landscape and are necessary for the positive preparation and justification of the Plan.
127. The SCGs also explain that a number of landscape appraisals, including a Landscape and Visual Impact Assessment (LVIA) have been undertaken, to inform site layout, capacity and mitigation requirements, and that the undertaking of LVIA is a requirement of both policies SA12 and SA13. In summary, LVIA's have been produced on the instructions of the site promoters for SA12 and for SA13, as well as a report commissioned by MSDC²⁶, which is more high-level than a 'mainstream' LVIA, but nevertheless is considered to follow the SDNP's Sensitivity and Capacity Guidelines.
128. I agree with the opinion expressed by the Council and the site promoters that the report for Mid Sussex District Council provides an indication of the scale of development that could be acceptable in terms of landscape and visual character on all or part of a site and assesses the level of landscape suitability that would apply to that scale of development. I also consider that sufficient and proportionate evidence has been prepared and submitted to the examination in relation to both the principle of the two allocations and the housing yields proposed.

²⁶ LUC: Mid Sussex District SHLAA: Review of Landscape and Visual Aspects of Site Suitability; January 2015.

129. The most recent SCG²⁷ also includes an Opportunities and Constraints Plan (OCP), which sets out in some detail the principal sensitivities of site SA13 in relation to the setting of the SDNP, recognising that these sensitivities increase towards the south of the site. In order to ensure policy SA13 is in line with the need to respect these sensitivities, **MM4** includes a reference in the policy to the principal findings of the OCP, which a future LVIA at the planning application stage will need to refer to. This modification is necessary for the positive preparation of the Plan in such a critically sensitive area and taking account of the requirement in paragraph 176 of *the Framework*, which draws attention to the need for development within the setting of National Parks to be sensitively located and designed to avoid or minimise adverse impacts on these areas.
130. I note that several representations refer to the need for the landscape sensitivities of the site to be understood before the layout is finalised. I am satisfied that policy SA13, together with the requirement in **MM4** to incorporate the findings of the OCP and the LVIA, will ensure that the final layout on allocation SA13 will be genuinely landscape-led.
131. Concern has been expressed that the 300 dwelling total proposed for SA13 is too high to enable the required degree of landscape integration to minimise harm to the adjacent landscape. However, allocation SA13 could accommodate around 450 dwellings, at a density of around 30 dph. It could have yielded an even greater dwelling total, given that the LUC classification of development yield extends to 50 dph for medium density developments, if the principal criterion had been to make the most efficient use of land in a typical suburban development, which itself is a national policy objective. The proposed density of 19.73 dph for allocation SA13, i.e. at a significantly reduced density, is classified as within the LUC 'low-medium' density classification, which gives a strong indication that the allocation has been prepared along landscape-led principles.
132. Concern has also been expressed that allocations SA12 and SA13 extend the urban area into open countryside and erode the rural gap between Burgess Hill and the smaller settlement of Keymer. It is an axiomatic point, however, that any development which extends the urban area of a settlement into hitherto open countryside will by its very nature have some impact on the character of the land it is extending into; at the least, rural land will become urban. This cannot, however, be an argument on its own to stop the incremental development of settlements, especially in view of the national objective, as set out in paragraph 60 of *the Framework* of significantly boosting the supply of homes.

²⁷ Examination Document MSDC-20.

133. What does matter, however, is whether such development on the edges of towns such as Burgess Hill, is intrinsically harmful in terms of its visual impact. I have explained above that I do not agree that it is harmful, subject to the above-mentioned modification, that this is the case here and that policies SA12 and SA13 address this issue in a proactive and sensitive way.
134. Clearly, the length of the gaps between Burgess Hill and Keymer and Ditchling will be reduced by the implementation of policies SA12 and SA13, but a pronounced gap still remains, and there is no merging of settlements resulting from these two allocations. As the Lizard study points out in relation to SA12, the wooded character of the landscape means that there is no obvious perception of the proximity of the settlements, and the same conclusion can be drawn in relation to SA13.
135. Concerns were expressed that none of the above mentioned visual assessments have addressed the impact of the two allocations on the setting of the National Park, as now required in paragraph 176 of *the Framework* (July 2021 version). However, the CSA study in relation to SA13 refers specifically to the setting of the SDNP at the end of section 4, concluding: *"In terms of the Site, there is no inter-visibility from within it (i.e., site SA13) to the nearby edge of the SDNP, owing to the densely vegetated intervening land... As a consequence, the Site itself plays a very limited role in contributing to the setting of the SDNP"*. From my own observations, both from locations in the intervening area between the allocations and the SDNP boundary, and from further afield, within the SDNP, I concur with the CSA study conclusions.
136. Furthermore, the Lizard study shows both allocations lying within a ridgeline which acts as a visual barrier from public viewpoints in the SDNP to the south. It refers to the LUC landscape study, commissioned by the Council for its Strategic Housing Land Availability Assessment (SHLAA) work, to inform the Council's housing strategy as input to the District Plan. The LUC study divides the relevant area of SA12 (SHLAA site 534) into three parts. Most of the allocation falls within one of these parts (Area B), which is considered to be of medium landscape suitability, accommodating a low-medium housing yield, whilst the southern part (Area A), approximating to a third of the site, is of low-medium landscape suitability, which could accommodate a medium-high housing yield.
137. Although the overall housing density of the allocation, at 23.25 dph, would fall just above the LUC classification of low-medium density (identified as 7-20 dph), the site has a well treed landscape including robust hedges and field boundaries. These features would ensure that a sensitively planned development, as required in policy SA12, would

not materially harm the character and appearance of the setting of the National Park in this locality.

138. Both allocations, however, are located some distance from the principal public viewpoints on higher ground on the main chalk ridge in the South Downs, such as at the Jack and Jill windmills at Clayton. Although conditions were cloudy on my accompanied site visit to this spot, the local landmark of Oldland Mill, a distinctive white windmill, was visible in the middle distance. I found this to be a useful reference point, about 3 km to the north/north-east of the Jack and Jill windmills. The overall impression, viewing to the north/north-east at this distance, is of a generally wooded area with buildings dotted in the landscape, especially associated with the small settlements of Keymer and Ditchling. It is not, however, a pristine, development-free landscape.
139. Sites SA12 and SA13 lie approximately 1.5 km further to the north of Oldland Mill, where any development would be set in the context of the town of Burgess Hill, forming an urban backdrop almost immediately to the north of the proposed allocations. It is clear from the above mentioned landscape studies at the proposed densities, and subject to the layouts being informed by the design and landscaping schemes required by both policies SA12 and SA13, including mitigating light spillage to protect the dark night skies and protecting the tranquillity of the area, that the proposed developments would not materially harm the setting of the SDNP. I also consider that they would merge with limited visibility into their immediate context when viewed from 5 km away on the South Downs, with effective screening from existing and proposed trees and from nearby properties.
140. In summary, on the basis of the above considerations, I consider that the visual impact of allocations SA12 and SA13 on the character and appearance of both the nearby countryside area and also on the setting of the SDNP, whether from nearby or further afield, subject to the above modification **MM4**, would not be harmful. This amounts to a further strong argument in support of their allocations within the Plan, both in principle and in terms of their proposed quantum of development.

Ecology

141. Several additional concerns were expressed in representations regarding policies SA12 and SA13. In relation to impact of the allocations on the ecology of their respective sites, I note that the Preliminary Ecological Assessment²⁸ for SA12 identifies the site as

²⁸ Lizard Ecological Appraisal Survey of Site SA12; June 2020 [Examination Document SA12.6].

semi-improved grassland with no rare or unusual plant species recorded. The assessment states that any loss of diversity could be compensated with a native planting scheme and suitable habitat creation areas to the landscape buffer areas to the site's boundaries.

142. Policy SA12 sets out a sustainable framework to ensure development will conserve and enhance areas of wildlife and ensure there is a net gain to biodiversity overall. I consider that the ecological assessment enables policy SA12 to achieve the sustainable framework which is outlined above.
143. In relation to allocation SA13, the Ecological Deliverability Report states that it is considered that there are no over-riding ecological constraints to development of the site, and that the proposed development could deliver biodiversity gain overall, in accordance with paragraphs 170, 174 and 175 of *the Framework* and policies DP37 and DP38 of the District Plan.²⁹ The report also states that in addition to habitat protection and avoidance, habitat creation and enhancement could be delivered, providing a net gain in species-rich hedgerow, broad-leaved woodland, wetlands (including ponds) and wildflower meadow.
144. On the basis of the evidence before me, I conclude that both allocations SA12 and SA13 can mitigate any ecological impact to an acceptable level.

Conclusion for allocations SA12 and SA13

145. Overall, I have considered highways and traffic impact, and impact on both character and appearance and ecology, and from assessing the overall sustainability considerations in relation to these sites, I conclude that, subject to the above modification, both allocations SA12 and SA13 are sound.

Policy SA14 - Land to the South of Selby Close, Hammonds Ridge, Burgess Hill - 12 flats plus community use

146. This urban site within Burgess Hill has good access to the town's facilities and services. As a flatted development on brownfield land, this is potentially an unviable site where the Benchmark Land Value (BLV) exceeds the residual value, which itself is a negative amount. The advice in the independently commissioned Viability Review³⁰ is that the Council should be cautious about developing sites such as SA14.

²⁹ EAD Ecology: Ecological Deliverability Report for Keymer Road, Burgess Hill; July 2020 [Examination Document SA13.2].

³⁰ HDH Planning and Development Ltd: Site Allocations Document – Viability Review; September 2019.

147. Despite its poor viability, however, the Council, as landowner, expressed confidence that it would develop the site during the plan period, and the Viability Review advises that the current development environment in Mid Sussex is an active market in a relatively high value area, and the report expects that sites of this type (brownfield, flatted development) would be deliverable. The Council also stated that Southern Water does not have infrastructure crossing the site³¹, contrary to the perception of several developers and agents, the presence of which could have been a key factor affecting its land value.
148. Clearly, more work is needed to ensure the site is deliverable, including securing a detailed vehicular access, which could be achieved through the extension of the allocation up to the boundary with the existing properties to the north-east [MM19], which would be in the interests of the effectiveness of the Plan. Also, the proposed development, including the community facilities, and the provision of a layout that would safeguard the existing trees covered by a Group Tree Preservation Order to the south-west of the site (as stipulated in the explanatory text), would amount to a sustainable asset. Subject to the above modification, I consider allocation SA14 to be justified and effective, and that the allocation could be delivered in years 6-10 of the plan period.

Policy SA15 Land South of Southway, Burgess Hill – 30 dwellings

149. This urban site within Burgess Hill enjoys good access to the town's facilities and services. It comprises a substantial section of overgrown woodland as part of an area designated as a Local Green Space (LGS) in the Burgess Hill NP. The existing open space is privately owned. It is likely to have some wildlife and visual value, although no evidence was presented as to how important it is in wildlife terms and it has no statutory wildlife or landscape designation as such. Whilst noting the existing LGS designation of the site, the nature of the open space cannot, in my view, be described as accessible, and I am unconvinced regarding the claim that the site functions as an important resource for the people of the town. Consequently, I am content that it is appropriate for policy SA15 to supersede the LGS designation, as shown on the Plan's supporting policies map.
150. The policy would open up the north-west part of the site for housing, and provide accessible open space on the eastern part, so that some of the site for the first time would be accessible to the public. The policy includes the retention of the existing footpath separating the

³¹ Evidence given by the Council on Day 4 of the examination hearings. Also, see Document C1 (Reg 22 Statement of Consultation) – Appendix 9: Summary of Responses (Regulation 19) – Policies (page 36).

two parts of the site. I note that the site forms part of an extensive system of open space, some of which is used for outdoor sports and which functions as an urban lung for Burgess Hill.

151. The site, which passes the viability assessment in the above mentioned Viability Review, is in single ownership and no constraints to implementation were raised. Vehicular access would be possible from the west. I therefore consider allocation SA15 to be justified and effective and that it could be delivered within years 1-5 of the plan period.

Policy SA16 - St Wilfrid's Catholic Primary School, School Close, Burgess Hill - 200 dwellings

152. This site is in a central urban location, well served by public transport. It is the largest urban redevelopment site in the District. Although the policy provides for 200 dwellings, the latest housing estimates are for 200 units on the school site and an additional 100 units, elsewhere as part of a comprehensive development scheme, and **MM17** clarifies this point, in the interests of the positive preparation of this key brownfield site within Burgess Hill. There are several existing uses, and this is a challenging site to deliver, and I note the concerns expressed over deliverability within the plan period. The Viability Report identifies the site as unviable, with the residual land value falling some way short of the BLV.

153. However, the Viability Report figures³² need to be placed in the following context: Firstly, there is a pressing need to relocate the school, which was described at the hearings as "*getting close to not fit for purpose*"³³. The aim of the Diocese is to create a campus to accommodate both the relocated St Wilfrid's school and the nearby secondary school (St Paul's Catholic College). It would be unrealistic and inappropriate for the Plan to ignore this strong community driver.

154. Secondly, WSCC is leading on the master planning work for this site, work that is ongoing and which has already secured design and feasibility work funding, again indicating seriousness of intent and realistic expectation. This amounts to a strong agenda to move this redevelopment proposal forward.

155. Thirdly, it was reported at the hearings and subsequently confirmed by the Council in its update³⁴, that the yield is now anticipated in the region of 300 units, 100 of which are already committed within the

³² See Table 5.4 in the Viability Report.

³³ Evidence given by the Council on Day 4 of the examination hearings. See also MSDC-07 Appendix 1.

³⁴ MSDC-07 Response to Action Point 5 – Matter 3.3: St Wilfrid's Catholic Primary School, School Close, Burgess Hill; 5 August 2021.

'made' NP. This should significantly enhance the residential land value of the site from the figure in the Viability Report.

156. The policy is also in accordance with Burgess Hill NP's policy TC3 for the Brow Area of the town and the Council has indicated that there are no significant infrastructure requirements which amount to 'showstoppers' which could impact on the deliverability of the site³⁵. WSCC has indicated that no highway access issues have been identified in the Strategic Transport Assessment (TA), and a detailed TA will be required at the planning application stage to ensure highway safety including safe access is achieved to serve the new site. Surface water run-off is to be minimised, incorporating Sustainable Drainage Systems (SuDS), to ensure that flood risk is not increased. Any contamination is required to be addressed in the policy.
157. On the basis of the above matters and subject to the proposed modification, I consider that policy SA16 is sound and that the housing in the allocation could be delivered in years 6-10 of the plan period.

Policy SA17 - Woodfield House, Isaac's Lane, Burgess Hill – 30 dwellings

158. This site is situated in open countryside to the north-west of Burgess Hill, but it would be located on the edge of the built up area of the town once the Northern Arc Strategic Site is completed, which will border it on three sides. The site has no significant infrastructure requirements or access difficulties, and it lends itself to being landscape led. It will have good access to services once the Northern Arc has been completed. For the above reasons I consider policy SA17 is sound. The allocation could be delivered in years 1-5 of the plan period.

Allocations in and around East Grinstead

159. The town of East Grinstead is one of the three Category 1 towns identified in the District Plan to function as a principal focus for new development over the plan period, and to this end the Plan designates three housing allocations within and on the edge of the town, plus three additional allocations in nearby villages, totalling some 864 dwellings. I assess these sites below.

Policy SA18 - Former East Grinstead Police Station, College Lane, East Grinstead – 22 dwellings

160. This small urban site within the town of East Grinstead has a parkland setting and has no significant infrastructure requirements. Allocation

³⁵ MSDC Response to Matter 3.3 – Quantitative and Qualitative aspects of housing provision; 14 May 2021 [Examination Document MSDC-02c (ii)].

SA18, for 22 dwellings, has a safe and secure access, and enjoys close proximity to a comprehensive range of employment opportunities, services and facilities. A reinstated police station could be provided elsewhere in the town if the need arises in the future, although the police authority is keen to develop the site for housing. On the basis of the above evidence, I consider it is a sound allocation, and the housing could be delivered in years 6-10 of the plan period.

Policy SA19 - Land South of Crawley Down Road, Felbridge – 200 dwellings

161. This allocation for 200 homes is located just over the border from the village of Felbridge in the neighbouring District of Tandridge in Surrey and would form an extension to this village. The TA for this allocation³⁶ commissioned by the site promoters indicates a satisfactory traffic audit. It is located on a bus corridor with a regular service to East Grinstead railway station and the town centre facilities and services, with plans for increased frequency and real time information at bus stops and some form of bus priority, possibly at key junctions. The site is also located less than a ten minute walk to the nearest school.
162. Concerns were expressed about both this allocation and the larger SA20 allocation (see below) that they might add to the alleged unacceptable, cumulative impact on the highway network in and around East Grinstead, and in particular on the busy A22, including the A22/A264 Felbridge junction. I heard at the hearings that appropriate opportunities to promote sustainable transport modes are being taken up by the scheme developers, supported by the local highways authority (WSCC) in relation to both allocations, and that safe and suitable vehicular access to these allocations can be achieved, with opportunities for cost effective mitigation.
163. Critically, paragraph 111 of *the Framework* sets a high bar to refusing development on highways grounds and indicates that residual cumulative impacts on the road network would need to be demonstrated as 'severe' for refusal to be justified.
164. The Systra traffic model evidence presented to the examination by WSCC, shows a worst case scenario when the impacts of allocations SA19 and SA20 are factored in. Also, the projected increases in traffic volume are not shown in the traffic model to be 'severe', whilst the traffic count figures on the A22 at Felbridge show a slight decrease in traffic from 2007 to 2019, with little change in numbers since then³⁷.

³⁶ Examination Document SA19.6.

³⁷ Evidence given on observed traffic count figures on the A22 between Felbridge junction and Imberhorne Lane junction over the period 2007-2019 by Guy Parfect from WSCC at the examination hearing session on Day 6 (11 June 2021).

Moreover, Systra's projected modal shift shows a small but positive increase in bus use, of around 2% on the A22, based on the measures planned to increase bus frequency on the A22 as referred to above.

165. A more general concern, levelled against both the main housing allocations in the East Grinstead area, is that the strategy is unbalanced, given that there is no corresponding employment land provision, implying that the Plan does not provide for a sustainable housing/employment balance in the north of the District. However, this area is within easy commuting distance of a wide variety of employment opportunities in Crawley, including Gatwick Airport, whilst the STP (considered in more detail later in this report) is projected to provide a significant number of high value jobs for the entire District and beyond.
166. I therefore consider that allocation SA19 is in a sustainable location on a bus corridor, and although the A22 is a busy main road, it is not deemed by the traffic modelling to be 'severe', whilst sustainable transport measures are likely to result in increased modal shift towards buses. The indicative phasing points to scheme implementation within years 1-5, although I note that the Council's updated housing land supply trajectory³⁸ indicates that the final 90 dwellings are forecast for delivery in 2026/27 and 2027/28. I am satisfied from the evidence submitted to the examination that the Council's trajectory in relation to policy SA19 is realistic.

Policy SA20 - Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead – 550 dwellings

167. This allocation for 550 dwellings is located immediately to the west of the urban area of East Grinstead. As policy SA20 states, its objective is to deliver a high quality and sustainable extension to the town, which is informed by a landscape led masterplan. This large site has the potential to provide not only a significant amount of housing, including a specific allocation of a minimum of 142 older persons' dwellings in a 'care village' (see **MM2**), but it also has the capacity to deliver additional early years and primary education, play space to serve the wider community and strategic Suitable Alternative Natural Greenspace (SANG), to attract people away from the nearby Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) (See Issue 4 for consideration of the management of the SANG).
168. This allocation, therefore, would deliver important public benefits for both East Grinstead and the wider area. Moreover, the site is in close proximity to a range of community facilities and services, as well as

³⁸ Examination Document MSDC-06b.

being less than 1.5 km from East Grinstead town centre. On the basis of the evidence before me, I consider the site to be highly sustainable.

169. Although concerns were expressed over the ease of a land swap between WSCC and the farm owner, to enable the consolidation of the school campuses and playing fields, as well as to provide for an additional vehicular access to the allocation, the SCG between WSCC and the developers³⁹ sets out clearly how this will be achieved, with the Heads of Terms already having been agreed. I therefore do not regard the difficulties of this land swap as being insurmountable or even sufficiently serious as to significantly delay implementation.
170. The principal parties have demonstrated in the SCG that the important elements of vehicular access and education provision can be delivered, following the delivery of the new playing field land. I also note that the SCG is supported by the neighbouring Surrey County Council in relation to highways improvements and educational provision, with commitment to joint working to achieve these objectives during the plan period. Clearly, joint working is key to the successful implementation of this large scheme within the plan period.
171. As with the nearby allocation SA19, the impact of the scheme on the local highway network was debated at some length at the hearings. The Transport Appraisal for this allocation⁴⁰ commissioned by the site promoters, shows that the vehicular access arrangements are considered acceptable by WSCC, the local highway authority, and that the proposed highways improvement schemes would provide a strategic benefit to the highway network in and around East Grinstead (and in particular the operation of the A22). It is consistent with the findings of the Mid Sussex Transportation Study (MSTS) based on Systra, which has been validated in line with DfT's criteria and is therefore considered fit for purpose to assess the impact of developments identified within the Plan.
172. In addition to vehicular access, the scheme provides for multiple pedestrian access points and a direct cycle route to the town centre. The above mentioned transport appraisal also shows details of nine local bus services, which connect the site with East Grinstead Railway Station, the town centre, Crawley and other destinations in Sussex and Surrey. Finally, the appraisal shows details of how the existing Public Rights of Way within and around the site would be enhanced as part of the proposals for policy SA20.

³⁹ SCG between WSCC and Welbeck Strategic Land LLP for Land South and West of Imberhorne Upper School, East Grinstead; June 2021 [Examination Document SA20.2].

⁴⁰ Imberhorne Farm, East Grinstead: Transport Appraisal by Pell Frischmann; 17 July 2020 [Examination Document SA20.4].

173. I therefore consider that, subject to the above modification, policy SA20 is positively prepared, justified, effective and reflects national policy. Although the Council's updated trajectory⁴¹ indicates that most of the delivery will take place in years 6-10, I am satisfied from the evidence before me that a start will be made within years 1-5 and that there is a good prospect of the entire scheme being delivered within the plan period.

Policy SA22 - Land North of Burleigh Lane, Crawley Down – 50 dwellings

174. This allocation for 50 dwellings is located on the southern edge of the settlement of Crawley Down. Concerns were expressed regarding the uncertainty of vehicular access, and associated with this, whether its delivery within the plan period was a realistic prospect. Clearly, without certainty of delivery, this policy would not be effective and would therefore be unsound. A SCG between MSDC and the site promoter⁴² was submitted following the hearings to address this issue. It states that the preferred access is via Sycamore Lane and that the site promoter is actively progressing the solutions needed to gain control over the land required for access and is aiming to finalise any relevant agreement(s) by February 2022. On this basis, the SCG commits implementation of the development proposals for the site to a start in October 2023 with completion by August 2025.

175. On the basis of the SCG, modification **MM21** specifies the preferred vehicular access to be via Sycamore Lane, with failure to secure this meaning that the policy fails the test of effectiveness and therefore should be deleted from the Plan. Subject to the above modification, I consider the policy to be sound. Although the indicative phasing in the submitted Plan is for delivery in years 1-5, I consider that, in the light of the access issue referred to above, the Council's updated trajectory, which delays anticipated delivery until years 6-10, is more realistic.

Policy SA26 - Land South of Hammerwood Road, Ashurst Wood – 12 dwellings

176. This allocation for 12 dwellings is located in a small village, which is a category 3 settlement, within the High Weald AONB. The policy sets out robust requirements to ensure that any impact of the development on the AONB to the north and the wider countryside will be effectively mitigated, and **MM8** ensures that the policy includes the requirement to conserve and enhance the landscape of the AONB, in line with national policy.

⁴¹ Examination Document MSDC-06b.

⁴² SCG between MSDC and Merrow Wood: Proposed Allocation SA22 – Land North of Burleigh Lane, Crawley Down; August 2021 [Action Point 12].

177. There are no significant infrastructure issues in relation to the development of this site for housing, and I consider the policy to be sound. The indicative phasing is for delivery within years 6-10, which on the basis of the evidence seems to be realistic.

Policy SA32 - Withypitts Farm, Selsfield Road, Turners Hill – 16 dwellings

178. This allocation for 16 dwellings is on a farmstead adjacent to the village of Turners Hill, which is a category 3 settlement. The redevelopment scheme would incorporate several existing, historic buildings as part of the overall scheme. There are no significant infrastructure issues and, subject to the provisions of policy SA32, this minor development in the High Weald AONB would not result in a significant impact on the quality of the landscape. The policy requires a LVIA, which will ensure any impact is not harmful to the AONB. Although the site is located within the Brick Clay (Wadhurst Clay) and the Building Stone (Ardingly and Cuckfield) Mineral Safeguarding Areas, this is not viewed as a binding constraint which might challenge the soundness of the policy, and for all the above reasons I consider the policy to be sound. I have no reason to question the indicative phasing in the submitted Plan for delivery to take place in years 6-10.

Allocations around Haywards Heath

Policy SA21 - Rogers Farm, Fox Hill, Haywards Heath – 25 dwellings

179. This allocation for 25 dwellings is to the south of the town of Haywards Heath in open countryside, but it is sufficiently distant from Burgess Hill not to compromise the integrity of the strategic gap between the two towns. The site has no landscape policy designation, and it also has little ecological value. Policy SA21 requires the retention and enhancement of mature trees along the boundaries of the site, so as to minimise any impact on landscape and heritage assets to an acceptable level. There are also no significant infrastructure requirements, and highways impact related to the policy is not considered to be significant.

180. As with other allocations on greenfield sites on the edge of settlements, such as at allocations SA12 and SA13, it is axiomatic that any development which extends the urban area of a settlement into hitherto open countryside will, by its very nature, have some environmental impact; at the least, rural land will become urban. This cannot, however, be an argument on its own to stop the incremental development of settlements, especially in view of the national objective, as set out in paragraph 60 of the Framework of significantly boosting the supply of houses. This is also the only site proposed for

housing at Haywards Heath, which is one of the three principal settlements in the District.

181. On the basis of the above considerations, I conclude that policy SA21 is sound, and I have no reason to doubt the indicative phasing in the submitted Plan for delivery in years 1-5.

Policy SA23 - Land at Hanlye Lane to the East of Ardingly Road, Cuckfield – 55 dwellings

182. This allocation for 55 dwellings is located immediately to the east of the category 2 village of Cuckfield which has a wide variety of services and facilities. A SCG between the site promoters and the Council⁴³ underlines the willingness of the site promoters to bring the site forward for residential use in accordance with the requirements of policy SA23.
183. Although the site lies close to the High Weald AONB, there are no landscape designations covering the site itself. The site is physically separated from the wider AONB landscape to the north by its existing well vegetated framework. The policy sets out robust requirements to ensure that any impact of the development on the AONB to the north and the wider countryside is effectively mitigated, and **MM7** ensures that the policy includes the requirement to conserve and enhance the setting of the AONB, in line with national policy.
184. The southern field adjacent to the allocation is to be retained as public open space, and the policy requires a minimum buffer of 15m between the development and the adjacent Horsegate Wood ancient woodland, close to the south-east corner of the site.
185. I agree with the Council that, with the above provisions in place, it is not necessary to reduce the number of dwellings from 55 (33.3 dph) in the submitted allocation to around 20-30 dwellings (12-20 dph), as advocated by some parties at the hearings, including the Parish Council. On the basis of the above considerations, I conclude, subject to the above modification, that policy SA23 is sound, and I have no reason to doubt the indicative phasing in the submitted Plan for delivery in years 1-5.

Policy SA31 - Land to the rear of Firlands, Church Road, Scaynes Hill – 20 dwellings

186. This allocation for 20 dwellings is located at the north-eastern end of the village of Scaynes Hill, which is a category 3 settlement offering

⁴³ SCG between Glenbeigh Developments Ltd and MSDC covering SA23 Land at Hanlye Lane, Cuckfield; 24 May 2021 [Examination Document SA23.8].

some key services. The site lies immediately behind a line of residential properties at Firlands and vehicular access to the side of the Firlands properties has now been secured. **MM18** makes provision for a dedicated pedestrian route into the village to an acceptable highway authority standard and is necessary in the interests of pedestrian safety and the positive preparation of the Plan.

187. Concerns were expressed in relation to restrictive covenants on the site. The Council explained, however, that the extent of these covenants amounted to only 0.6 ha out of a total of 2.2 ha covering the entire site, and the Council is confident that the scheme can be implemented without affecting the area controlled by the covenants. On this basis, and subject to the above modification, I conclude that policy SA31 is sound. The indicative phasing set out in the submitted Plan for delivery within years 1-5 appear to me to be realistic.

Policy SA33 - Ansty Cross Garage, Cuckfield Road, Ansty – 12 dwellings

188. This allocation for 12 dwellings involves the redevelopment of a commercial garage and car parking area in the centre of the small village of Ansty, which is a category 4 settlement. There is a single convenience store nearby. A wide range of facilities and services, however, are available at Haywards Heath, just 3 km away. Paragraph 120 (c) of the Framework states that in order to make effective use of land, substantial weight should be given to the value of using suitable brownfield land, such as this site. A phase 1 contamination assessment will be required in order to implement the allocation.

189. I therefore consider this allocation to be highly sustainable and conclude that policy SA33 is sound. Its indicative phasing in the submitted Plan of delivery within years 6-10 would appear realistic in view of the need for redevelopment and contamination assessment.

Other Allocations

Policy SA24 - Land to the North of Shepherds Walk, Hassocks – 130 dwellings

190. The allocation is for 130 dwellings, located to the north of Hassocks, which is a local service centre (Category 2 settlement), and which is also the location for one of the four strategic allocations provided for in the District Plan, North of Clayton Mills, for 500 dwellings. Delivery doubts relating to an alleged access ransom strip were raised in representations and at the hearing sessions, but no robust evidence on this was forthcoming. WSCC as local highway authority has

concluded that the proposed development would not have a 'severe' impact on the local highways network, and the site is within relatively easy walking distance to rail and bus services and local facilities and is therefore highly sustainable.

191. Flood risk will need to be managed in a sustainable way, which may impact on delivery until years 6-10 of the plan period. On the basis of the above evidence, I conclude that policy SA24 is positively prepared and justified.

Policy SA25 - Land West of Selsfield Road, Ardingly – 70 dwellings

192. This allocation for 70 dwellings in the submitted Plan is located within the village of Ardingly, which is 'washed over' by the High Weald AONB. National policy, as expressed in paragraph 176 of *the Framework*, requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of national protection in relation to these issues. Allocation SA25, and in particular the proposed quantum of the housing proposed, was considered at some length in written representations and at the examination hearings.

193. In particular, it was debated whether, in the light of national policy as expressed in paragraph 177 of *the Framework*, the allocation could be considered to be minor or major development within the AONB; if the allocation is considered to be major, there would need to be exceptional circumstances which would justify the amount of housing proposed in policy SA25 and whether the development would be in the public interest.

194. Footnote 60 of *the Framework* addresses the question of whether a proposal is major development. It states that whether a proposal is major development: "*is 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 purposes for which the area has been designated or defined.*"

195. District Plan policy DP16 sets the strategic parameters for development within the High Weald AONB. It makes provision for small scale proposals which support the economy and social well-being of communities within the AONB, and which are also compatible with the conservation and enhancement of natural beauty. The context for Mid Sussex is that the AONB covers most of the northern part of the District, with the exception of an area which includes East Grinstead, Crawley Down and Copthorne, and that it is clearly important to enable the organic growth of settlements within the AONB wherever this is sustainable.

196. Ardingly is one such settlement within the AONB, identified as a Category 3 settlement, i.e. a medium sized village, which provides for limited services, and where small scale growth would be acceptable in principle. The Mid Sussex District Plan IR also states that some settlements: "*lie within the AONB and may be appropriate for modest housing schemes*"⁴⁴. Clearly in a settlement like Ardingly, there is no scope for meeting local needs in close proximity to the settlement outside the AONB.
197. The Council's justification for its allocation of 70 dwellings in policy SA25 is set out in its Major Development in the High Weald AONB Topic Paper⁴⁵. This paper explains that the original total of 100 dwellings to be allocated at Ardingly in the Regulation 18 consultation version was considered to be major development due to its scale and that development of the whole site would not fit the historic settlement pattern of Ardingly, which means that there would be an adverse impact on the High Weald AONB. The Council's assessment also concluded that there would be no exceptional circumstances for this development in the AONB at Ardingly because there are alternative locations outside the AONB.
198. In the revised policy SA25 in the submitted Plan, the overall size of the site remains the same as in the Regulation 18 version. However, the proposed built development is now limited to the eastern section of the allocation, with the western part to remain as open space, along the line of an old field boundary, which the Council considers is more in keeping with the historic settlement pattern of Ardingly than in the original allocation. The Council argues that the reduced size of the allocation to 70 dwellings in the submitted version is not regarded as major development.
199. I agree with the Council that no exceptional circumstances exist to justify a major housing development at Ardingly, primarily because of its location within the AONB and its modest settlement size. I therefore have to consider whether 70 dwellings can be justified as minor development, especially bearing in mind the guidelines in footnote 60 of *the Framework* and policy DP16 of the District Plan. I also agree with the Maurici Opinions⁴⁶, which not only highlight national policy, including the above-mentioned footnote 60, but also refer to the High Court challenge in *Aston v SSCLG* [2013], where it was held that the word 'major' has a natural meaning in the English language, albeit not one that is precise⁴⁷.

⁴⁴ Mid Sussex District Plan IR para 53.

⁴⁵ MSDC Site Allocations DPD-Major Development in the High Weald AONB Topic Paper; December 2020 [Examination Document Topic Paper 1].

⁴⁶ Major Developments in National Parks by James Maurici QC, Landmark Chambers, which includes the so-called Maurici Opinions.

⁴⁷ *Aston v SSCLG* [2013] EWHC 1936 (Admin) – judgment by Wyn Williams J.

200. In terms of context, there is no doubt that the quantity of the allocation, at 70 units, exceeds what is needed locally in Ardingly. The Category 3 village has a small population, estimated at 1,910 inhabitants, and policy SA25, representing a 15% increase in the number of dwellings within the built-up boundary of the settlement, would not be proportionate to the size of the settlement, which only has a modest range of services and poor bus connections.
201. The overall housing requirement for the District, shown in the table at page 37 of the District Plan, indicates a minimum residual housing requirement (accounting for commitments and completions) for Ardingly of 29 dwellings. This figure is likely to have been reduced further through other commitments and completions in the intervening three plus years since the table was printed. I also note that the Ardingly NP indicated a need in the settlement of 37 dwellings to 2031, a figure which is also likely to have fallen in the intervening years. Based on the above information, it is my view that the quantum of development on allocation SA25 at Ardingly should not exceed 35 dwellings, i.e. half the number of homes proposed in the submitted Plan.
202. The Council and the site promoters argue that the visual impact of the proposal for 70 dwellings in the submitted policy SA25 on the AONB outside the village would be minimal, especially in the context of a robust landscape strategy. I have read and studied the Landscape and Visual Appraisal (LVA) which has been commissioned by the site owners and site promoters⁴⁸. I largely agree with the LVA descriptions of the landforms, vegetation and tree cover, and the overall conclusion that a robust landscape strategy could ensure that landscape and visual effects are minimised.
203. However, it is also true that the allocation is located on a prominent, open plot with some visibility from areas outside the village, and in particular from the Ardingly Conservation Area to the west and south-west and the open countryside views towards the Ardingly Reservoir further to the west, both of which I observed on my site visit⁴⁹. Whilst I do not agree that the allocation would result in the suburbanisation of the village, I do consider that it would impact adversely on its semi-rural setting, and on the visual containment of the area from the wider AONB landscape. In my view, these considerations render the

⁴⁸ Huskisson Brown Associates: Landscape and Visual Appraisal relating to Land West of Selsfield Road, Ardingly, West Sussex, on behalf of Charterhouse Strategic Land and The South of England Agricultural Society; May 2020 [Examination Document SA25.4].

⁴⁹ The route of the partially accompanied site visit is indicated on the map submitted in response to Action Point 9, which shows the relationship of the allocation SA25 (edged red) to both the Conservation Area and the countryside to the west.

proposal for 70 dwellings 'major' development in my understanding of its natural meaning in the English language.

204. **MM1** therefore reduces the housing total for policy SA25 from 70 to 35 dwellings, at the same overall density as in the submitted Plan (i.e. about 20 dph), located at the eastern end of the original SA25 allocation, to enable the proposal to sit within the proper context of a small settlement in the High Weald AONB, in accordance with the requirements of national policy and policy DP16 of the District Plan. Allocating a smaller scheme to the east, nearer to Selsfield Road would increase the distance from both the Conservation Area and the wider AONB landscape to the west, whilst at the same time reducing its visual impact on the village and the landscape. These changes are necessary for policy SA25 to be consistent with national policy, both in relation to the scale of the village and its limited sustainability, and also in relation to its visual impact on the AONB.
205. The Council's updated housing land supply trajectory⁵⁰ points to policy SA25 being implemented within years 6-10 and I have no reason to take a different view.

Policy SA27 - Land at St Martin Close, Handcross – 35 dwellings

206. This allocation is for 35 dwellings and is located at the western edge of the village of Handcross. Policy SA27 accords with the Slaughham NP, which allocates it as a reserve site. Although the site is located adjacent to a NP allocation for 30 dwellings within the High Weald AONB, the LVA commissioned by the site promoters⁵¹ demonstrates that the triangular shaped site can be assimilated successfully into a natural hollow which is surrounded by mature woodland, including a substantial tree screen along its western edge. It also abuts existing and proposed development along its eastern boundary. I agree with the Council's assessment that the site is not to be regarded as major development within the context of paragraph 177 of *the Framework*. **MM9** ensures that the policy appropriately includes the requirement to conserve and enhance the landscape of the AONB, in line with national policy.
207. The site is also located within reasonable access of schools, healthcare and local services in the village of Handcross, which is a Category 3 settlement. No significant access or other infrastructure issues were raised during the examination. On the basis of the above considerations, I conclude that policy SA27 is sound. The indicative

⁵⁰ Examination Document MSDC-06b.

⁵¹ Lloyd Bore: Landscape and Visual Appraisal, St Martins Close West, Handcross, West Sussex; January 2020 [Examination Document SA27.1].

phasing in the submitted policy of delivery within years 6-10 is in my view reasonable.

Policy SA28 - Land South of the Old Police House, Birchgrove Road, Horsted Keynes – 25 dwellings

208. This allocation is for 25 dwellings and forms a natural extension to the north-east of the village of Horsted Keynes. It is located within the High mature trees and hedges. **MM10** ensures that the policy appropriately includes the requirement to conserve and enhance the landscape of the AONB, in line with national policy.
209. The overall housing requirement for the District, shown in the table at page 37 of the District Plan, indicates a minimum residual housing requirement (accounting for commitments and completions) for Horsted Keynes of 53 dwellings, which approximates to the combined totals of the two allocations for this village (i.e. 25 dwellings for policy SA28 plus 30 dwellings for policy SA29). The scale of the housing allocations in the Plan for Horsted Keynes is therefore proportionate to the needs of the settlement, which is a category 3 village, with schools and other local services, although not particularly well served by bus services.
210. The LVIA which has been commissioned by the site promoters⁵² concludes that the site is appropriately located for housing development and that in landscape and visual terms the site can accommodate up to 30 units without accruing harm. I agree with the findings of the LVIA, which accord with my own site visit observations, and I conclude that policy SA28 is positively prepared and justified. I have no reason to query the Council's anticipated delivery of the scheme within years 1-5 of the plan period.

Policy SA29 - Land South of St Stephens Church, Hamsland, Horsted Keynes – 30 dwellings

211. This allocation is for 30 dwellings on the edge of the village of Horsted Keynes, and together with SA28, comprises a proportionate scale of housing provision for this settlement. Although the site is located in the High Weald AONB, the LVA commissioned by the site promoter⁵³ states that the proposed development would sit within a restricted, well contained visual envelope. From my site visit, I consider that the proposed development would sit well within the landscape and as a minor development it would not conflict with national AONB policy.

⁵² Aspect landscape Planning Ltd: Proposed Residential Development, Police House Field, Birchgrove Road, Horsted Keynes-Landscape and Visual Assessment; March 2020 [Examination Document SA28.2].

⁵³ Landscape Collective: Landscape and Visual Appraisal-Land South of St Stephen's Church, Horsted Keynes; January 2020 [Examination Document SA29.2].

MM11 ensures that the policy appropriately includes the requirement to conserve and enhance the landscape of the AONB, in line with national policy.

212. Vehicular access would be via Hamsland. The principle of development on the site has been accepted by WSCC as local highways authority both in relation to highway safety and capacity, including the adequacy of the Hamsland carriageway width to accommodate the additional traffic. Although Hamsland is characterised by parked vehicles along one side of the road, this does not lead me to a different conclusion to that made by the local highway authority.
213. There was considerable discussion at the hearing sessions regarding the effectiveness of policy SA29. The technical documents submitted by the developers, however, including a Transport Statement, Road Safety Audit and Visibility Overlay Plan⁵⁴, demonstrate that the road network can satisfactorily accommodate the traffic likely to be generated by the development, despite the existing on-street parking along Hamsland, with adequate visibility sight lines at the proposed access. Despite allegations to the contrary from third parties, these technical documents state that the proposed scheme is capable of implementation within land which is either under the control of the developers or is highway land, and I am satisfied from the level of detail submitted in these documents that the conclusions expressed above are robust.
214. Concerns were also expressed over the design and impact of the proposed vehicular access on existing trees along Hamsland, as well as the adequacy and safety of pedestrian access as a result of the proposed development. **MM20** addresses these concerns and therefore amends policy SA29 to require safe and convenient vehicular access, including for emergency services vehicles; to ensure satisfactory pedestrian access both along Hamsland and into the proposed development; and to afford adequate protection of the existing trees along the site boundary. This modification is necessary to ensure the policy is positively prepared, justified and effective. I conclude that subject to the above modifications, the policy is sound.
215. The indicative phasing in the submitted policy of delivery anticipated within years 1-5 may be optimistic in view of the considerations outlined above, however, I am satisfied that the scheme could be delivered within the plan period.

⁵⁴ See Note for Inspector from Sigma Planning Services: Site SA29 St Stephen's Church, Horsted Keynes; 15 June 2021 [Examination Document – Response to Action Point 11].

Policy SA30 - Land to the North of Lyndon, Reeds Lane, Sayers Common – 35 dwellings

216. The allocation is for 35 dwellings, located adjacent to the north-west edge of the village of Sayers Common. The proposed development would have no significant impact on the landscape and no significant access or infrastructure considerations were raised. Although access to schools and healthcare are over 20 minutes' walk away, there is a frequent bus service to Crawley with its many facilities and services. The site is located within the Brick Clay (Weald) Mineral Safeguarding Area; no evidence, however, was submitted that demonstrated that the site is required for further mineral extraction. On the basis of the above evidence, I conclude that policy SA30 is positively prepared and justified.
217. The indicative phasing of the scheme is for delivery within years 1-5 of the plan period, and I consider this to be a realistic expectation.

Issue 3 - Conclusion

218. I conclude in relation to Issue 3 that with the required modifications, the proposed housing site allocations are justified and deliverable.

Issue 4 – Are the Plan's provisions for the protection and enhancement of the environment, including landscape, biodiversity and heritage aspects, justified and in accordance with national policy?

Are the environmental, landscape, biodiversity and heritage policies justified, effective and in accordance with national policy? Are any additional environmental policies needed?

219. The Plan is the 'daughter document' of the District Plan, which has a wide range of policies that seek to protect and enhance the District's environment, including its landscape, biodiversity and heritage assets in accordance with national policy. These principles are reflected in policy SA GEN, which sets out the general principles for the site allocations, including a range of urban design principles, landscape, historic environment and cultural heritage considerations, as well as principles relating to air quality, light, noise and amenity, biodiversity and green infrastructure, sustainability and the relationship of the Plan to the Ashdown Forest. Furthermore, key environmental considerations are picked up and addressed in relevant SA policies.
220. As part of the preparation of the Plan, there has been extensive consultation with statutory consultees, such as Historic England,

Natural England, SDNPA, the High Weald AONB Unit and Sussex Wildlife Trust, who have largely been supportive of the stance taken in the Plan.

221. In response to concerns that climate change is not addressed in a single policy, the Council responded with a statement⁵⁵ in addition to contributions to the debate on this topic at the hearing sessions. Climate change is clearly referenced in the District Plan – in particular in policies DP39 on sustainable design and construction; DP40 on renewable energy schemes; DP41 on flood risk and drainage; and DP42 on water infrastructure and the water environment. In this Plan, climate change principles are covered across its policies, whilst the Council intends to include a comprehensive new climate change policy within its forthcoming District Plan Review. I am satisfied that many of the key responses to climate change are already covered in the Plan and that the Review is the most appropriate place to include a new bespoke, strategic policy on this important subject.

What is the justification for allocating the proposed number of dwellings in the High Weald AONB?

222. District Plan policy DP16 sets the strategic stance of the District towards development in the High Weald AONB. Whilst seeking to protect the valued landscape of the AONB, the policy supports small scale proposals which support the economy and social well-being of communities within the AONB and that are compatible with the conservation and enhancement of natural beauty. Also, given that approximately half the area of the District is designated as AONB, it is not surprising that a proportion (around 9%) of the residual housing total for Mid Sussex which is allocated in this Plan should be located within this part of the District, in order to support local community-based needs.
223. A list of appeal decisions has been submitted in representations, which provide details on a range of schemes, and the size of their proposals in terms of dwelling numbers, in the AONB from different parts of the country. However, as paragraph 177 of *the Framework* points out, there are no benchmark housing totals given as appropriate or otherwise within the AONB, and, critically, context is all important. Within this national policy framework, I am therefore satisfied that, in the Mid Sussex context, subject to **MM1**, which reduces the housing quantum of SA25, from 70 to 35 dwellings within a settlement that is in the AONB, that all the housing allocations in the submitted Plan comply with the requirements of District Plan policy DP16, in that they are all modest (minor) schemes which do not cause harm to the AONB.

⁵⁵ MSDC-12: Response to Action Point 15-Approach to Climate Change; 12 July 2021.

224. I also note the representations arguing that there is a significant prospect of land within the AONB being developed to meet the housing needs of the neighbouring Borough of Crawley, as has been done at Pease Pottage. This, however, is a strategic and important decision for the future Review of the Mid Sussex District Plan to make and it is therefore beyond the scope of this Plan and my report to address.

Is policy SA38, which addresses air quality, justified and effective? In particular, are the proposed mitigation measures sufficiently effective to, in all likelihood, prevent adverse effects from proposed development on the Ashdown Forest SPA and SAC?

225. I note that this policy will replace policy DP29 in the District Plan. I agree with the Council that this policy is important, given the growth proposals within the Plan and the fact that they are predicated on ensuring no further harm to the integrity of the unique ecology of the Ashdown Forest. The policy has been informed by air quality modelling, both in relation to the Stonepound Crossroads Air Quality Management Area (AQMA) and Ashdown Forest.

226. I note comments that the policy could be more complex and wide ranging, and it is of course open to the Council to consider such an approach when it prepares a future review of the District Plan. I do not, however, consider the policy to be merely platitudinous, as some parties hold, but I conclude that it is justified, effective and consistent with national policy.

Do any of the proposed site allocations threaten to harm the setting of the South Downs National Park (SDNP), and if so, can effective mitigation be achieved?

227. Paragraph 177 of *the Framework* states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. Policy DP18 of the District Plan sets out to protect the SDNP, and policy SA GEN sets out the general principles for ensuring site allocations do not impact adversely on matters of environmental importance.

228. The two allocations which have been the subject of ongoing dialogue between the Council and SDNPA are SA12 and SA13, and I deal with the principal concerns expressed by all the parties in Issue 3 above. I also note that the two principal parties referred to above have committed to continue to work together in the way they already have done to ensure the satisfactory protection and enhancement of the setting of the SDNP in future. Subject to the suggested modifications in relation to these two allocations (**MM4**), I consider that any potential harm to the setting of the SDNP resulting from these two allocations can be effectively mitigated.

Is the provision of Suitable Alternative Natural Greenspace (SANG) justified and effective in reducing the likelihood of harmful visitor pressure on Ashdown Forest?

229. District Plan policy DP17 sets out an avoidance and mitigation strategy for reducing the impact of recreational disturbance on Ashdown Forest. It is clear that the Council has prepared this policy and subsequently implemented it with the advice of Natural England (NE), who has stated it is supportive of the policy. Partnership work, in line with DTC, with neighbouring local authorities, the Conservators of Ashdown Forest, NE and other parties, is implementing a mitigation approach, based on SANGs measures, to be located within the 7 km Zone of Influence around the Ashdown Forest SPA, in addition to on-site SAMMS. These measures will help reduce the visitor pressure, especially by walkers and dogs, which increases as a result of new development within the Zone of Influence.
230. The Council, in partnership with the policy SA20 site promotor, is proposing a new strategic SANG in attractive countryside to augment the existing SANG at East Court & Ashplats Wood, East Grinstead, which I heard at the hearings was close to capacity.
231. In response to the discussion at the hearing sessions on the effectiveness of the Council's approach to SANGs, especially in taking pressure off Ashdown Forest, the Council submitted a comprehensive Note to explain its position⁵⁶ and answer some of the points made in critical representations.
232. In addition to the above points, the Council's Note explains a system of monitoring, which will allow adjustments to be made to the overall mitigation strategy if it is necessary to ensure its continued effectiveness. The Note also points to a combined yield of 940 dwellings⁵⁷ from 9 allocations within the 7 km Zone of Influence. 750 of these dwellings will be in very close proximity to the proposed strategic SANG, located immediately to the west of the proposed new dwellings in allocation SA20 and within easy walking distance to the south of SA19. At a minimum standard of 8 ha per 1,000 net increase in population, the proposed strategic SANG at site SA20, with an area of c.43 ha, would be able to serve a population several times in excess of the 940 dwellings proposed for the allocated sites in Mid Sussex, which lie within the 7km Zone of Influence around Ashdown Forest.
233. The suggestion to remove all allocations within 7 km of Ashdown Forest from the Plan would not enable the Plan to meet the needs of

⁵⁶ MSDC-13: Response to Action Point 16 – matter 4.5: Provision of SANG; 8 September 2021.

⁵⁷ This takes account of the 35 dwelling reduction to the total at Ardingly, as suggested in MM1.

the communities within this area over the plan period. Furthermore, it would necessitate finding an additional 940 dwellings in the remainder of the Plan area, which would bring its own issues in relation to sustainable development. I therefore do not consider that this suggestion would be in the interests of the soundness of the Plan.

234. It is also worth stating, as the Council's Note does, that the approach using SANG and SAMMs mitigation is well established. For example, it has been used as an approach to mitigation at the Thames Basin Heaths and Dorset Heaths for around 15 years.
235. The other key area of concern raised at the hearings was the alleged lack of monitoring, which is addressed in the above mentioned Council's Note. The Note states that "*monitoring is long-term and should be undertaken regularly rather than constantly*". The Note also acknowledges that it is important to undertake surveys at SANG sites as well as in the Ashdown Forest itself.
236. **MM22** is an addition to the sixth bullet point of the Biodiversity and Green Infrastructure section of policy SA20 to refer to the requirement of the management of the proposed strategic SANG to include regular monitoring of number of visitor numbers, locations where visitors originate from, their activities at the strategic SANG, and any suggestions for future management of the SANG. This is required to make the policy effective.
237. I therefore consider, subject to the above modification, that the provision of strategic SANG in the Plan is justified and effective in reducing the likelihood of harmful visitor pressure on Ashdown Forest.

Issue 4 - Conclusion

238. From the evidence before me, I conclude in relation to Issue 4, that the Plan's provisions for the protection and enhancement of the environment, including landscape, biodiversity and heritage aspects, subject to the above modifications, are justified, effective and are consistent with national policy.

Issue 5 – Are the policies to manage and promote the local economy and employment areas and allocations sound?

Is policy SA9, for a science and technology park (STP), in conformity with the District Plan and is the allocation sound?

239. The economic case for a science and technology park (STP) within Mid Sussex was made in the evidence submitted to the examination of the

District Plan and is set out in broad terms in District Plan policy DP1 (Sustainable Economic Development), which states that the Coast to Capital Local Enterprise Partnership (LEP) has identified Burgess Hill as a spatial priority in its Strategic Economic Plan (SEP) (2014) and identifies a broad location for a STP to the west of Burgess Hill. It has been suggested that the economic case may have changed since the District Plan was adopted. However, I am mindful that this is a part 2 or 'daughter' Plan and therefore it is not for me to re-examine the principle of, or need for, the STP.

Is the scale and location of Policy SA9 justified and in conformity with the District Plan?

240. The supporting text to policy DP1 of the District Plan notes that the STP is envisaged to deliver 100,000 square metres of employment floorspace and 2,500 new jobs. This Plan, through allocation SA9, sets out the specific location of the STP. Policy SA9 allocated 48.75ha of land in order to deliver up to 2,500 new jobs in accordance with the District Plan.
241. The Council explained at the examination hearings that the proposed STP is a different concept to the earlier employment proposal in the District Plan, and that the increased size of the policy SA9 STP allocation gives the site adequate 'critical mass' to accommodate a cluster of businesses. This appears to be a reasonable conclusion, and one that is supported by the LEP.
242. I am of the view that it is relevant to consider whether the downturn of the local economy due to Covid-19 is an argument for scaling down policy SA9 or postponing it to another time. The plan period, to 2031, however, allows ample time for economic recovery, and the local economy is relatively resilient. A recent marketing report⁵⁸ finds that the market for new employment floorspace in Mid Sussex is predicted to remain resilient, whilst the market for industrial and warehouse property for Gatwick and Crawley remains strong.
243. Another consultant's report⁵⁹ does not consider that the short-term impact of Covid on the local economy will be significant and states that the pandemic does not justify any change to policy SA9. From the evidence contained in these reports, I consider that the recent pandemic is not an argument to reduce the scale of the STP proposed in policy SA9.
244. Turning to the proposed location of policy SA9, the STP is proposed in policy DP1. The adopted District Plan Policies Map shows the STP broad location further west of DP9/The Hub, ie The Hub is to be built

⁵⁸ Rep 564-001 Terence O'Rourke Matter 5 Hearing Statement; May 2021.

⁵⁹ Rep 688-011 Vail Williams Matter 5 Statement.

out, although it does show an employment land allocation of 25 ha to the south of the A2300, which the policy refers to as a high quality business park. This employment land area 'disappears' as an allocation between the District Plan (some of which has been developed as an employment scheme called The Hub) and this Plan, whilst the STP proposed in policy SA9 in the submitted Plan before me is allocated to the north of the A2300.

245. Policy SA9 allocates land to the north of the A2300 for a STP. This is in preference to a location to the south for several important reasons, based primarily on the SA work. These include 4 key considerations:
- (i) The prospect of linking energy to waste, given the location of the WSCC waste facility immediately to the east of the allocation;
 - (ii) The proximity to the strategic housing allocation and associated community facilities, known as the Northern Arc;
 - (iii) There is a lower flood risk than in the area to the south of the A2300; and
 - (iv) There are important ecological considerations, given the Ancient Woodland to the south of the A2300.
246. I therefore find no robust reasons to come to a different conclusion to the submitted Plan regarding the location of the SA9 allocation to the north of the A2300.
247. The proposed STP is sustainably located close to Burgess Hill, which is identified in the District Plan as a town with a wide range of facilities and services, as well as being the focal point for new development to serve Mid Sussex during the plan period.
248. Furthermore, the allocation for the STP is situated adjacent to the District Plan Strategic Allocation to the north and north-west of Burgess Hill, an area known as the Northern Arc. The District Plan provides for approximately 3,500 dwellings in the Northern Arc, most of which are expected to be implemented within the plan period (as discussed in more detail under Issue 2 above). The proximity of new homes to new job opportunities should significantly reduce commuting distances for many people and encourage mode shift towards walking, cycling and bus use between the STP, the Northern Arc and the town centre.
249. The proposed STP, to the west of Burgess Hill, also enjoys good access to the A23 dual carriageway, a few miles further to the west, which connects with Brighton to the south and morphs into the M23 motorway at the northern end of the District, enabling good access to Gatwick Airport and beyond, to the national highway network and of

course London. It is hence well located to achieving the Council's objective of enhancing the prosperity of an area stretching from the coast to London, known as the Gatwick Diamond, as well as with the Greater Brighton City Region.

250. I therefore consider, based on the evidence covered in the above paragraphs, that the scale and location of Policy SA9 is justified and in conformity with the District Plan.

Is policy SA9 sound in respect of environmental impacts?

251. The impact of such a large concentration of employment land in one area will be significant, visually as well as on the tranquillity and biodiversity of the local area and would significantly push out the urban boundary of Burgess Hill westwards into open countryside; this would be a greater impact than would have been the case in relation to District Plan policy DP9, both in its size and its location, being situated further out from the edge of the town. It was argued that the STP would dramatically change what is now an agricultural area of sporadic farm buildings, although there are also a few scattered warehouses in this area. It would be incorrect to characterise this area as a pristine rural area.

252. Although it has a pleasant countryside setting, allocation SA9 is not located in any protected landscapes. Furthermore, it is located at some distance from all three of the most sensitive environmental parts of the District, i.e. it is situated away from areas directly impacting on the setting of the SDNP, and even further distanced from the High Weald AONB and the Ashdown Forest 7km Zone of Influence. This is an important consideration in a District which has such attractive environmental assets, and where land with development potential is at a premium.

253. Policy SA9 requires a LVIA to be undertaken, to inform the site layout, capacity and mitigation requirements, in order to minimise impact on views from the wider countryside, as well as to maximise the quality of the working environment. The policy also requires the retention of the existing woodland to the east and the retention and enhancement of the existing mature trees and landscape structure within and bordering the site.

254. In fact, a LVIA has already been undertaken⁶⁰, which states, on the basis of a layout anticipated at 4 storeys or under, that the development can be adequately mitigated. The LVIA concludes that the theoretical visibility of three storey development would be largely limited to within 2 km of the site, and the addition of 4 and 5 storey

⁶⁰ Pegasus Environmental: Landscape Technical Note; November 2019 [Examination Document SA9.6].

elements across the whole STP would only slightly extend the theoretical visibility. Moreover, the impact of the STP would not be readily perceptible from locations within the High Weald AONB or the SDNP. The impact would be further mitigated by the judicious planting of additional native forest-scale tree cover of appropriate species at locations within the site, which would of course mature over time.

255. An Ecological Appraisal⁶¹ has also been commissioned by the site promoters, which states that there is unlikely to be any significant effect on important protected habitats. It also states that further detailed ecological assessment will be required as part of any detailed planning application.
256. I am satisfied, from the evidence before me, that policy SA9 can be implemented without any unacceptable environmental impacts.

Is policy SA9 justified in terms of sustainable transport and highways impact?

257. Policy SA9 aims to encourage sustainable movement through requiring measures such as the provision of new pedestrian, cycling and new bus routes and/or diversion of existing routes to connect with key hubs, including Burgess Hill town centre and the railway and bus stations.
258. Concern was expressed over its relatively poor relationship to the nearest railway station at Burgess Hill. Although the STP is to be located on the opposite side of the town from the railway station, this matter is addressed in the Project Newton Mobility Strategy⁶², which includes specific, costed plans (based on a bus viability strategy) to divert existing bus routes and provide a new station shuttle, enabling for example, a 10 minute link between the STP and the railway station and a further 10 minute rail journey to Brighton.
259. It is evident that considerable preparation has gone into the implementability of policy SA9. The policy sets out the requirement for a master plan and a phasing strategy, which is linked to transport and environmental mitigation.
260. A signed SCG⁶³ commits the main parties involved in transport provision for what is termed 'Project Newton', to prioritise reduction in

⁶¹ Ecology Solutions: Ecological Appraisal [Examination Document SA9.13].

⁶² Connect Consultants - Project Newton Science and Technology Park, Burgess Hill: Mobility Strategy; November 2020 [Examination Document SA9.11].

⁶³ Project Newton Science and Technology Park SCG between Connect Consultants, Vail Williams, MSDC, WSCC and Highways England; 21 May 2021 [Examination Document SA9.17].

traffic associated with the STP through a mobility strategy. A key part of this is to achieve substantial modal shift, including 50% from car to bus between the STP and Burgess Hill town centre, and a 29% reduction in all peak hour trips by car. The SCG also commits the parties to achieve effective highway mitigation, involving capacity improvement, at five specific locations (A23-A2300 Hickstead Junction east and west; A23-A2300 Hickstead Junction southbound merge; A2300-Cuckfield Road roundabout; A2300-Northern Arc Link Road roundabout; and A272-B2036 mini-roundabout, Ansty).

261. Consequently, I am content that policy SA9 is justified in relation to sustainable transport and highways impact.

Policy SA9 - Conclusion

262. I am satisfied, for all of the above reasons, that policy SA9 is in conformity with the District Plan and the allocation is sound.

Are policies SA2-SA8, for additional employment allocations, justified and deliverable, and are they sufficient to meet the needs of the District during the plan period?

263. Sites SA2-SA8 comprise seven employment allocations, which were selected through a robust site selection process and assessment through the SA. There has also been ongoing engagement between the Council and the relevant site promoters. I am satisfied from the evidence and site visits that all the employment sites are well located in relation to the main urban areas in the District and the strategic highway network.

264. **MM5 and MM6** amend the second bullet points of policies SA7, for the site at Cedars, Brighton Road, Pease Pottage, and SA8, for the site at Pease Pottage Nurseries, Brighton Road, Pease Pottage. This is to underline the importance of the need to conserve and enhance the landscape and scenic beauty of the AONB, within which both SA7 and SA8 are located. This accords with national policy, for example as expressed in paragraph 177 of *the Framework*, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in designations such as AONBs, which have the highest status of protection in relation to these issues.

Is policy SA34, which sets a framework for the protection, intensification and redevelopment of existing employment sites, justified, effective and consistent with national policy?

265. A policy framework to provide for consistent decision making in relation to proposals for changes to existing employment sites is set out in policy SA34. In particular, it is necessary to prevent the inappropriate loss of employment land to other uses. It is

acknowledged that the market alone is unable to secure the retention of employment land in the face of competition from higher value uses such as residential. It is therefore important to provide a safeguard which both protects existing employment land and allocations whilst allowing for flexibility, which reflects national policy, as expressed in paragraph 81 of *the Framework*, which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

266. **MM12** ensures that policy SA34 is effective as well as being justified. It does this by requiring details of comprehensive marketing of a site for employment use, which is subject to development proposals outside the traditional employment use classes for a period of at least 12 months. It also requires a financial appraisal that demonstrates that the development of any employment generating use is unviable. I consider that 12 months is a reasonable period for the effectiveness of the Plan in playing its part to secure sustainable economic growth for Mid Sussex which would be consistent with national policy.
267. **MM12** also allows for development proposals outside the traditional employment land use classes where it can be demonstrated that the continued use of the site for employment uses would lead to environmental problems, such as noise pollution or disturbance, recognising that there would be environmental benefits gained by redeveloping these sites for non-employment generating uses.

Is the Plan likely to maintain, enhance or detract from a sustainable housing/employment balance in the District, or is it more appropriate to consider Mid Sussex in relation to its near neighbours, such as Brighton and Crawley? Is there a balance between housing provision and maintaining an adequate supply of employment land?

268. I note the Council's explanation that the employment policies reflect the annual average number of jobs needed for the District, which is estimated at 543. This figure is closely linked to the increase in population and provides the appropriate homes/jobs balance. This equates to a 10-15 ha employment land requirement, and the Plan allocates seven employment sites (policies SA2-SA8), totalling 17.45 ha, which amounts to a small over-supply for flexibility and resilience.
269. In addition, the proposed STP has been allocated to deliver the Council's objectives for high value economic growth, on a site adjacent to the Northern Arc strategic allocation (3,500 dwellings), as well as providing job opportunities within the wider region, including nearby neighbours Brighton and Crawley. A further sustainable aim of the STP is to reduce out-commuting.

270. It is clear to me that a key aim in the Plan, to achieve a sustainable housing/employment balance, is likely to be achieved, both at the District level, but also, through the STP, within a wider, regional context, with the added advantage of making an inroad into the strong pattern of out-commuting, both to London but also to Brighton and other neighbouring towns.
271. Concerns were expressed over the lack of employment allocation in the Plan in the area between East Grinstead, Felbridge and Crawley Down, despite a significant amount of additional housing directed into this area by the Plan, especially the sites at SA19 (Land South of Crawley Down Road, Felbridge) and SA20 (Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead). However, this area is within easy commuting distance of employment opportunities in neighbouring Crawley, including Gatwick Airport, as well as being located relatively close to the proposed STP, and I therefore do not accept that the lack of employment allocations in and around East Grinstead is unsustainable.

Conclusion – Issue 5

272. From the evidence before me, I conclude that in relation to Issue 5, subject to the above modifications, the Plan's policies to manage and promote the local economy and employment areas and allocations are sound.

Issue 6 – Are the infrastructure and transport provisions of the Plan sound?

Are there any necessary infrastructure needs that are not addressed in the Plan?

273. The Plan is accompanied by an Infrastructure Delivery Plan (IDP)⁶⁴. The IDP has been prepared based on ongoing work with infrastructure providers to identify any necessary infrastructure requirements. SCGs have been signed with Scotia Gas Network, South East Water, Southern Water, Thames Water, UK Power Networks and West Sussex Clinical Commissioning Group. None of these bodies has indicated any concerns that the Plan has not addressed any necessary infrastructure needs, and some have written in support of the Plan. Overall, I am satisfied from the evidence before me that the Plan has addressed the necessary infrastructure needs in a satisfactory way.
274. Some concerns are expressed over the adequacy of the highways network to accommodate the growth provided for in the Plan,

⁶⁴ Site Allocations DPD: Infrastructure Delivery Plan (IDP); December 2020.

especially around East Grinstead and Burgess Hill. However, this is not the view of National Highways or the WSCC, the local highways authority, and I deal with highways issues in more detail below.

Are there any water supply, flood risk, or sewerage issues that could be described as significant constraints, and if so, can they realistically be overcome within the plan period?

275. Most of the area is identified as having a deficit in water supply, in common with much of the South East of England and East Anglia. The Council has indicated that it intends to work on policies to increase water efficiency, in line with comments from Thames Water and the Environment Agency (EA), at the District Plan review stage. There is no objection to this course of action from the relevant statutory undertakers, and I see no reason to take a different view. Clearly, this is an issue which all local planning authorities within the region will need to grapple with in the not-too-distant future in the light of climate change and increased demands from population and economic growth on the finite level of water supply.
276. The SA identifies approximately 2.7% of the total land area of the District is at a high risk of flooding, and approximately a further 0.48% which is affected by drainage problems, groundwater flooding and overland flows. Most of the allocations for development in the Plan are recorded by the SA as having zero or neutral impact in relation to flooding, with the exceptions of policy SA9 (Science and Technology Park), policy SA19 (Land South of Crawley Down Road, Felbridge) and policy SA24 (Land to the North of Shepherds Walk, Hassocks). However, all three of these policies are supported by the EA, in its Regulation 19 representation, with regard to the policy wording setting out the required flood risk and drainage mitigation. The EA also singles out policy SA2 (Burnside Centre, Victoria Road, Burgess Hill) and policy SA20 (Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead) as being acceptable in terms of flood risk and drainage mitigation.
277. I also note that although the Goddards Green Wastewater Treatment Works is identified as having constraints in relation to capacity and odour, the appropriate mitigation work is nearing completion and will be able to satisfactorily accommodate the Northern Arc proposed developments. In view of the above considerations, I am satisfied that any water supply, flood risk or sewerage issues can realistically be overcome within the plan period.

Are there any issues arising from the development allocations on the strategic highways network or on any locations with potential highways/pedestrian safety issues, and if so, can they be satisfactorily overcome?

278. The impact of the proposed development allocations on the strategic highways network, especially in the Burgess Hill area and along the A22/A264 corridor to the west of East Grinstead, was debated in detail and with passion at several hearing sessions. There is clearly a feeling among many residents and some of their representatives that, in traffic terms, "enough is enough" and that the District is reaching a tipping point in some traffic 'hot spots', where quality of life is, or is about to be, they consider, affected for the worse.
279. Two principal traffic related concerns are set out in the representations. The first relates to whether the traffic modelling, which the Plan uses in assessing traffic impact on the highways network, is fit for purpose. A second major concern is whether the impact of the proposed development allocations in the Plan would be acceptable in terms of national policy – i.e. whether any such development would cause an unacceptable impact on highway safety, or whether the residual cumulative impacts on the road network would be assessed as 'severe'; bearing in mind that paragraph 111 of *the Framework* states that development causing 'severe' impact should be prevented or refused on highways grounds. Even though this paragraph appears in my judgment to be primarily aimed at development management, i.e. responding to planning applications rather than specifically at local plan examinations, I still regard it as a relevant consideration in assessing the soundness of local plan policies.
280. It was explained by the Council and several other parties that the traffic modelling study commissioned by the Council – known as the Systra model – was used to build up the Mid Sussex Transportation Study (MSTS), which formed the basis for assessing the impact of the development proposals in the Plan (and also upon significant routes in the Ashdown Forest). Evidence submitted to the examination⁶⁵ showed that the model was produced in accordance with standard good practice as set out in the Department for Transport (DfT) WebTag guidelines. It has also been validated by National Highways and WSCC as being robust and fit for purpose.
281. Several parties also stated that the District-wide Saturn modelling undertaken by Systra, which considers the impact of development allocations on the District as a whole, is an entirely standard and appropriate way of evaluating transport impacts at the local plan stage, a view I support. As these parties point out, the need for

⁶⁵ Including the Local Model Validation Report (LMVR) [Examination Document T1].

additional local detail can be addressed at the planning application stage through the Transport Assessment (TA) process, which I also consider to be the appropriate stage in the planning process to assess specific schemes in greater detail.

282. Whilst the term 'severe' is a subjective term, the Systra based MSTs sets out a definition which helps to clarify the difference between 'severe' and 'significant' transport impacts⁶⁶, which is an important distinction in relation to national policy (as explained above). In order to determine the cumulative impacts on the highways network, the Study defines a starting point of 2017, with the end date coinciding with the end of the plan period (2031). It was also carried out in parallel with work on environmental impact and air quality. Several development scenarios were tested, encompassing the 22 housing and the 8 employment sites allocated in the Plan, including the STP⁶⁷.
283. A major area of disagreement between the Council, supported by the local highway authority (WSCC) on one side and several residents and some of their elected representatives and action groups, including Infrastructure First on the other side, is whether the MSTs (and the Plan) has taken into account cumulative traffic impact, as opposed to just the impact of the individual schemes included in the Plan. In addition to the Council's written response to the MIQs, an additional paper was written on cumulative impact⁶⁸. This paper, which has been directly informed by WSCC as the local highway authority, models the Reference Case (the situation at the end of the plan period), from which additional impacts associated with the allocations in the Plan can be identified and supporting infrastructure assessed.
284. The Study identifies 9 highway junctions in the District which it explains would experience 'severe' impacts without mitigation, 5 of which are located in and around Burgess Hill, with two more to the south of Burgess Hill (Hassocks and Pyecombe), and one just to the north of the town, at Ansty, leaving just one additional 'severe' junction at Crawley Down. The Study also identifies a further 8 significantly impacted junctions, again mainly focused on Burgess Hill.
285. No other parties set out a definition of 'severe' transport impact in such comprehensive detail as in the MSTs. The examination presented the opportunity for further scrutiny of this definition, and whilst concern was expressed over congestion levels and what is meant by cumulative congestion, the formula itself in the MSTs was not challenged per se. Having listened carefully to the debate at the

⁶⁶ Mid Sussex Transportation Study: Modelling Report; 3 March 2020, page 31, para 3.4.3 [Examination Document T7].

⁶⁷ Set out in greater detail in the Mid Sussex Transportation Study: Modelling Report; 3 March 2020 [Examination Document T7].

⁶⁸ MSDC21: Response to Infrastructure First – Interpretation of Cumulative Impacts in respect of MM2; 10 February 2022.

hearings and read the evidence, I have no reasons to come to a different definition.

286. The Study sets out a wide ranging series of proposed sustainable mitigation schemes, all of which aim to reduce car trips within a range of 1-3%, following the implementation of the housing and employment allocations, including the STP. The Study also proposes highway mitigations to directly address the 'severe' impacts that cannot be fully removed by sustainable measures alone. The scenario of sites experiencing 'severe' impacts after mitigation is reduced from 9 to one following implementation of the Plan.
287. The one remaining site which is deemed 'severe' following the implementation of the allocations in the Plan is the B2028 Tanners Way/Wallage Lane junction, Crawley Down, where the 'severe' impact is considered to be relatively marginal due to the PM peak volume over capacity increasing from 83% to 98%. The Study explains that it is not considered appropriate to undertake junction improvements which could result in facilitating additional through traffic on Wallage Lane, rather than using more appropriate east-west routes including the A264. This appears to be the most sustainable approach, and I do not consider that the application of the Study in relation to the Tanners Way/Wallage Lane junction undermines the soundness of the Plan.
288. I am satisfied, from studying the written evidence and from the discussion at the examination hearings, that the MSTS and the Systra modelling it is based on, is fit for purpose and is based at the appropriate level for assessing the traffic impact of the site allocations in the Plan.
289. Most of the traffic related concerns expressed in representations relate to two areas – in and around Burgess Hill; and along the A22/A264 corridor to the west of East Grinstead.
290. In the Burgess Hill area, the principal concerns relate to the impact of allocation SA9 for the STP to the west of the town, and allocations SA12 (Land South of 96 Folders Lane, Burgess Hill) for 40 dwellings and SA13 (Land East of Keymer Road and South of Folders Lane, Burgess Hill) for 300 dwellings, both situated close to each other on the south-eastern fringe of the town.
291. The MSTS identifies three of the 9 severely impacted junctions in the District to the west of Burgess Hill; these are:
- (i) the A23/A2300 junction, southbound on-slip;
 - (ii) the A23/A2300 junction, eastern roundabout; and

(iii) the A2300/ Northern Arc Spine Road junction.

292. The principal cause of the severe traffic impact on these three junctions is, unsurprisingly, the STP. The Council and the promoters of the STP, as set out in a signed SCG⁶⁹, have agreed a phased package of physical measures designed to mitigate the residual traffic impact by improving the capacity at the above-mentioned key junctions. The MSTS demonstrates that the result of these measures is to reduce the level of impact from 'severe' to 'significant' at junctions (i) and (iii) and to 'OK' at junction (ii).
293. These design solutions are not the subject of any objections and I see no reason not to accept the contention by the promoters and the Council that they can satisfactorily mitigate any impact on the Strategic Highway Network. The above-mentioned SCG also includes capacity improvement schemes at the A272/mini-roundabout, Ansty (deemed to be severely impacted in the MSTS prior to mitigation) and at the A2300 Cuckfield Road roundabout.
294. The Council, together with the local highways authority and the scheme promoters, have also worked on an ambitious plan to achieve significant modal shift towards increased sustainable transport, and I deal with this in more detail in Issue 5 above.
295. Concerns were expressed over the traffic impact that allocations SA12 and SA13 would have on the highway network in south-eastern Burgess Hill. Burgess Hill Town Council, whilst accepting the validity of the Systra model, nevertheless considered the interpretation of the outputs from the MSTS to be flawed, both in relation to pedestrian safety, as well as vehicular congestion and levels of severity. I note that firstly, a stage 1 Road Safety Audit regarding the proposed access to site SA13, for 300 dwellings, did not highlight any material concerns. Furthermore, the proposed pedestrian, cycle and emergency access points offer good connectivity to off-site infrastructure, and the development proposals would enable off-site enhancements to the pedestrian environment and bus stop provision between the site and the town centre.
296. The MSTS shows that the Junction Road/B2113 junction, just to the north of sites SA12 and SA13, would be severely impacted by the proposed development without mitigation. However, with the proposed improvements, this junction moves down to 'significant', although two other junctions in Burgess Hill, including the Folders Lane/Keymer Road junction, which is located in very close proximity

⁶⁹ Statement of Common Ground (SCG) between Connect Consultants, Vail Williams, Mid Sussex District Council, West Sussex County Council and Highways England in relation to Project Newton Science and Technology Park; 21 May 2021 Update [Examination Document SA9.17].

to allocation SA13, have changed from 'no impact' in the without mitigation scenario to 'significant'. The reason for this, as explained in the MSTs, is that the mitigation strategy draws traffic back to the A23/A2300 and the main arterial routes through Burgess Hill, away from residential streets, which is the desired overall outcome, benefitting the town as a whole.

297. I also note that WSCC, in agreeing with the MSTs findings, states that whilst the queue length and waiting times for traffic will increase in the vicinity of sites SA12 and SA13, the level of such increases is not considered to be 'severe' and is appropriate in highway terms. Whilst I agree that the traffic impact would appear to be greater than the level of congestion experienced in the south-east of the town now, I agree with the findings of the MSTs that none of the junctions closest to sites SA12 and SA13 – and indeed none of the junctions throughout Burgess Hill – would reach the level of 'severe' as defined in the Study.
298. These findings of the MSTs have to be considered in the light of two additional factors; firstly, the improvements are likely to impact positively on modal shift, resulting in increasing numbers using buses, cycling and walking as a direct result of the measures proposed, and paid for, in part by Section 106 agreements with the committed developers, as set out in the above-mentioned SCG.
299. Secondly, a point was made in representations and verbally at the hearings, that, whilst traffic impact is a key consideration, it has to be balanced against or alongside other aspects of sustainability, which I have already considered earlier in my report in relation to policies SA12 and SA13. Related to this, it was also stated that there will typically be a greater traffic impact in a more sustainable location, such as Burgess Hill, given that there will generally be greater traffic movements as a result of proximity to a larger number of facilities and services in more sustainable locations than elsewhere⁷⁰.
300. Taking account of all the considerations set out in the above paragraphs, I firstly agree with the Burgess Hill Town Council and others that traffic levels are already an issue for the town. Secondly, I consider that Burgess Hill and its environs will experience an overall improvement in traffic impact (i.e. slightly lower levels of traffic in total and the elimination of the four existing 'severe' impacts on junctions in and around the town), following the implementation of the Plan.
301. However, these improvements will only be achieved if the sustainable transport measures and highway improvements which are set out in the MSTs, are delivered as proposed, both in relation to the STP

⁷⁰ Evidence given on day 3 of the hearings, 3 June 2021.

(policy SA9) and the proposed housing allocations in the south-east periphery of the town (policies SA12 and SA13). These measures and improvements are covered within policies SA9, SA12 and SA13, and therefore constitute an important consideration in favour of the soundness of these policies.

302. Turning to the A22/A264 corridor to the west of East Grinstead, although the MSTS acknowledges that the signalised Felbridge A22/A264 junction is a 'hotspot' where delays are regularly experienced, the junction is not identified as having 'severe' impacts, either currently or within the scenario of implementing the housing allocations of SA19 (Land South of Crawley Down Road, Felbridge) for 200 dwellings, and SA20 (Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead) for 550 dwellings. However, the Study states that a 'severe' impact is only avoided by rerouting onto less suitable routes, and to avoid this and significantly reduce congestion at the junction, significant mitigation of the A22/A264 junction would be required.
303. The MSTS is broadly supported by the TAs for policy SA19⁷¹, which forecast that the Felbridge junction would operate at capacity, with minimal impacts arising from the proposed development, which is consistent with the MSTS Systra assessment.
304. The Transport Appraisal for SA20⁷² summarises the findings of the transport studies undertaken to support the allocation of 550 dwellings at Imberhorne Farm. It notes that a TA will be produced at the planning application stage but also notes that the existing transportation work shows that the Felbridge junction is forecast to operate at overcapacity in the MSTS 2031 scenario and that as a result of the queuing at the junction, there is some level of traffic re-routing to avoid using this junction, and that the alternative routes within the network (B2010 and B2028) are viable, and as such the impact of the development proposed in the Plan is not considered to be 'severe'.
305. Overall, I consider that the MSTS is supported by other traffic studies, including those mentioned above and a microsimulation assessment by the SA20 consultants. These studies show that the strategic improvement schemes proposed, and which are covered in policy SA35 (Safeguarding of Land for and Delivery of Strategic Highway Improvements), together with sustainable transport interventions which are outlined in policies SA19 and SA20, would not only mitigate

⁷¹ Transport Assessment: Site 196, Land South of Crawley Down Road, Felbridge, for Barratt David Wilson Homes; Motion Consultants; July 2020 [Examination Document SA19.6].

⁷² Imberhorne Farm, East Grinstead Transport Appraisal, by Pell Frischmann for Welbeck Strategic Land; 17 July 2020 [Examination Document SA20.4].

the impact of these allocations, but would provide a strategic betterment in terms of journey times and overall operation of the highway network, including Felbridge junction.

306. Reference was made to another study, known as the draft WSP Study, which included investigation and design work to ascertain potential options to address capacity issues at the A22/A264 Felbridge Junction and the A22 corridor through East Grinstead. The SCG⁷³ signed by MSDC and Tandridge DC, stated that there was agreement that the study is emerging evidence and not yet completed and therefore is not publicly available.
307. I also note that all the parties who have commissioned the study (MSDC, Tandridge DC, WSCC and Surrey CC) have agreed that further work is necessary to understand traffic flow through all the junctions on the A22 corridor, including Felbridge Junction, and that no conclusions can be drawn from the draft WSP report at this stage. The report is still draft, it was commissioned for another plan (Tandridge Local Plan) and it will be superseded. I can therefore understand why it has not been used as part of the evidence base for this Plan, and it forms no part of the evidence base of my report.
308. In concluding on the impact of the Plan on the highways network, I acknowledge that in several areas within the District, many of the roads are busy and experience congestion, even significant congestion, at several key junctions. However, the MSTs, which has been assessed as fit for purpose by both National Highways and WSCC, has demonstrated that with one exception, none of the impacts arising from the Plan are likely to be 'severe', and therefore contrary to national policy, and that policies are in place to require appropriate enhancements to sustainable transport provision.
309. Highways matters were debated fully in several sessions during the hearing sittings. On the basis of all that I have read and heard, I consider that there is a reasonable likelihood that all the allocations can be delivered in line with the expectations in the Plan. If, however, any of the allocations stall and are considered to be uneconomic for highway reasons, it will be incumbent on the Council to review its housing land supply and assess the deliverability of alternative sites. I also consider it will be at the planning application stage for more detailed TAs to be submitted to address specific problems of congestion and/or safety.

⁷³ SCG regarding the Mid Sussex DC Site Allocations DPD, signed by MSDC and Tandridge DC; 8 July 2020 [Examination Document DC13].

Is policy SA35, which addresses the safeguarding of land for and delivery of strategic highway improvements, justified, detailed and effective to enable the delivery of the following schemes: (i) A22 Corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Junctions; (ii) A264 Corridor upgrades at Copthorne Hotel Junction; and (iii) A23 junction upgrades at Hickstead?

310. The policy safeguards land for the delivery of the three above-mentioned key highways schemes in the District. In relation to schemes (i) and (ii), these junctions have been identified as having pre-existing capacity/safety issues; policy SA35 intends to safeguard the relevant land to enable delivery in due course, with a commitment to more detailed design and feasibility work to be carried out in consultation with WSCC and other relevant parties and will be subject to further consultation. In relation to scheme (iii), the A23 junction upgrades at Hickstead, safeguarding is required to support the mitigation associated with policy SA9 for the STP.
311. Policy SA35 also acknowledges that the planning and funding of highway and transport infrastructure can take time to prepare. The policy also ensures that the implementation of the Plan is not compromised by inappropriate development occurring in the interim which could prevent future highway schemes being delivered at some point during the plan period. Work to refine highway infrastructure proposals will only be considered once all the relevant sustainable travel interventions have been fully explored and taken into account. I note that in relation to policy SA9, three options for the proposed mitigation of the A23 are currently being explored, and that the overall mitigation package can be provided wholly within the highway boundary, with no obvious barriers to delivery.
312. In relation to policies SA12 and SA13, the Folders Lane area in Burgess Hill is identified as suffering from congestion. The strategic TA undertaken by the site promoters, which has been validated by WSCC, does not identify any 'severe' traffic impacts associated with the proposed allocations. I agree with the Council that, based on the evidence submitted to the examination, and which is summarised earlier in my report, there is no evidence to suggest any 'severe' impacts arise from policies SA12 and SA13 and no highway capacity mitigation has been identified as required and therefore no land required for safeguarding.
313. **MM13** ensures that the policy which safeguards strategic highway improvement land also meets the requirements for biodiversity net gain, in accordance with national policy, as expressed in paragraph 174 (d) of *the Framework*.
314. On the basis of the above considerations, I am satisfied that policy SA35 is justified, detailed and effective to enable the three above-

mentioned schemes (i) to (iii) to be delivered within the plan period, and that there is no need to amend the policy to include additional reference to any specific works associated with either policy SA12 or SA13.

Is policy SA37 for the Burgess Hill/Haywards Heath Multifunctional Network justified and effective, both in principle and in relation to the preference of routes proposed for pedestrian and cycle routes? Although the policy is indicative, in view of the concerns expressed in some representations and the need for a measure of certainty, should the policy be linked to a realistic time frame for selection of preferred route(s) and final implementation of a preferred route(s)? What are the biodiversity aspects of pursuing the various options?

315. It is clear from the evidence that the policy would potentially deliver multiple benefits, including enhancing road safety, providing sustainable commuting alternatives between the two largest settlements within the District, reducing the use of the private car, tackling traffic congestion and supporting healthy lifestyles. However, no route is yet confirmed or fully designed. It is accepted that the scheme is at an early point in its gestation, and I consider that policy SA37 is necessary to safeguard the options from development that may prejudice the implementation of a finally agreed scheme. There is clear support for the project from both Burgess Hill and Haywards Heath Town Councils, although I note concerns about the choices of routes from some third parties.
316. In terms of scheme progress and choices of routes, I note that each potential route has undergone a feasibility study, with the proposed Western Route preferred, which would link Wivelsfield Station, Leylands Road, Maple Drive and the Northern Arc strategic housing development to Isaac's Lane via Freeks Lane, partly along an existing, upgraded public footpath.
317. A secondary, Eastern Route, linking Wivelsfield Station, the Northern Arc development and Fox Hill, was withdrawn following public consultation. From discussion at the hearing sessions, although there is clearly not agreement on choices of routes and I note that a Central Route appears to have not been progressed, I am satisfied that the Council has sought to engage with the public openly over what appear to be difficult route choices and have listened to comments from Sussex Wildlife Trust, which have led to the modification to the policy, which I address below.
318. **MM14** modifies policy SA37, to ensure that the detailed design work of the Multifunctional Network has a clear consideration of matters such as biodiversity and landscape in order to avoid harmful impacts on those features. This ensures the policy is in accordance with

national policy on habitats and biodiversity, as expressed in paragraph 174 (d) of *the Framework*.

Does the Plan adequately address the need to protect playing fields and/or other community facilities?

319. District Plan policy DP24 protects against the loss of playing fields in Mid Sussex, whilst policy DP25 protects against the loss of community facilities. Policy SA16, for the redevelopment of St Wilfrid's Primary School for a mixed use scheme including housing and community facilities, involves the loss of the existing playing fields, but the policy refers to the establishment of a strong sense of place, focused around a high quality area of open space. The policy also requires either reprovision of the school playing fields or the justification of their loss to the Council and Sport England.
320. Policy SA20 (Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead) requires a land swap agreement between WSCC and the developer/promoter, to secure 6 ha (gross) land for new playing fields in association with Imberhorne Secondary School, which it is considered will yield positive improvements and protect against any loss.
321. Policy SA25 (Land West of Selsfield Road, Ardingly) is subject to a main modification **MM1**, which reduces the number of new homes from 70 in the submitted version to 35 dwellings, with the inclusion of strategic landscaping at its western end. Although the site is used for informal recreation, it is not a designated playing field; moreover, it is located adjacent to the village recreation ground, whilst the policy states that requirements for suitably managed open space and equipped children's play space will be addressed, for implementation either on-site or by financial contribution to upgrade existing adjacent facilities.
322. On the basis of the above examples, I consider that the Plan adequately addresses the need to protect playing fields and/or other community facilities, in accordance with national policy.

Issue 6 - Conclusion

323. From the evidence before me, I conclude that in relation to Issue 6, subject to the above modification, the infrastructure and transport provisions of the Plan are sound.

Issue 7 – Development management, uncertainties and risks

Development management: Does the Plan provide sufficient guidance to cover all the relevant aspects of development management which are required to achieve the satisfactory implementation of the Plan?

324. Concerns were expressed that the submitted Plan did not provide elderly persons' housing guidance for development management, but this subject has been addressed in Issue 2 above. The point was made in one representation that the Plan should avoid unnecessary duplication of policies, and no evidence was put to the examination that additional development management policies are needed to supplement those in the District Plan.

Uncertainties and Risks: Overall, does the Plan take sufficient account of uncertainties and risks? How flexible is it?

325. The District Plan and this Plan collectively make provision for a mix of housing sizes and types and has an oversupply of 907 dwellings (about 5.95% of the District's minimum housing requirement, i.e. significantly greater than the 2.9% buffer in the submitted Plan) and an additional 2.54 ha of employment land (in addition to the STP which is intended to meet economic need at a sub-regional level). I agree with the Council that this amount of over-supply provides an acceptable level of flexibility to ensure that the District's housing and employment land requirements are met in full with an element of choice, and this can enable the Council to address unexpected issues relating to deliverability within the plan period.

326. I note from the evidence and discussion at the hearing sessions that the Council has worked closely with site promoters and developers to ensure that barriers to timely delivery of sites have been satisfactorily addressed. I also note from the hearing sessions that there is recent evidence showing that the Mid Sussex housing market is very robust. There is therefore little likelihood that the Plan will under-deliver on its housing targets within the plan period.

Are the Plan's monitoring arrangements soundly based? Should biodiversity net gain be monitored?

327. For each policy, the monitoring schedule identifies the indicators, target(s), implementation and monitoring source. It is also worthy of comment that the only representations in relation to monitoring at either Regulation 18 or 19 stage related to biodiversity net gain. NE and Sussex Wildlife Trust argue that biodiversity net gain should be monitored. I agree with the desirability of this in principle, and it is now included as a requirement in the Environment Act 2021, which

was still a Bill at the time of the hearings. **MM15** sets out the new indicators which will seek to measure biodiversity net gain or loss in relation to each allocation in the Plan and policy SA GEN. This brings the Plan in line with national policy, as expressed in paragraph 174 (d) of *the Framework*.

Conclusion – Issue 7

328. From the evidence before me, I conclude that in relation to Issue 7, subject to the above modification, there are no soundness issues in relation to development management, uncertainties or risks, and the Plan is therefore sound in relation to these aspects. I am also satisfied that there are no additional soundness issues which my report needs to cover in relation to the Plan.

Assessment of Legal Compliance

329. My assessment of the legal compliance of the Plan is summarised below:

- (i) The Plan has been prepared in accordance with the Council's Local Development Scheme.
- (ii) Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
- (iii) The Sustainability Appraisal (SA) has been carried out at all stages of the preparation of the Plan and is adequate.
- (iv) The Plan complies with the Habitats Regulations. The Habitats Regulations Assessment (HRA) concludes that the Plan is justified and effective in relation to the Habitats Regulations.
- (v) Although the Plan does not contain a specific policy addressing climate change, it is clearly referenced in the District Plan under several policies and climate change principles are covered across the Plan's policies. The Council has indicated its intention to include a strategic climate change policy within its forthcoming District Plan Review. I am satisfied that this is the appropriate way forward for Mid Sussex.
- (vi) The Plan is in general conformity with the Mid Sussex District Plan.
- (vii) The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Overall Conclusion and Recommendation

330. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

331. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix, the Mid Sussex Site Allocations Development Plan Document satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound and capable of adoption.

Mike Fox

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Appendix - Mid Sussex SA DPD Examination – Main Modifications

The modifications below are expressed either in the form of ~~strikethrough~~ for deletions and **emboldened** for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ins Ref	DPD Section	Proposed Change	Reason for modification
MM1	Policy SA25, page 73	<p><i>Modify policy SA25: Land West of Selsfield Road, Ardingly, for 70 dwellings, as follows:</i></p> <p>Number of Units: 70 35 dwellings.</p> <p><i>Under Urban Design Principles: New first bullet point:</i></p> <ul style="list-style-type: none"> • Locate the development at the eastern end of the open land between the South of England Showground and the Recreation Ground, fronting onto Selsfield Road. The proposed development should include strategic landscaping at its western end. <p><i>Amend Policies Map to reflect this modification.</i></p>	<p>The modification is necessary because no exceptional circumstances have been demonstrated to justify the allocation of a major housing development at Ardingly, which is a small, Category 3 settlement within (washed over by) the High Weald Area of Outstanding Natural Beauty (AONB).</p> <p>The total of 70 dwellings in the submitted Plan is considered to be major development at Ardingly for two main reasons – first, its scale in relation to the size and housing needs of Ardingly, and second, its impact on the character and appearance the AONB. These reasons are relevant in light of national policy as expressed in paragraph 177 and Footnote 60 of <i>the Framework (2019)</i>, and District Plan policy DP16.</p> <p>Its impact on the character and appearance of the Ardingly Conservation Area is also a material consideration.</p> <p>Reducing the size of the allocation to 35 dwellings at the same density as the proposal in the submitted Plan (ie about 20 dph) reduces the required area for development of SA25 to approximately half the area in the submitted allocation, but with an allowance for strategic landscaping.</p>

			Locating the reduced allocation of 35 dwellings to the eastern end of the submitted Plan allocation would reduce the impact on the setting of the Conservation Area on and around Street Lane and on the broader, rural AONB, especially to the west and southwest of Ardingly.
MM2	Policy SA20, page 59	<p><i>Modify policy SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead, for 550 dwellings, as follows:</i></p> <p><i>Under Social and Community:</i> Provision of a minimum of 142 dwellings (Use Class C2) in a dedicated site within the allocation, fronting onto Imberhorne Lane.</p> <p><i>The area for the older persons' dwellings needs to be defined on the Policies Map.</i></p>	The modification is necessary in response to the fact that the submitted policy SA20 fails to indicate any quantitative provision for specialist housing for older people. The inclusion of a specific quantitative requirement for such development is justified and in accordance with national policy as expressed in paragraph 62 of <i>the Framework</i> .
MM3	New policy to address the need for specialist accommodation for older people and care homes	<p><i>Include new criteria based policy to provide for specialist accommodation for Older People and Care Homes within Mid Sussex, as follows:</i></p> <p>There is an identified need for specialist accommodation for older people comprising at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 should be leasehold. The Housing and Economic Needs Assessment Addendum (August 2016) identified forecast demand for care homes (Use Class C2) in 2031 as 2,442 bedspaces. The Council will support proposals that will contribute to meeting these types of specialist accommodation.</p> <p>Proposals for specialist accommodation for older people and care homes will be supported where:</p> <p>a) It is allocated for such use within the District Plan,</p>	<p>The modification takes account of the recent appeal decision in relation to a proposal for an extra care development of up to 84 units of Use Class C2 at Albourne. This appeal decision underlines the importance of providing for older persons' housing, both in paragraph 62 of <i>the Framework</i>, and also in the Planning Practice Guidance, which stresses that the need to provide housing for older people is critical in view of the rising numbers in the overall population.</p> <p>Moreover, the need for specialist housing for older people is set to increase significantly in Mid Sussex during the rest of the plan period, with no signs of slowing down.</p> <p>The statistical context at the start of the policy gives some steer as to how much need there actually is for specialist accommodation for older people and care homes.</p>

		<p>Site Allocations DPD or Neighbourhood Plan; or</p> <p>b) It forms part of a strategic allocation; or</p> <p>c) It is located within the Built-Up Area Boundary as defined on the Policies Map; or</p> <p>d) Where the site is outside the Built-Up Area, it is contiguous with the Built-Up Area Boundary as defined on the Policies Map and the development is demonstrated to be sustainable, including by reference to the settlement hierarchy (policy DP4).</p> <p>In all circumstances, the site must be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. Proposals must demonstrate how reliance on the private car will be reduced and be accompanied by a Travel Plan which sets out how the proposal would seek to limit the need to travel and how it offers a genuine choice of transport modes, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.</p>	<p>The locational and accessibility criteria, which effectively limit new specialist accommodation for older people and care homes within Mid Sussex, is necessary to accord with national policy, as expressed in section 8 of <i>the Framework</i>, which promotes healthy and safe communities as well as with the national sustainability ethos which permeates the entire <i>Framework</i>.</p>
MM4	Policy SA13, page 43	<p><i>Modify policy SA13: Land East of Keymer Road and South of Folders Lane, Burgess Hill, for 300 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> To deliver a sympathetic and well integrated extension to Burgess Hill, informed by a landscape-led masterplan, which respects responds to the setting of the South Downs National Park in its design, creating <p><i>Under Landscape Considerations:</i></p> <ul style="list-style-type: none"> Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site 	<p>The modification is necessary in response to the sensitive environmental context of the proposed housing allocation at SA13, which is located on the southern fringes of Burgess Hill.</p> <p>Within this area, special sensitivity is required to ensure that any potentially harmful impact of the proposed development on the setting of the South Downs National Park (SDNP) to the south is effectively mitigated.</p> <p>This modification brings the policy into line with national policy for</p>

		<p>layout, capacity and mitigation requirements, in order to minimise impacts on the most visible parts of the site on the wider countryside and the setting of and any potential views from the South Downs National park to the south. Any external lighting scheme shall be designed to minimise light spillage to protect the dark night skies.</p> <ul style="list-style-type: none"> • The LVIA will incorporate the findings of the Opportunities and Constraints Plan, paying particular attention to the increasing sensitivity moving through the site towards the south, and acknowledge its position as an edge of settlement development to Burgess hill that reflects the characteristics of its immediate area. • The design will take account of and respond to the findings of the LVIA. 	<p>the National Parks, as expressed in paragraph 176 of <i>the Framework</i>.</p>
MM5	Policy SA7, page 27	<p><i>Modify policy SA7: Cedars (Former Crawley Forest School), Brighton Road, Pease Pottage, for employment use, as follows:</i></p> <p><i>Under Site Specific Requirements, Second bullet point:</i></p> <ul style="list-style-type: none"> • Undertake a Landscape and Visual Impact Appraisal (LVIA) to inform the site layout, capacity and mitigation requirements, including a comprehensive landscape scheme in order to conserve and enhance the landscape and scenic beauty of minimise impact on the AONB. 	<p>The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i>.</p>
MM6	Policy SA8, page 28	<p><i>Modify policy SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage, for employment use, as follows:</i></p> <p><i>Under Site Specific Requirements, Second Bullet Point:</i></p> <ul style="list-style-type: none"> • Undertake a Landscape and Visual Impact Appraisal (LVIA) to inform the site layout, capacity and mitigation 	<p>The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i>.</p>

		requirements, including a comprehensive landscape scheme in order to conserve and enhance the landscape and scenic beauty of minimise impact on the AONB.	
MM7	Policy SA23, page 67	<p><i>Modify policy SA23: Land at Hanlye Lane to the East of Ardingly Road, Cuckfield, for 55 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> To deliver a high quality, landscape led, sustainable extension to Cuckfield, which provides enhanced and accessible open space; respects the character of the village and conserves and enhances the setting of the High Weald AONB; 	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i> .
MM8	Policy SA26, page 76	<p><i>Modify policy SA26: Land South of Hammerwood Road, Ashurst Wood, for 12 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> To deliver a sensitive extension to Ashurst Wood which reflects local distinctiveness and sits well within conserves and enhances the landscape and scenic beauty of the High Weald AONB <p><i>Under AONB:</i></p> <ul style="list-style-type: none"> Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to protect conserve and enhance the landscape and scenic beauty of the High Weald AONB. 	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i> .
MM9	Policy SA27, page 78	<p><i>Modify policy SA27: Land at St Martin Close, Handcross, for 35 dwellings, as follows:</i></p> <p><i>Under Objectives, insert new first bullet point:</i></p> <ul style="list-style-type: none"> To deliver a high quality, landscape led, sustainable extension to Handcross, 	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national policy, as expressed in paragraph 176 of <i>the Framework</i> .

		which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.	
MM10	Policy SA28, page 80	<p><i>Modify policy SA28: Land South of The Old Police House, Birchgrove Road, Horsted Keynes, for 25 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> To deliver a high quality, landscape led, sustainable extension to Horsted Keynes, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities. 	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i> .
MM11	Policy SA29, page 82	<p><i>Modify policy SA29: Land South of St Stephens Church, Hamsland, Horsted Keynes, for 30 dwellings, as follows:</i></p> <p><i>Under Objectives:</i></p> <ul style="list-style-type: none"> To deliver a high quality, landscape-led, sustainable extension to Horsted Keynes, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities. 	The site is located within the High Weald AONB, which has the highest status of protection within the planning system, and the modification brings the policy into line with national AONB policy, as expressed in paragraph 176 of <i>the Framework</i> .
MM12	Policy SA34, page 93	<p><i>Modify policy SA34: Existing Employment Sites</i></p> <p><i>After first paragraph, insert the following text:</i></p> <p>Development proposals outside the traditional</p>	The modification ensures the policy is both justified and effective in line with national policy for a strong, competitive economy, as expressed in paragraphs 81, 82 and 123 of <i>the Framework</i> , recognising that a balance has to be made between

		<p>employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment uses, is not viable, through the provision of:</p> <p>(i) Details of comprehensive marketing of the site for at least 12 months and appropriate to the prevailing marketing conditions; and</p> <p>(ii) A financial appraisal that demonstrates that the development of any employment generating use is unviable.</p> <p>Development proposals outside the traditional employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment uses causes, or would lead to site-specific, environmental problems, such as noise, pollution or disturbance through traffic generation, recognising the environmental benefits to be gained by redeveloping these sites for non-employment generating uses.</p>	<p>ensuring adequate employment land for the longer term and not holding on inordinately to employment land which is no longer marketable as such.</p>
MM13	Policy SA35, page 96	<p><i>Modify policy SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements, as follows:</i></p> <p><i>Amend fifth paragraph as follows:</i> New development in these areas should be carefully designed, having regard to matters such as building layout, noise insulation, landscaping, the historic</p>	<p>The modification ensures policy SA25 is in accordance with national policy on habitats and biodiversity, as expressed in Section 15 of <i>the Framework</i>.</p>

		environment, and means of access and meeting the requirement for biodiversity net gain.	
MM14	Policy SA37, page 103	<p><i>Modify policy SA37: Burgess Hill/Haywards Heath Multifunctional Network, as follows:</i></p> <p><i>Under third paragraph as follows:</i> The area shown on the Policies Map illustrates where policy SA37 will apply; the precise alignment for the scheme will be informed by detailed design work and it should be carefully designed having a clear consideration of matters such as biodiversity and landscape in order to avoid harmful impacts on those features.</p>	The modification ensures policy SA37 is in accordance with national policy on habitats and biodiversity, as expressed in Section 15 of <i>the Framework</i> .
MM15	Appendix B, page 141	<p><i>Modify Appendix B by inserting additional table, as set out below in Appendix 1, after the following text:</i></p> <p>The Council has identified some of the additional information it intends to record if it is available.</p>	The modification ensures the Plan is in accordance with national policy on habitats and biodiversity, as expressed in Section 15 of <i>the Framework</i> .
MM16	Housing Trajectory	<i>Include the Council's updated housing trajectory within the Plan.</i>	Paragraph 74 of <i>the Framework</i> states that all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. This Plan updates this information in the District Plan, and the inclusion of a housing trajectory in this Plan is therefore considered to be an appropriate tool for the effectiveness of the Plan.
MM17	Policy SA16, page 50	<p><i>Modify policy SA16: St Wilfrid's Catholic Primary School, School Close, Burgess Hill, for 200 dwellings, as follows:</i></p> <p><i>Under Urban Design Principles, at the end of the first bullet point, for 200 dwellings, insert:</i></p> <ul style="list-style-type: none"> The anticipated yield of the comprehensive redevelopment scheme includes the 200 dwellings proposed in policy SA16, plus an additional 100 dwellings proposed in the 	The modification provides the realistic estimate of the total number of houses to be provided within the comprehensive redevelopment area. This is in the interests of the positive preparation of this key brownfield site within Burgess Hill.

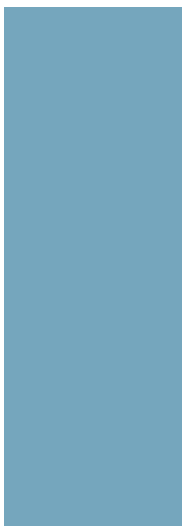
		Neighbourhood Plan for the Brow Quarter.	
MM18	Policy SA31, page 50	<p><i>Modify policy SA31: Land to the rear of Firlands, Church Road, Scaynes Hill, for 20 dwellings, as follows:</i></p> <p><i>Under Highways and Access, additional bullet point:</i></p> <ul style="list-style-type: none"> • Contribute towards provision of a footpath connecting the site to the existing footpath to the south. This could be done either as an extension to the Scaynes Hill Common footpath or exploring options for a formal footway alongside the carriageway. 	<p>The modification is necessary because a dedicated, convenient and safe pedestrian route from the proposed development into the village of Scaynes Hill is required in the interests of pedestrian safety and the positive preparation and effectiveness of the allocation. This accords with the requirements of paragraphs 104 (d) and 108 (b) of <i>the Framework</i>.</p>
MM19	SA14, page 46	<p><i>Modify policy SA14: Land to the South of Selby Close, Hammonds Ridge, Burgess Hill, for 12 flats, as follows:</i></p> <p><i>Under Highways and Access, first bullet point:</i></p> <ul style="list-style-type: none"> • Provide access from Hammonds Ridge. or through CALA Homes development at Edwin Street to the west, the details of which need to be investigated further. 	<p>The modification removes the indecision over which access is appropriate for the development, in the interests of the positive preparation and effectiveness of the allocation. The Hammonds Ridge option removes the need to remove any of the group TPO trees at the western end of the site.</p>
MM20	SA29, page 82	<p><i>Modify policy SA29: Land South of St Stephens Church, Hamsland, Horsted Keynes, for 30 dwellings, as follows:</i></p> <p><i>Under Highways and Access: Delete first bullet point and insert:</i></p> <ul style="list-style-type: none"> • Safe and convenient pedestrian and vehicular access needs to be secured, in accordance with Manual for Streets (MfS) to enable (a) satisfactory access by waste collection vehicles and emergency services vehicles; and (b) safe and convenient pedestrian access, both along Hamsland and into the proposed development. 	<p>The modification ensures that pedestrian safety is taken into account in the proposed development, in accordance with national policy to secure (and by inference maintain) high quality walking networks as expressed in paragraphs 104 (d) and 108 (b) of <i>the Framework</i>. The modification is also in line with the ethos of the July 2021 <i>Framework</i> as expressed in paragraph 128, to note the important contribution trees make to the character and quality of urban environments and to retain exiting trees wherever possible.</p>

		<p><i>Under Biodiversity and Green Infrastructure:</i> Add new bullet point:</p> <ul style="list-style-type: none"> • Ensure adequate protection of the existing trees along the site boundary. 	
MM21	SA22, page 65	<p><i>Modify policy SA22: Land North of Burleigh Lane, Crawley Down, for 50 dwellings, as follows:</i></p> <p><i>Under Highways and Access:</i></p> <ul style="list-style-type: none"> • Provide access from Sycamore Lane or Woodlands Close. Detailed access arrangements will need to be investigated further. 	<p>The modification is necessary to ensure certainty of delivery by requiring specification of the vehicular access to be via Sycamore Lane, so as to ensure delivery of the allocation within the plan period. This is to ensure the effectiveness of the allocation.</p> <p>If access cannot be demonstrated through agreement with the relevant landowner(s), then this allocation should be deleted from the Plan.</p>
MM22	SA20, page 61	<p><i>Modify policy SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead, for 550 dwellings, as follows:</i></p> <p><i>Under Biodiversity and Green Infrastructure:</i> Additional text at end of bullet point 6: The management of the SANG should include regular monitoring of visitor numbers, where visitors travel from to visit the SANG, activities at the SANG, and any suggestions for future management.</p>	<p>It is important to assess the effectiveness of the Plan in relation to the proposal within policy SA20 to designate land for use as SANGS, including its role in protecting sites of national importance, such as the Ashdown Forest SAC and SPA from visitor pressures. This protection is in line with the requirements of national policy, as expressed in paragraph 179 of <i>the Framework</i>.</p>

Mid Sussex District Council



Site Allocations Development Plan Document



June 2022



Adoption version

Council - 29 June 2022



MID SUSSEX
DISTRICT COUNCIL

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Foreword

To follow upon Adoption.

Executive Summary

Introduction

This document is the Main Modifications version of the emerging Site Allocations Development Plan Document (the Sites DPD).

The District Plan, adopted in March 2018, sets out a commitment for the Council to prepare a Sites DPD, which has four main aims, which are:

- i) to allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan;
- ii) to allocate sufficient employment land to meet the residual need and in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development;
- iii) to allocate a site for a Science and Technology Park west of Burgess Hill in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development, and
- iv) to set out additional Strategic Policies necessary to deliver sustainable development.

Site Allocations

District Plan Policy DP1: Sustainable Economic Development sets out a commitment to allocate further employment sites within the Sites DPD. The Sites DPD Policy **SA1: Sustainable Economic Development – Additional Site Allocations** allocates six additional sites for employment use, plus expansion at Bolney Grange Business Park, totalling approximately 17ha.

Sites DPD Policies **SA2 – SA8** contain policies for each employment site allocation. These sites are listed below.

Settlement / Parish	Site Name	Policy Reference
Burgess Hill	Burnside Centre, Victoria Road	SA2
	Site of Former KDG, Victoria Road	SA3
Copthorne	Land north of the A264 at Junction 10 of M23	SA4
Bolney	Land at Bolney Grange Business Park	SA5
	Marylands Nursery, Cowfold Road	SA6
Pease Pottage	Cedars, Brighton Road	SA7
	Pease Pottage Nurseries, Brighton Road	SA8

District Plan Policy DP1: Sustainable Economic Development identifies a broad location for a Science and Technology Park to the west of Burgess Hill. **SA9: Science and Technology Park** allocates a specific site, north of the A2300, for a Science and Technology Park.

The Sites DPD Policy **SA10: Housing** updates and complements District Plan Policy DP 4: Housing and provides context for the residual necessary for the Sites DPD to address.

The Sites DPD Policy **SA11: Additional Housing Allocations** identifies the sites that are allocated to meet the residual housing requirement addressed by the Sites DPD. **SA12 – SA33** contain policies for each housing site allocation. These sites are listed below.

Settlement / Parish	Site Name	Policy Reference
Burgess Hill	Land South of 96 Folders Lane	SA12
	Land South of Folders Lane and East of Keymer Road	SA13
	Land South of Selby Close	SA14
	Land South of Southway	SA15
	St. Wilfrid's School	SA16
	Woodfield House, Isaacs Lane	SA17
East Grinstead	Former East Grinstead Police Station	SA18
	Land South of Crawley Down Rd	SA19
	Land South and West of Imberhorne Upper School	SA20
Haywards Heath	Land at Rogers Farm, Fox Hill	SA21
Crawley Down	Land North of Burleigh Lane	SA22
Cuckfield	Land at Hanlye Lane East of Ardingly Road	SA23
Hassocks	Land North of Shepherds Walk	SA24
Ardingly	Land West of Selsfield Road	SA25
Ashurst Wood	Land South of Hammerwood Road	SA26
Handcross	Land at St. Martin Close (West)	SA27
Horsted Keynes	Land South of The Old Police House	SA28
	Land South of St. Stephens Church	SA29
Sayers Common	Land to the North of Lyndon, Reeds Lane	SA30
Scaynes Hill	Land to the rear of Firlands, Church Road	SA31
Turners Hill	Withypitts Farm, Selsfield Road	SA32
Ansty	Ansty Cross Garage	SA33

Development Policies

In addition to the Sites DPD policies relating to site allocations, the District Plan policies are complemented by five additional strategic policies. These policies help to ensure that the Development Plan supports the delivery of sustainable development when considered as a whole.

The additional policies included within the Sites DPD cover the following areas:

- **SA34: Existing Employment Sites** provides additional policy requirements relating to the protection of existing employment sites, whilst supporting their expansion where appropriate.
- **SA35: Safeguarding of Land for Strategic Highway Improvements** provides an additional policy to safeguard land to support the delivery of transport schemes, identified in relation to the Sites DPD, to ensure that proposed development is sustainable.

- **SA36: Wivelsfield Railway Station** provides a policy which safeguards Land to the west of Wivelsfield Railway Station to support the delivery of a package of improvements at Wivelsfield Railway Station.
- **SA37: Burgess Hill/ Haywards Heath Cycle Network** provides a policy for the Burgess Hill/ Haywards Heath Multifunctional Network which supports the delivery of a programme of sustainable transport infrastructure improvements to support development, particularly strategic development at Burgess Hill.
- **SA38: Air Quality** provides additional policy requirements for when an air quality assessment may be required, for example, in relation to an AQMAs. It also addresses potential air quality impacts for the Ashdown Forest SPA and SAC.
- **SA39: Specialist Accommodation for Older People and Care Homes** provides support for proposals that will contribute to meeting needs for these types of specialist accommodation provided that certain requirements set out in the policy are met.

Implementing the Plan

Implementation and monitoring are an essential component of the plan-making process. A monitoring schedule is included which sets out a range of indicators that assess whether the policies of the DPD are achieving the objectives and intended policy outcomes, whether they are having any unintended consequences and whether they are still relevant or require a review.

1 Introduction

What is the Site Allocations Development Plan Document?

1.1 The Mid Sussex District Plan 2014-2031, adopted on 28 March 2018, provides a policy framework for the delivery of sustainable development across the district. It sets out the housing requirement for the district up to 2031 and will be complemented by the Site Allocations Development Plan Document (the Sites DPD). The main role of these documents is summarised below:

- **District Plan 2014-2031:** The District Plan sets out the Spatial Strategy and Strategic Policies for the district to deliver sustainable development. It identifies the number of new homes and jobs to be provided in the area for the plan period up to 2031. It makes provision for retail, leisure and commercial development and for the infrastructure needed to support them.

The District Plan sets out the Spatial Strategy for the location of development across the district and allocates large-scale development sites. It includes district-wide policies to ensure that development contributes to meeting the Strategic Objectives of the plan, such as policies relating to the natural and historic environment.

- **Site Allocations Development Plan Document:** The Sites DPD allocates additional development sites to meet the residual necessary to meet the agreed housing requirement for the plan period as reflected in the District Plan 2014-2031. The additional allocations are in accordance with the Spatial Strategy and Strategic Policies set out in the District Plan.

The Sites DPD also allocates additional employment sites, a Science and Technology Park to the west of Burgess Hill and sets out additional Strategic Policies for the district, to complement those set out in the District Plan to deliver sustainable development.

- **Policies Map:** This shows the sites identified for development and areas where particular policies apply. It will be updated as each part of the Development Plan is adopted. A draft Policies Map accompanies this submission draft Sites DPD – this indicates any changes to the adopted (District Plan) policies map that would result from the allocations and policies within the Sites DPD. It also includes additions to the built-up area to reflect completed and committed development, as set out in the Policies Map Topic Paper.

1.2 The Council's Local Development Scheme (LDS) sets out the timetable for preparing the Council's Development Plan Documents (DPDs) and is available on the Council's website.¹

The Development Plan

1.3 The District Plan 2014-2031 and Sites DPD will be used to inform decisions on planning applications across the district, in conjunction with any DPDs relating to minerals and waste prepared by West Sussex County Council and any 'made' neighbourhood plans prepared by the community.

1.4 These documents are complemented by the remaining 'saved' policies of the Mid Sussex Local Plan (May 2004) and the Mid Sussex Small Scale Housing Allocations DPD (April 2008).

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¹Available at: <https://www.midsussex.gov.uk/planning-building/consultation-monitoring/#topic-the-local-development-scheme>
Council - 29 June 2022

1.5 Neighbourhood Plans can be prepared by either town or parish councils, or a neighbourhood forum, and where adopted, also make up part of the Development Plan of the district. They can provide an important layer of planning for local areas and set out in more detail how a community wishes to see its area develop.

1.6 Where neighbourhood plans are prepared, they must be in general conformity with the Strategic Policies set out in the District Plan and Site Allocations DPD, i.e. District Plan (DP) Policies and Site Allocations (SA) Policies, and any Strategic Policies set out in future planning documents in accordance with the Neighbourhood Planning (General) Regulations 2012.²

1.7 The Council will continue to support communities who wish to prepare neighbourhood plans. Details of how the Council can help with the preparation of neighbourhood plans are set out on the Council's website.³

1.8 These documents together make up the Development Plan for the district (see Figure 1.1). All planning applications will be determined in accordance with the Development Plan taken as a whole, unless material considerations indicate otherwise.

1.9 The Council has also prepared a number of Supplementary Planning Documents (SPDs). These provide additional detail and guidance to existing policies. SPDs are a material consideration in planning decisions. Adopted SPDs are available to view online at <https://www.midsussex.gov.uk/planning-building/supplementary-planning-documents/>

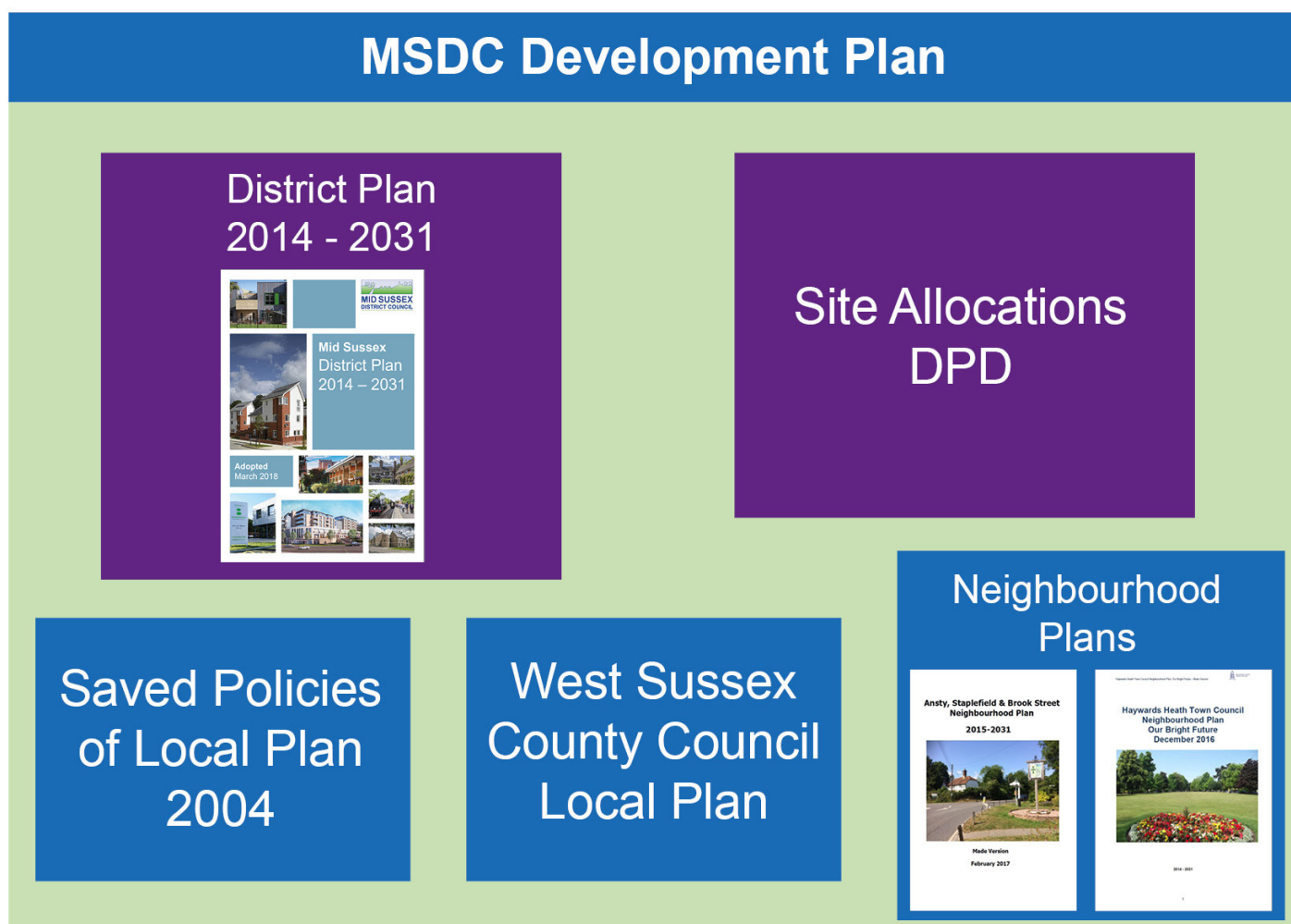


Figure 1.1: MSDC Development Plan

² The Neighbourhood Planning (General) Regulations 2012

³ Available at: <https://www.midsussex.gov.uk/planning-building/neighbourhood-plans/>
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How the Sites DPD has been Prepared

1.10 The Sites DPD has been prepared in compliance with the Planning and Compulsory Purchase Act 2004,⁴ and other relevant regulations.

1.11 Government planning policy and guidance is set out in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG). The NPPF sets out the Government's planning policies for achieving sustainable development and is complemented by the PPG, which provides additional guidance for practitioners.

1.12 In particular, the NPPF states that Development Plan Documents should be prepared in accordance with the legal and procedural requirements. To be found to be 'sound', plans must be:

- a) positively prepared
- b) justified
- c) effective, and
- d) consistent with national policy.⁵

The Council has prepared the Sites DPD in line with these requirements as set out below.

a) Positively prepared

1.13 The NPPF states that plans are sound if they are:

“positively prepared - providing a strategy which, as a minimum, seeks to meet the areas 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”

1.14 The Council has worked, and continues to work, in partnership with its neighbouring authorities under the Duty to Cooperate and has undertaken an ongoing process of Sustainability Appraisal to ensure that the Site Allocations Document delivers sustainable development.

1.15 The Sites DPD identifies additional site allocations to meet the objectively assessed development requirements for the district, plus the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area (HMA) to be addressed within Mid Sussex.

1.16 The Sites DPD is addressing the housing and employment need which has already been established by the District Plan and therefore these matters are not addressed in the Duty-to-Cooperate matters in the context of the Site Allocations document itself. Clearly these matters will be reviewed again in the future through the District Plan review process, which commenced in 2021.

1.17 Other important Duty to Co-operate matters for Mid Sussex include giving consideration to potential impacts on the South Downs National Park, High Weald Area of Outstanding Natural Beauty (AONB) and the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). The National Park Authority, AONB Board and Natural England have all been engaged during the preparation of the plan and details of this are set out within the supporting papers

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⁴ Planning and Compulsory Purchase Act 2004

⁵ National Planning Policy Framework (NPPF). (2019). para. 35.

⁵ National Planning Policy Framework (NPPF). (2019). para. 35.

and Habitats Regulations Assessment Report.⁶ It is considered that the plan does not negatively affect these matters.

1.18 Planning for strategic infrastructure, particularly for highways, is an important consideration, including for the Sites DPD, and the Council continues to work with West Sussex County Council as Highways Authority, Highways England, and other stakeholders. This matter is discussed in more detail in Section 3 of this document.

b) A justified plan:

1.19 The NPPF states that plans are sound if they are:

“justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence”

1.20 The Sites DPD complements the District Plan 2014-2031 and the additional allocations are consistent with the Strategic Policies set out in the District Plan, including the Settlement Hierarchy. The District Plan was based on a comprehensive understanding of the issues facing the district and this baseline has been updated to inform the Sites DPD.

1.21 A series of reasonable alternatives were developed and considered to inform the Sites DPD. The reasonable alternatives have been assessed through the Sustainability Appraisal (SA), which is described further below.

c) An effective plan:

1.22 The NPPF states that plans are sound if they are:

“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”

1.23 To ensure the additional site allocations are realistic, deliverable and viable the Council has worked closely with landowners and developers to confirm that the additional development sites being allocated are deliverable. A Viability Study has been published alongside the Sites DPD.⁷

1.24 The Council has worked closely with a range of organisations and key stakeholders such as West Sussex County Council, who are responsible for providing or managing key services, including education and transport, and the Environment Agency, Natural England and Historic England. A number of Statements of Common Ground have been prepared with a series of key stakeholders and these are published alongside a Topic Paper summarising the Council’s approach to meeting its commitments under the Duty to Cooperate.

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⁶ Mid Sussex District Council (2020) Site Allocation Development Plan Document, Site Selection Paper 3: Housing Sites. Mid Sussex District Council (2020) Duty to Cooperate Statement. Habitats Regulations Assessment of the Mid Sussex Site Allocations Development Plan Document at Draft Plan Stage (2020).

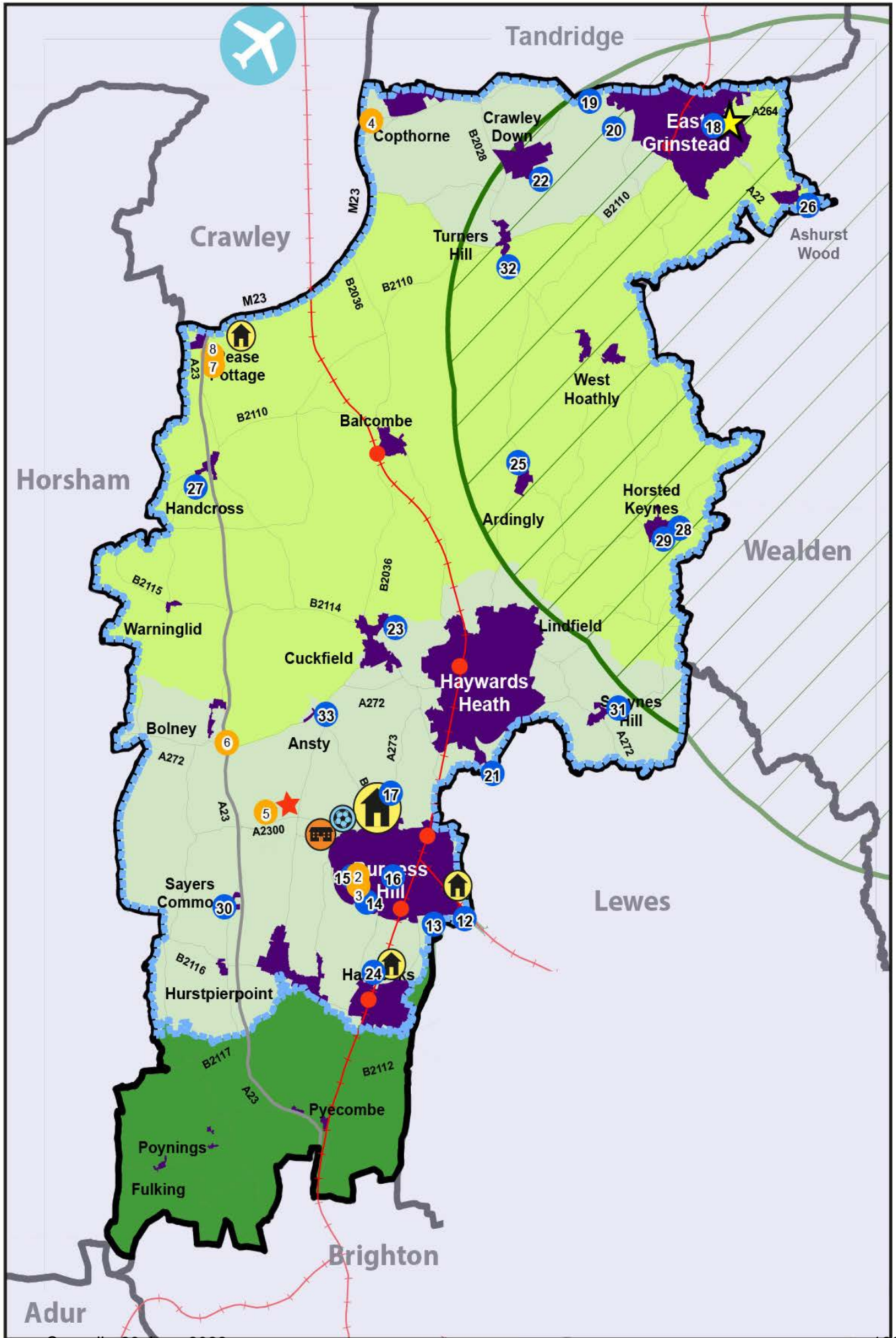
⁷ Mid Sussex District Council (2020) Site Allocations Document – Viability Review.

d) Consistent with National Policy:

1.25 The NPPF states that plans are sound if they are:

“consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework”

1.26 The preparation of the Sites DPD has involved the testing of reasonable alternatives through Sustainability Appraisal (SA) that incorporates a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA). Both reports have been published alongside this document.



Key

Site Allocations DPD Proposed Allocations


Employment Site Allocations

	SA2	Burnside Centre, Victoria Road
	SA3	Site of Former KDG, Victoria Road
	SA4	Land north of the A264 at Junction 10 of M23
	SA5	Land at Bolney Grange Business Park
	SA6	Marylands Nursery, Cowfold Road
	SA7	Cedars, Brighton Road
	SA8	Pease Pottage Nurseries, Brighton Road

Science and Technology Park

	SA9	Land to the north of the A2300
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Housing Site Allocations

	SA12	Land South of 96 Folders Lane
	SA13	Land South of Folders Lane and East of Keymer Road
	SA14	Land South of Selby Close
	SA15	Land South of Southway
	SA16	St. Wilfrid's School
	SA17	Woodfield House, Isaacs Lane
	SA18	Former East Grinstead Police Station
	SA19	Land South of Crawley Down Road
	SA20	Land South and West of Imberhome Upper School
	SA21	Land at Rogers Farm, Fox Hill
	SA22	Land North of Burleigh Lane
	SA23	Land at Hanlye Lane East of Ardingly Road
	SA24	Land North of Shepherds Walk
	SA25	Land West of Selsfield Road
	SA26	Land South of Hammerwood Road
	SA27	Land at St. Martin Close (West)
	SA28	Land South of The Old Police House
	SA29	Land South of St. Stephens Church
	SA30	Land to the North of Lyndon, Reeds Lane
	SA31	Land to the rear of Firlands, Church Road
	SA32	Withypitts Farm, Selsfield Road
	SA33	Ansty Cross Garage

District Plan Policies

-  Proposed strategic housing allocation (DP8, DP9, DP10 and DP11)
-  Proposed employment (DP9)
-  Centre for Outdoor Sport (DP9)

Constraints

-  Plan Area
-  Railway line
-  District Boundaries
-  Built Up Area Boundaries
-  East Court & Ashplats Wood, East Grinstead Strategic SANG (DP17)
-  Ashdown Forest 7km Zone of Influence (DP17)
-  High Weald Area of Outstanding Natural Beauty (DP16)
-  South Downs National Park
-  Protection and Enhancement of Countryside (DP12)

General Principles for Site Allocations

2.1 Policy SA GEN: General Development Principles for Site Allocations provides an overview of the District Plan requirements that are relevant for all the sites along with requirements set out in Council Supplementary Planning Documents (SPDs), planning guidance or strategy documents that may relate to the development of a site and which should be addressed in detail at the planning application stage. These General Principles apply to all site allocations and are supplemented by site-specific requirements set out for each policy SA2-SA9 (employment) and SA12-SA33 (housing).

2.2 The Sites DPD is accompanied by an Infrastructure Delivery Plan (IDP). The provision of infrastructure is essential to support new homes, economic growth and the creation of sustainable communities. The IDP identifies the future infrastructure requirements as a result of anticipated future growth proposed within the Sites DPD. It sets out the likely infrastructure requirements and estimated contributions for each proposed site allocation based on engagement with infrastructure providers and key stakeholders (for example, West Sussex County Council, the Clinical Commissioning Group and utility providers).

SA GEN: General Principles for Site Allocations

Key Objectives

- Contribute towards necessary infrastructure provision, including transport, education, health, community and leisure facilities as required by District Plan Policy **DP20: Securing Infrastructure**, the **Mid Sussex Infrastructure Delivery Plan (IDP)** and the **Mid Sussex Development Infrastructure and Contributions Supplementary Planning Document (SPD)**.
- Provide 30% affordable housing and a suitable mix of housing in line with District Plan Policies **DP30: Housing Mix** and **DP31: Affordable Housing** and the **Mid Sussex Affordable Housing SPD**.

Urban design principles

- Design new development in accordance with District Plan Policy **DP26: Character and Design** and with the design principles set out in the **Mid Sussex Design Guide SPD**.
- Sites within the High Weald AONB are to have regard to the **High Weald Housing Design Guide**.
- Provide a high degree of integration and connectivity between new and existing communities.
- Design new development at a density that is appropriate for the location.
- Make a positive contribution towards local character and distinctiveness.
- Create safe communities through appropriate design and layout that reduces the likelihood of crime and anti-social behaviour.

Landscape considerations

- Undertake Landscape and Visual Impact Assessment or Appraisal (LVIA) on any rural and edge of settlement sites. In the AONB the LVIA will utilise the AONB Management Plan components as landscape receptors. The LVIA will need to inform the site design, layout, capacity and any mitigation requirements.
- Development in the High Weald AONB or within its setting will need to conserve and enhance the natural beauty of the High Weald, as set out in the **High Weald Management Plan 2019-2024** and District Plan Policy **DP16: High Weald Area of Outstanding Natural Beauty**.
- Development within the setting of the South Downs National Park will need to be consistent with National Park purposes and special qualities, as set out in the **South Downs Local**

Plan and South Downs Partnership Management Plan and with District Plan Policy DP 18: Setting of the South Downs National Park.

- Provide a Landscape Strategy to identify how natural features on site have been retained and incorporated into the landscape structure and design of the site and informed the landscaping proposals for the site.
- Where development is required to adopt a landscape led approach, including all developments within the AONB or its setting; this includes respecting the local character of the area in built form by utilising appropriate architectural design, site layout and density which complements and contributes to the overall character and appearance of the area.
- Arboricultural Impact Assessment and Arboricultural Method Statements will be required for all sites where development will be within 5 metres of any trees.

Social and community

- Contribute towards education capacity (early years, special education needs, primary, secondary and sixth form) in accordance with District Plan Policy **DP20: Securing Infrastructure**, the **Mid Sussex Site Allocations IDP** and the requirements set out in the **Mid Sussex Development Infrastructure and Contributions SPD**.
- Contribute towards public open space, recreational and community facilities in accordance with District Plan policy **DP24: Leisure and Cultural facilities**, **DP25: Community Facilities and Local Services**, the **Mid Sussex Site Allocations IDP**, the **Draft Mid Sussex Play and Amenity Greenspace Strategy**, **Draft Playing Pitch Strategy**, **Draft Community Buildings Strategy** and the requirements set out in the **Mid Sussex Development Infrastructure and Contributions SPD**.
- Contribute towards health care provision, where appropriate, in accordance with District Plan Policy **DP20: Securing Infrastructure** and the requirements set out in the **Mid Sussex Development Infrastructure and Contributions SPD**.

Historic environment and cultural heritage

- Undertake pre-determination evaluation of potential archaeological features on the site prior to any planning application being submitted, unless it can be demonstrated that such an evaluation is not appropriate for this site. Appropriate mitigation may be required depending on the outcome of that evaluation.
- Respect listed buildings, conservation areas, scheduled monuments, the historic landscape, registered parks and gardens and their settings and look for opportunities to enhance or better reveal their significance. All heritage assets, including those that are undesignated, will need to be conserved and enhanced.
- Provide Heritage Impact Assessments, where appropriate, to establish the significance of heritage assets and their settings, the impact of development on this significance and, if appropriate, mitigation strategies in accordance with District Plan policies **DP34: Listed Buildings and other Heritage assets**, **DP35: Conservation Areas** and **DP36: Historic Parks and Gardens**.

Air Quality, Light, Noise and Amenity

- Investigate any potential adverse air, light and noise pollution impacts from the development itself and from neighbouring uses, ensuring that these are avoided, or appropriately mitigated, in accordance with District Plan Policy **DP29: Noise, Air and Light Pollution** and **SA38 relating to Air Quality** as set out in this **Site Allocations DPD**.

Biodiversity and Green Infrastructure

- Carry out and submit habitat and species surveys at the earliest opportunity in order to inform Council - 29 June 2022

- the design and conserve important ecological assets from negative direct and indirect effects.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity, using the most up-to-date version of the Biodiversity Metric. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort compensate for any loss. Achieve a net gain in biodiversity (measured in accordance with Government guidance and legislation), for example, by incorporating new natural habitats, appropriate to the context of the site, into development and designing buildings with integral bat boxes and bird nesting opportunities, green/brown roofs and green walling, in appropriate circumstances in accordance with District Plan Policy **DP38: Biodiversity**.
- Protect and enhance Green Infrastructure (GI) and corridors by ensuring built development avoids and integrates existing GI into the layout of the scheme, reinforcing and providing new connections to existing corridors to develop a connected network of multi-functional greenspace, including incorporating opportunities to contribute to strategic GI.
- Improve access to, and understanding of natural greenspace and nature conservation features, including recognising the importance and role of green infrastructure to the ecosystem, biodiversity, public rights of way, health and well-being, the water environment, community facilities and climate change. Green Infrastructure is to be incorporated with SuDS, where possible, to improve biodiversity and water quality.

Access and highways

- Ensure development contributes towards delivering sustainable development and appropriate infrastructure in accordance with District Plan Policy **DP21: Transport** and the objectives of the **West Sussex Transport Plan 2011 – 2026**.
- Provide a Transport Assessment and Sustainable Transport Strategy to identify appropriate mitigation and demonstrate how development will be accompanied by the necessary sustainable infrastructure to support it.
- Highway infrastructure mitigation is only considered once all relevant sustainable travel interventions (for the relevant local network) have been fully explored and have been taken into account in terms of their level of mitigation.
- Identify how the development will provide safe and convenient routes for walking and cycling through the development and linking with existing networks beyond. Create a permeable road network within the site with clearly defined route hierarchies.
- Safeguard Public Rights of Way (PRoW) and protect their amenity.
- Provide adequate car parking in accordance with District Plan Policy **DP21: Transport**.

Flood risk and drainage

- Provide a site-specific Flood Risk Assessment (FRA)/surface water drainage strategy in areas at risk from fluvial or surface water flooding to inform the site layout and any appropriate mitigation measures that may be necessary. Areas at risk of flooding should be avoided in the first instance.
- Undertake a sequential approach to site layout by avoid developing areas at risk of flooding including climate change allowance.
- Priority will be given to use of Sustainable Urban Drainage Systems (SuDS) principles and methods where possible to drain the surface water from the development. SuDS features shall be designed and managed to provide, where possible, an ecological and water quality enhancement, providing areas for amenity and recreation, in accordance with District Plan Policy **DP41: Flood Risk and Drainage** and the **West Sussex Lead Local Flood Authority (LLFA) Policy for the Management of Surface Water** and the **Mid Sussex Drainage Advice for Developers**.

Ashdown Forest

- Developments resulting in a net increase in dwellings within the 7km zone of influence around the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) will require mitigation in order to prevent adverse effects on the Forest and shall accord with District Plan Policy **DP17: Ashdown Forest SPA and SAC**.

Utilities

- Liaise with water, gas and electricity providers to ensure that appropriate works are carried out if needed.
- Demonstrate that there is adequate water supply capacity and/or waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users in accordance with District Plan policy **DP42: Water Infrastructure and the Water Environment**.

Sustainability

- Design development to be resilient to climate change, minimise energy and water consumption and mitigate against flood risk in line with **DP39: Sustainable Design and Construction, DP41: Flood Risk and Drainage** and **DP42: Water Infrastructure and the Water Environment**.
- Address sustainability at the conception stage of development proposals to exploit the benefits of passive design and orientation, fabric performance, energy efficiency measures and low carbon solutions; and wherever possible include on-site low or zero carbon technologies in accordance with District Plan policies **DP39: Sustainable Design and Construction** and **DP40: Renewable Energy Schemes**.

Contaminated Land

- Investigate any potential land contamination from present or historical on site or adjacent land uses.

Minerals Safeguarding

- Consult with West Sussex County Council regarding any applications for development in a Minerals Safeguarding Zone or Consultation Area and address the requirements of **Policy M9 West Sussex Joint Minerals Local Plan – 2018**.

2 Site Allocations

Sustainable Economic Development

2.3 District Plan Policy **DP1: Sustainable Economic Development** seeks to support economic growth across the district to promote a place which is attractive to a full range of businesses; which provides opportunities for people to live and work in their community; and to deliver an estimated job growth of an average of 543 jobs per year for the period 2014-2031. DP1 describes how this requirement will be met and this includes encouraging the provision of high quality development of land and premises to meet the needs of 21st century businesses and encouraging inward investment.

2.4 Policy DP1 also allocated 25 hectares of land at Burgess Hill and set out a commitment to allocate further sites within the Sites DPD.

2.5 Employment projections are based on a number of factors and so they are sensitive to change, such as changes in the jobs and employment market and the impact of national policy/legal interventions such as Permitted Development for office to residential conversions.⁸

2.6 Updated employment evidence, commissioned by the Council to take account of updated employment forecast statistics identified a total requirement of around **35 to 40 hectares** is needed up to 2031.⁹

2.7 District Plan Policy DP1 allocated 25ha at Burgess Hill:

- **15ha** on a site named “The Hub”. This allocation is partly complete, with planning applications in place to deliver the remainder.
- **10ha** at the Northern Arc strategic development.

2.8 Since adoption of the District Plan in 2018, the approved masterplan for the Northern Arc concluded that it is only possible to bring forward 4ha of employment land within the site. However, two additional sites (Former Handcross Garden Centre, Handcross – 2.7ha; and Land west of Copthorne - 3.6ha) have received planning permission. This effectively makes up for the shortfall in employment land expected at the Northern Arc.

2.9 This therefore leaves a residual requirement of 10-15 hectares to be allocated within the Site Allocations Document.

2.10 The Sites DPD Policy **SA1: Sustainable Economic Development – Additional Site Allotments** allocates six additional sites for employment use, plus expansion at Bolney Grange Business Park, totalling approximately 17ha. The process for selecting these sites for allocation is set out in Site Selection Paper 4: Employment and Sustainability Appraisal.¹⁰

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⁸ The Town and Country Planning (General Permitted Development) (England) Order 2015

⁹ Mid Sussex District Council. (2020). Site Allocations Development Plan Document, Site Selection Paper 4: Employment Sites.

¹⁰ Mid Sussex District Council. (2020). Site Allocations Development Plan Document, Site Selection Paper 4: Employment Sites.

Mid Sussex District Council. (2020). Site Allocations DPD, Sustainability Appraisal.

SA1: Sustainable Economic Development – Additional Site Allocations

The strategy for economic development in Mid Sussex is set out in District Plan Policy **DP1: Sustainable Economic Development** that supports the delivery of an average of 543 jobs per year and allocates 25 hectares of employment land at Burgess Hill to the east of Cuckfield Road to assist meeting this requirement.

This policy complements DP1 and allocates 17.45 hectares on seven additional sites for specified employment uses (Table 2.1) and indicated on the policies map. Employment development will be supported at the additional employment site allocations where:

- proposals follow a comprehensive approach involving the community, local planning authority, developer and other key stakeholders; and
- where development meets the requirements set out within **SA GEN: General Principles for Site Allocations** and the Policy Requirements (Policies SA 2 to 8) shown on the following pages; and
- are in accordance with the Development Plan taken as a whole.

Table 2.1: Additional Employment Site Allocations

Settlement Type	Settlement / Parish	Policy Reference	Site Name	Employment Uses	Available Development land (hectares)
Category 1 - Town	Burgess Hill	SA2	Burnside Centre, Victoria Road	E(g)/B2	0.96
		SA3	Site of Former KDG, Victoria Road	E(g)/B2/B8	1.1
Category 2 - Larger Village (Local Service Centre)	Copthorne	SA4	Land north of the A264 at Junction 10 of M23	E(g)/B8	2.7
Category 3 - Medium Sized Settlement	Bolney (and part Hurstpierpoint and Sayers Common)	SA5	Land at Bolney Grange Business Park	E(g)/B2/B8	7
		SA6	Marylands Nursery, Cowfold Road	B8	2.4
	Pease Pottage	SA7	Cedars, Brighton Road	E(g)/B2/B8	2.3
		SA8	Pease Pottage Nurseries, Brighton Road	E(g)/B2/B8	1
Total					17.45

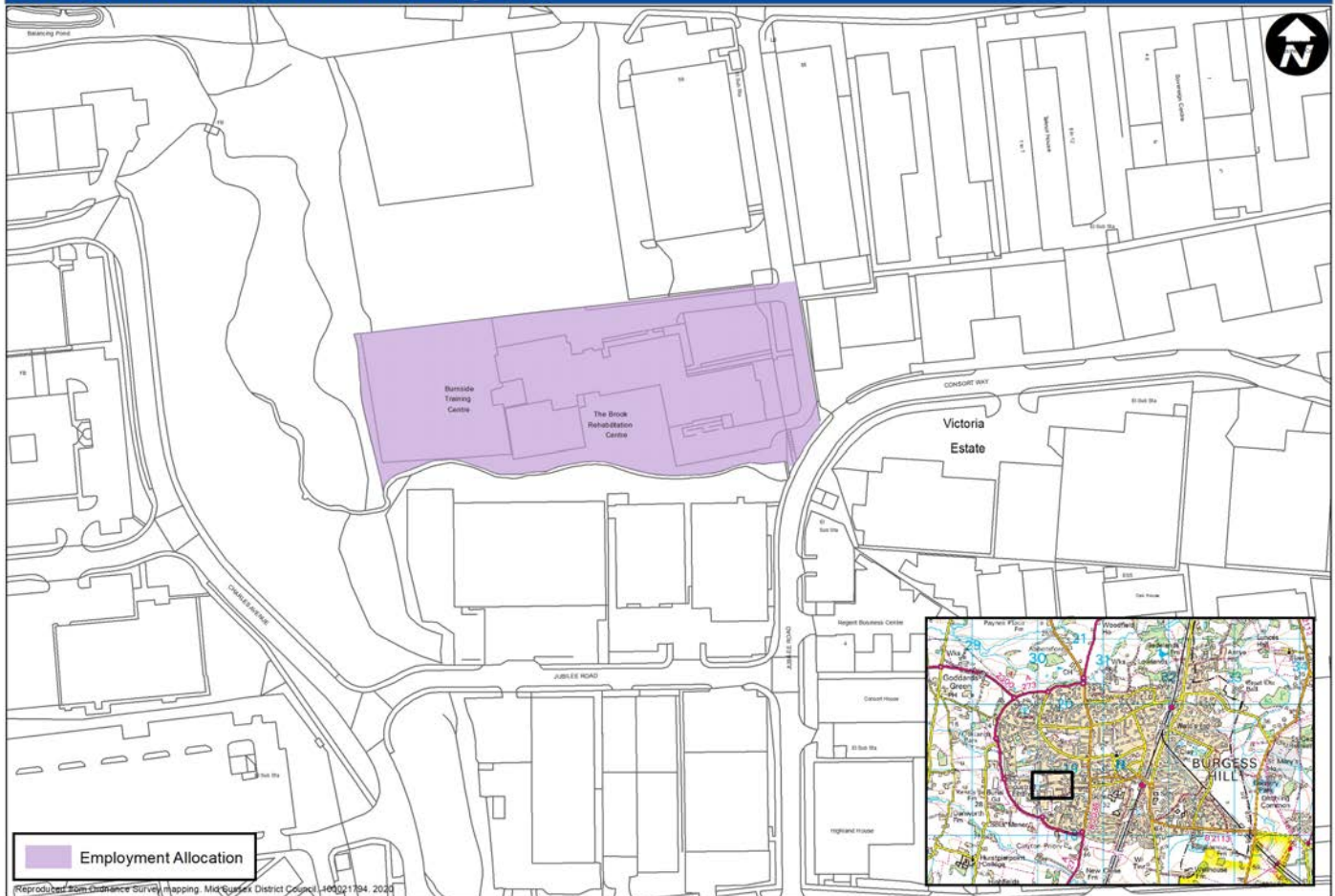
SA2: Burnside Centre, Victoria Road, Burgess Hill

SHELAA#: 826

Parish: Burgess Hill

Developable Area (ha): 0.96

SA2: Burnside Centre, Victoria Road, Burgess Hill



Allocation:

Employment land within use classes E(g) (Business/Light Industrial) and B2 (General Industrial) are appropriate for this site, and proposals for these uses will be supported.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of E(g)/B2 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.
- This site is currently used as a centre for adults with learning difficulties. Development of this site should not commence until a replacement facility has been found, or it can be demonstrated that the current use is no longer viable or required.
- A site-specific Flood Risk Assessment will be undertaken to inform the site layout and any appropriate mitigation measures that may be necessary. No development shall take place within 8 metres of the main river.

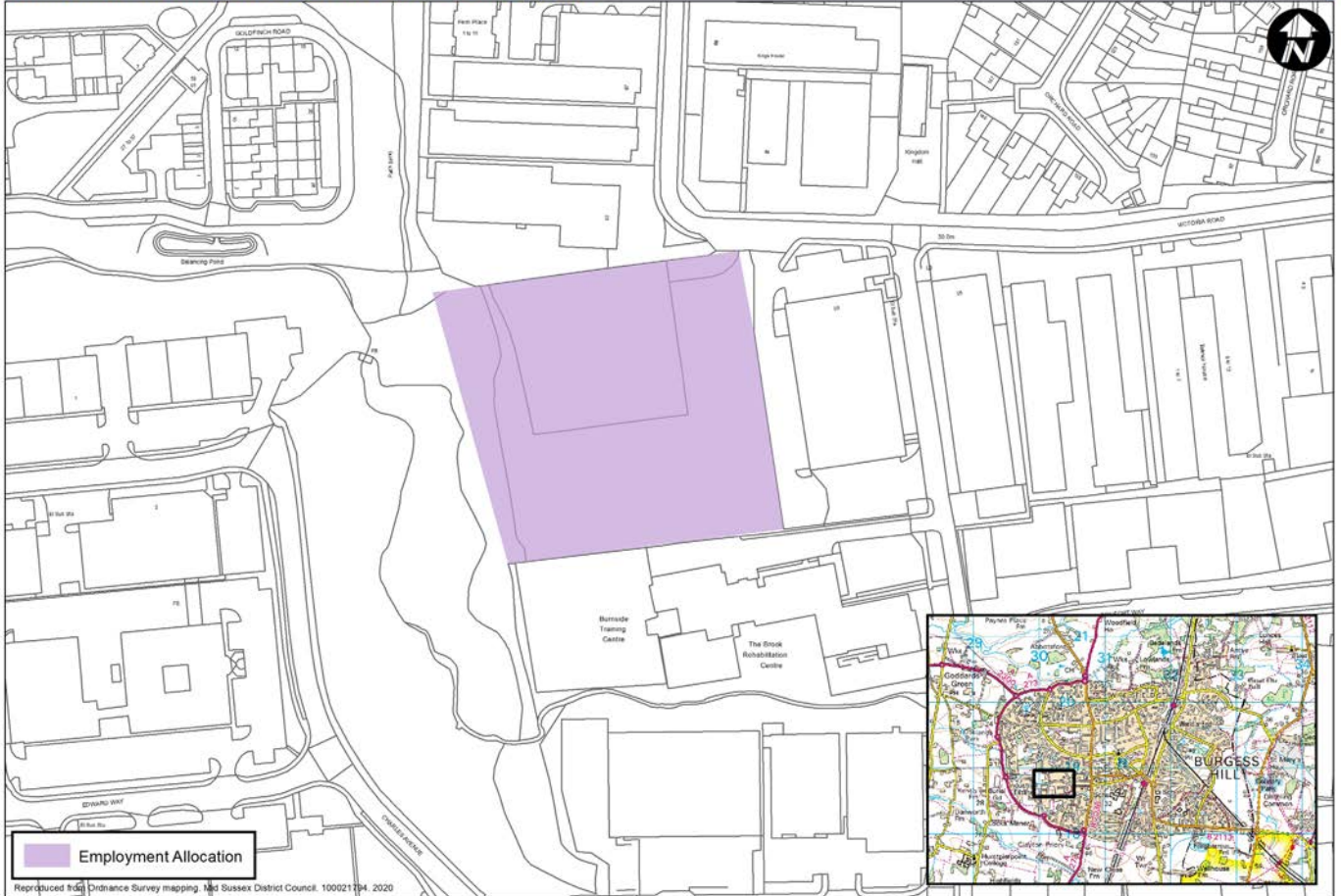
SA3: Site of Former KDG, Victoria Road, Burgess Hill

SHELAA#: 912

Parish: Burgess Hill

Developable Area (ha): 1.1

SA3: Site of Former KDG, Victoria Road, Burgess Hill



Allocation:

Employment land within use classes E(g) (Business/Light Industrial) and B2 (General Industrial) and B8 (Storage & Distribution) are appropriate for this site, and proposals for these uses will be supported.

Proposals must demonstrate that there is a mix of B1/B2 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of E(g) /B2 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.

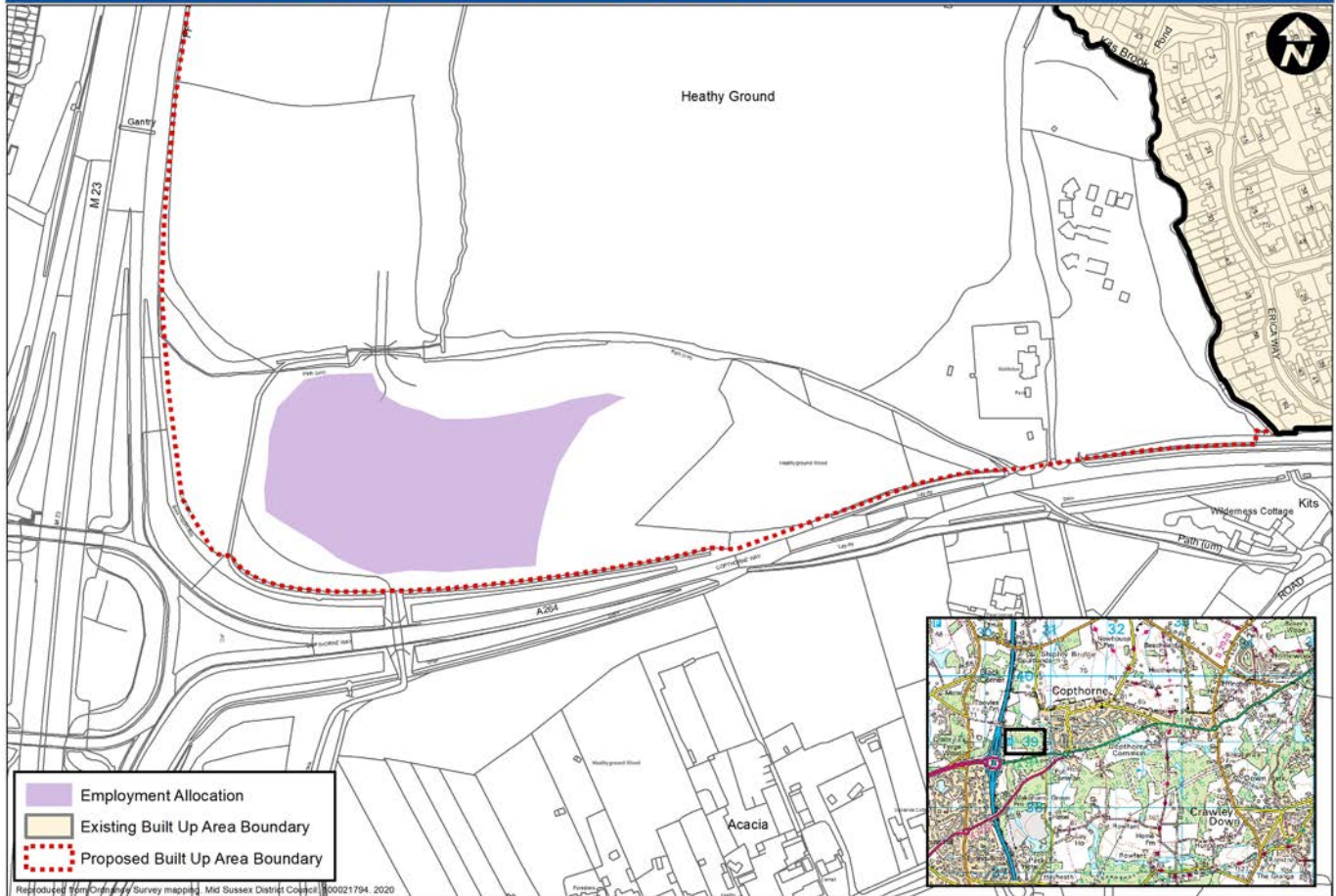
SA4: Land north of the A264 at Junction 10 of M23 (Employment Area)

SHELAA#: 940

Parish: Worth

Developable Area (ha): 2.7

SA4: Land north of the A264 at Junction 10 of M23 (Employment Area)



Allocation:

Employment land within use classes E(g) (Business/Light Industrial) and B8 (Storage and Distribution) are appropriate for this site, and proposals for these uses will be supported.

Proposals must demonstrate that there is a mix of B1/ B8 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of E(g)/ B8 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.
- Proposals should ensure there will be no negative impacts on neighbouring residential amenity.
- Proposals that include enabling non-business use classes in addition to business use will only be permitted where it has been clearly demonstrated with substantiated evidence, which may include a sequential test, impact assessment and viability assessment, that proposals for only business uses (E(g) and B8) are not economically viable.
- Development must be of high-quality design and layout, in accordance with DP26: Design.
- Provide a comprehensive landscaping scheme for the site in order to create an appropriate setting and landscaped context for the new development. A landscape screen should be included on the southern boundary of the site to ensure it would not be dominant in the landscape.

- Incorporate the permissive footpath/cycle path within the site layout or identify its relocation as part of the detailed design proposal.

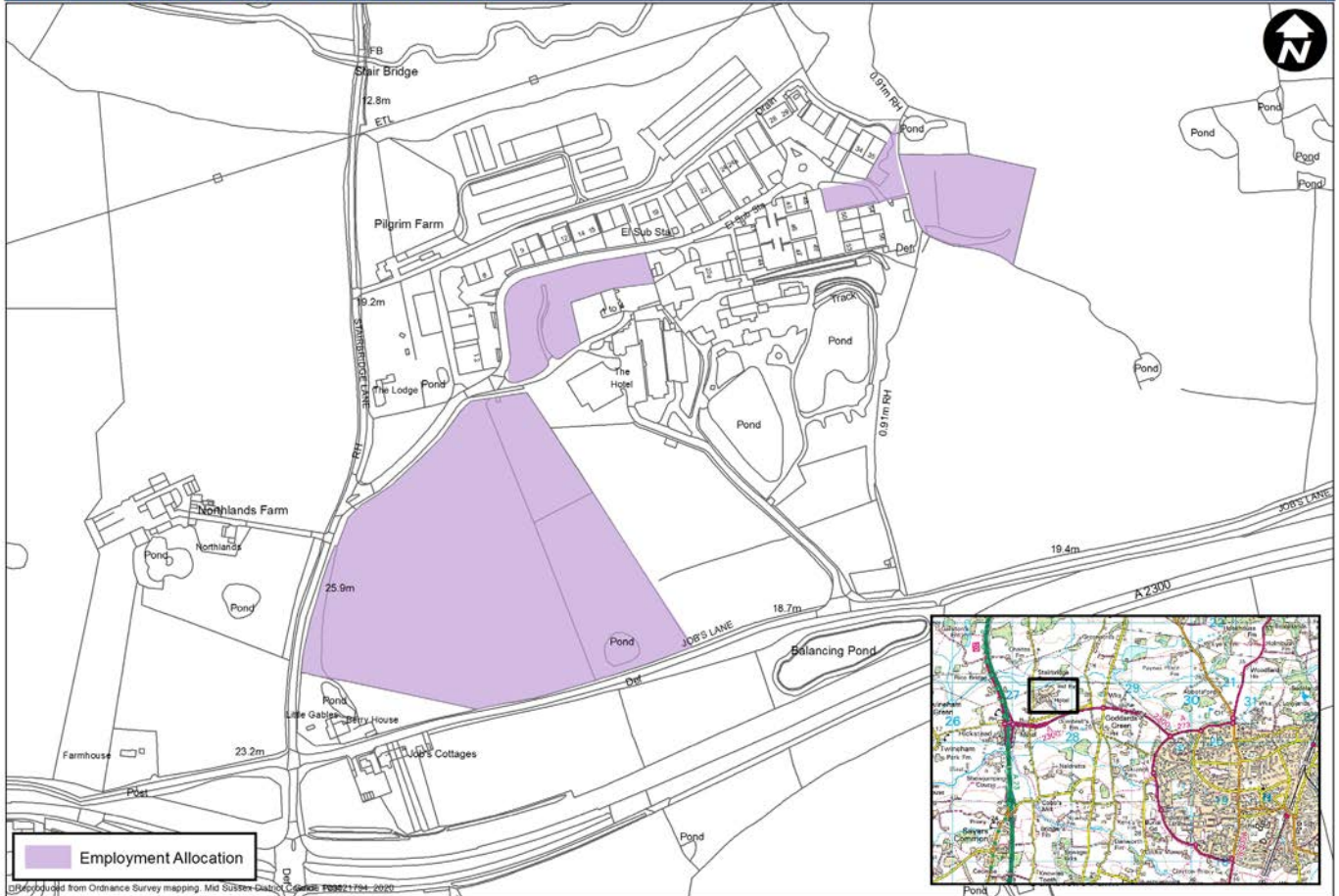
SA5: Land at Bolney Grange Business Park

SHELAA#: 24, 906, 907, 931

Parish: Bolney and Hurstpierpoint & Sayers Common

Developable Area (ha): 7

SA5: Land at Bolney Grange Business Park



Allocation:

Employment land within use classes E(g) (Business/Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) are appropriate for this site, and proposals for these uses will be supported.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of E(g) /B2/B8 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.
- Seek improvements to public transport, in particular sustainable transport links between the site and proposed Science and Technology Park to the east.

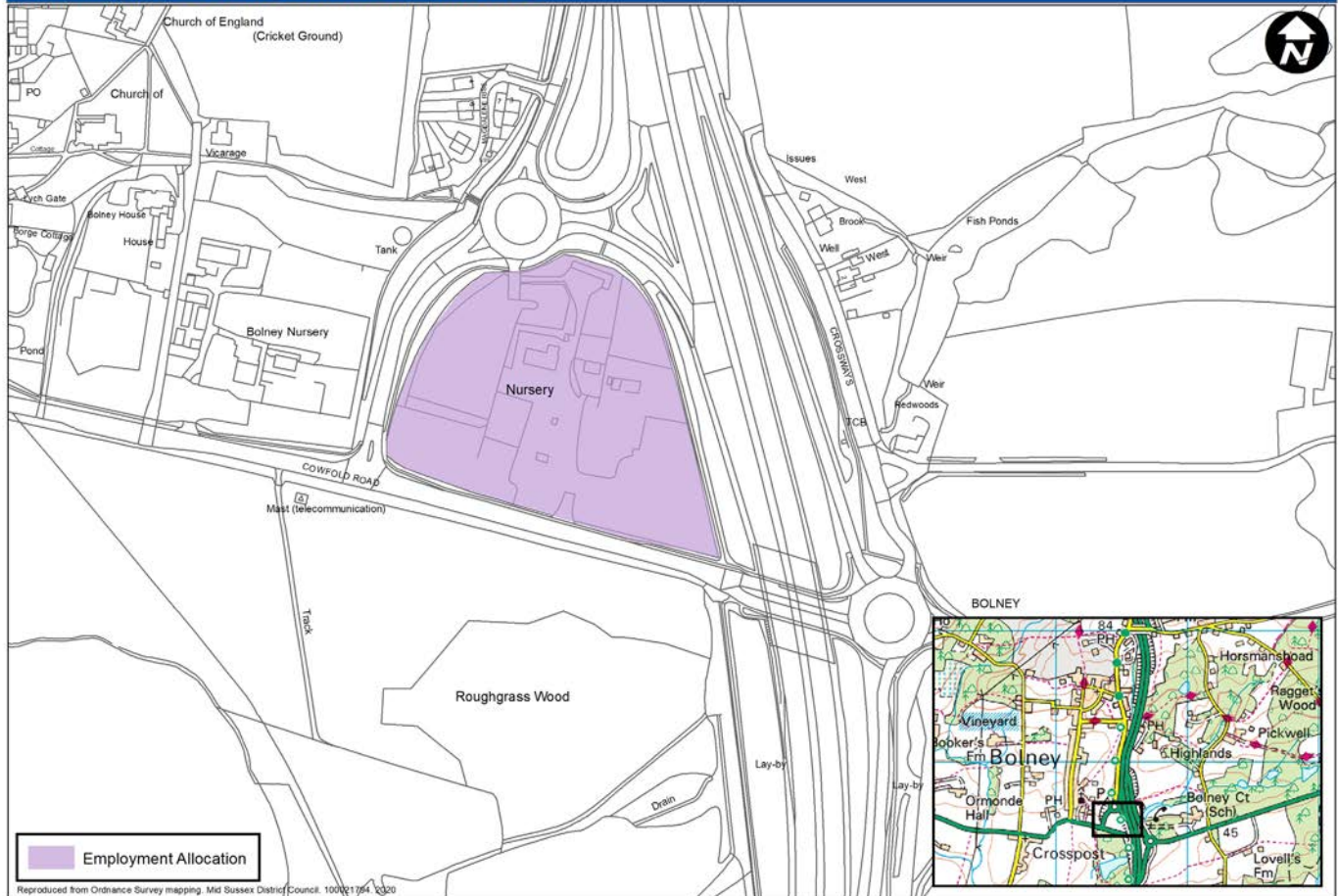
SA6: Marylands Nursey, Cowfold Road, Bolney

SHELAA#: 864

Parish: Bolney

Developable Area (ha): 2.4

SA6: Marylands Nursey, Cowfold Road, Bolney



Allocation:

Allocated for B8 (Storage and Distribution) employment uses.

Site Specific Requirements:

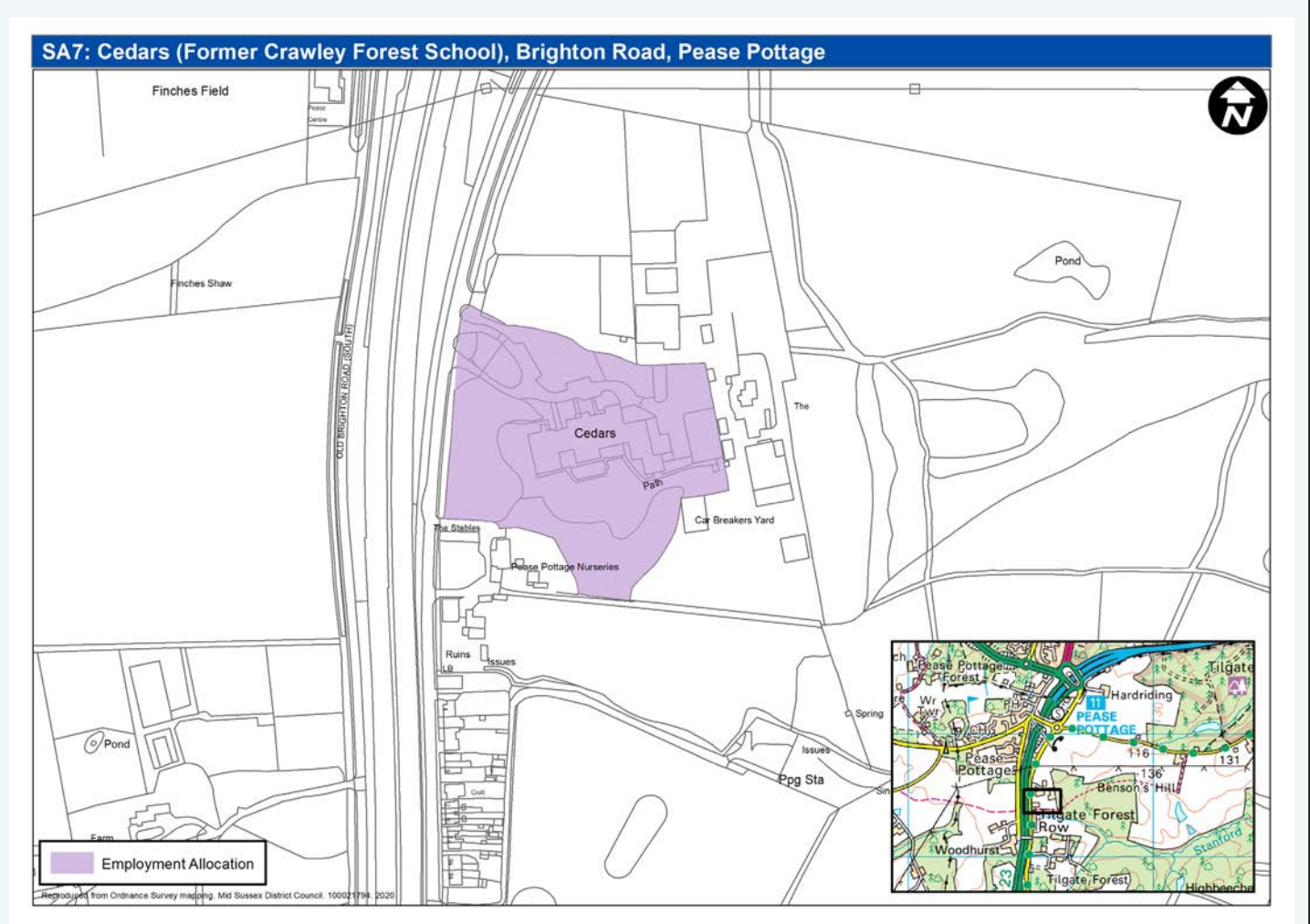
- Access should only be achieved using the existing access from the northern roundabout. Proposals should ensure no adverse impact on the junction with Cowfold Road, any adverse impacts must be mitigated.
- Proposals that include enabling non-business use classes in addition to business use will only be permitted where it has been clearly demonstrated with substantiated evidence, which may include a sequential test, impact assessment and viability assessment, that proposals for only business uses (B8) are not economically viable.
- Development must be of high-quality design and layout, in accordance with DP26: Design. Building height should be limited to respect Bolney's rural character. Provide a comprehensive landscaping scheme for the site in order to create an appropriate setting and landscaped context for the new development.
- A site-specific Flood Risk Assessment will be undertaken to inform the site layout and any appropriate mitigation measures that may be necessary.

SA7: Cedars (Former Crawley Forest School), Brighton Road, Pease Pottage

SHELAA#: 888

Parish: Slaugham

Developable Area (ha): 2.3



Allocation:

Employment land within use classes E(g) (Business/Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) are appropriate for this site, and proposals for these uses will be supported.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of E(g) /B2/B8 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.
- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, including a comprehensive landscape scheme in order to conserve and enhance the landscape and scenic beauty of the AONB.
- Development should retain any mature trees on the site.
- The site is designated as Deciduous Woodland Priority Habitat and Woodpasture and Parkland Priority Habitat. Development should seek opportunities to restore and manage this habitat.
- Proposals that include enabling non-business use classes in addition to business use will only be permitted where it has been clearly demonstrated with substantiated evidence, which may include a sequential test, impact assessment and viability assessment, that proposals for only business uses (E(g), B2 and B8) are not economically viable.
- Site is adjacent to a waste management facility, development should not prevent or prejudice the continued use of the waste management facility.

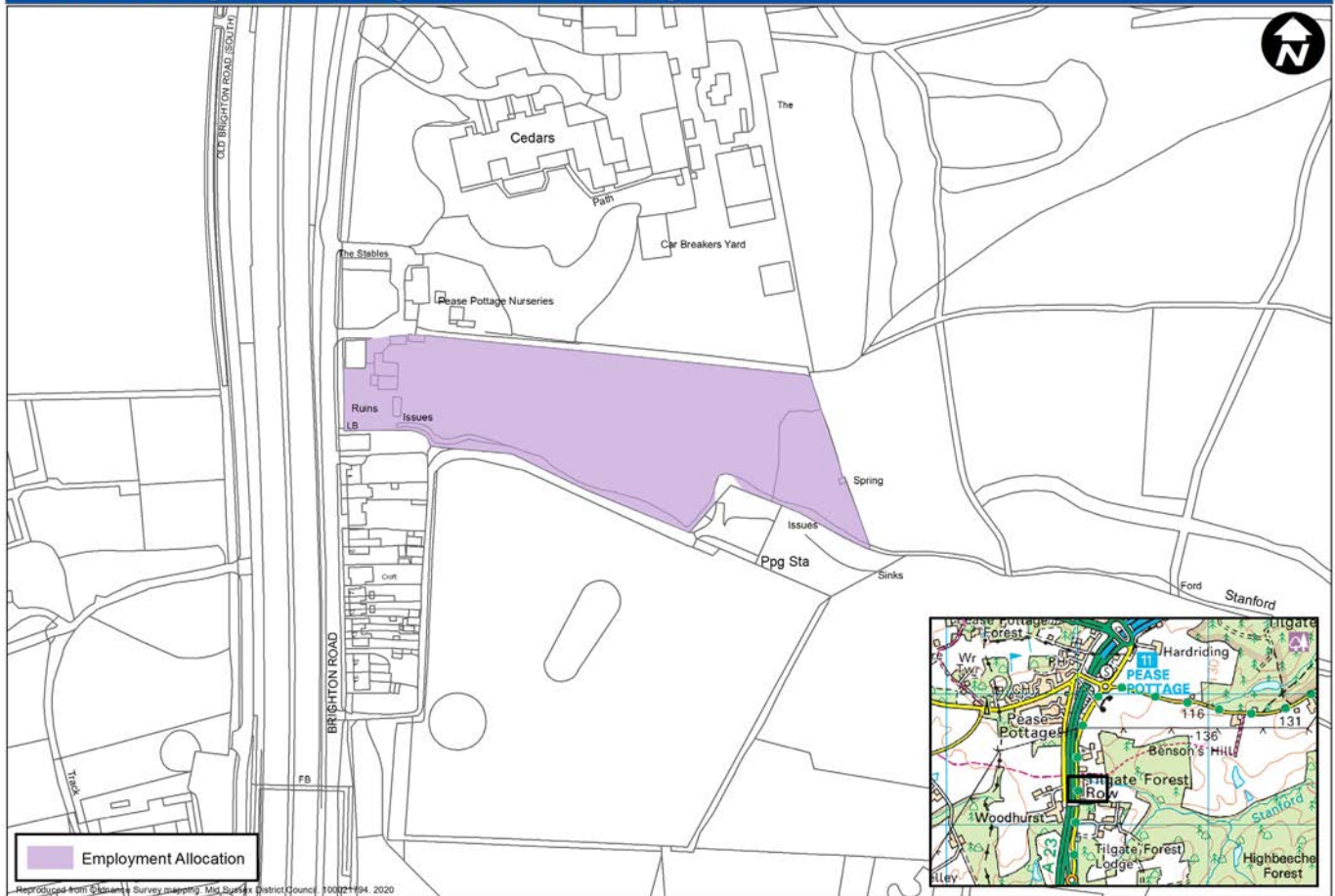
SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage

SHELAA#: 192

Parish: Slaugham

Developable Area (ha): 1

SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage



Allocation:

Employment land within use classes E(g) (Business/Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution) are appropriate for this site, and proposals for these uses will be supported.

Site Specific Requirements:

- Proposals must demonstrate that there is a mix of B1/B2/B8 uses on-site, and clearly set out the justification for the quantum of development proposed for each use.
- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, including a comprehensive landscape scheme in order to conserve and enhance the landscape and scenic beauty of the AONB.
- An area of Ancient Woodland is adjacent on the eastern border. Development should be situated outside a minimum 15m buffer zone of ancient woodland in accordance with DP37: Trees, Woodland and Hedgerows.
- Development should retain any mature trees on the site and its boundaries.
- The site is designated as Deciduous Woodland Priority Habitat. Development should seek opportunities to restore and manage this habitat.
- Proposals should ensure there will be no negative impacts on neighbouring residential amenity, particularly related to noise and air pollution associated with B2 uses.

- Proposals that include enabling non-business use classes in addition to business use will only be permitted where it has been clearly demonstrated with substantiated evidence, which may include a sequential test, impact assessment and viability assessment, that proposals for only business uses (E(g), B2 and B8) are not economically viable.

Science and Technology Park

2.11 One of the District Plan's key strategic issues is economic growth. The District Plan seeks to support sustainable communities and a robust local economy by encouraging opportunities for residents to work within their towns and villages. This aim is supported by the Council's Economic Development Strategy 2018-2031. Given the significant planned housing growth at Burgess Hill, it is important to supplement this with sufficient employment land within this location to ensure this aim can be met.

2.12 District Plan Policy **DP1: Sustainable Economic Development** identifies a broad location for a Science and Technology Park to the west of Burgess Hill, to support research and development and provide high quality employment for the wider area. The principle of the allocation and location itself was based upon a range of documents which assessed deliverability, market demand, feasibility and suitability.

2.13 The Coast to Capital Local Enterprise Partnership (LEP) Strategic Economic Plan (SEP) (2014) identified Burgess Hill as a strategic growth location. This was on the basis of the collective Northern Arc strategic development (3,500 homes), The Hub business park (creating approximately 1,000 new jobs) and the potential for the Science and Technology Park to provide 100,000m² of employment floorspace and 2,500 new jobs. The SEP supported the potential for the Science and Technology Park and recognised that it would impact positively on the wider region and beyond, supporting high end economic and business growth across the Coast to Capital and South East Local Economic Partnership areas.

2.14 The SEP was refreshed in 2018 (entitled Gatwick 360°) and continues to support proposals such as this through its eight economic priorities, in particular priorities related to the development of business infrastructure, investment in sustainable growth, creating skills for the future and pioneer innovation.

2.15 The Chilmark "Science and Technology Park: Potential Locations Assessment" concluded that there is a well-articulated strategic economic case, including significant opportunities for public economic investment support from the Greater Brighton City Deal, the Coast to Capital LEP and through the Gatwick Diamond for a Science and Technology Park in this location. It also concluded that the location benefitted from good strategic links with potential for future improvements to public transport, plus good visibility and prominence for the occupier and end-user market.

2.16 District Plan Policy DP1 identified a broad location to the west of Burgess Hill for a Science and Technology Park. Through the Council's SHELAA, two specific sites were promoted within this broad location. Site Selection Paper 4: Employment explains the Council's rationale for selecting the preferred site option for allocation which is set out in Site Allocation Policy SA9: Science and Technology Park.

SA9: Science and Technology Park

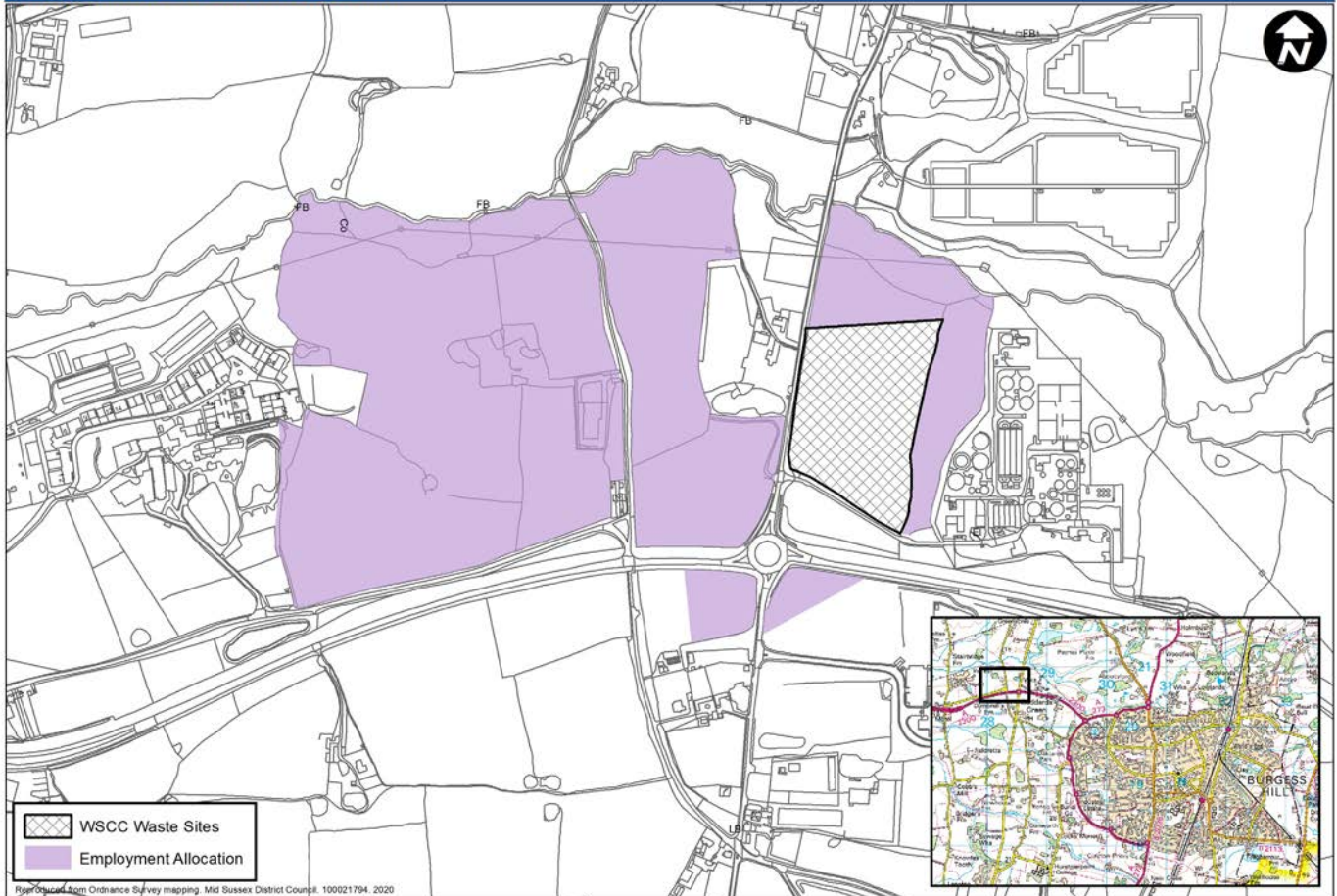
Land is allocated north of the A2300, as indicated on the policies map, for a Science and Technology Park.

SHELAA#: 949

Settlement: Burgess Hill

Gross Site Area (ha): 48.75

SA9: Science and Technology Park



Objectives

- Proposals will comprise employment accommodation capable of accommodating a minimum of approximately 2,500 jobs.
- Proposals must demonstrate that the development would comprise uses falling within the definition of a Science Park: a business support environment that encourages and supports the start-up, incubation and development of innovation-led, high-growth, knowledge-based businesses. This is alongside any appropriate ancillary uses required to serve the development and its employees (for example, but not limited to, a hotel, conference uses, gym, convenience store, crèche).
- Proposals in Use Class B8: Storage and Distribution will not be supported.

Phasing

- Development of the Science and Technology Park will progress in accordance with an allocation wide Masterplan and Phasing Strategy which will have been approved by the Local Planning Authority in consultation with the local Highways Authority and Highways England.
- Provide a detailed Phasing Strategy as part of any planning application, which sets out all transport mitigation required to enable each phase to be delivered, including measures to mitigate impacts on the local and Strategic Road Network.

- Development will then be brought forward in strict accordance with the approved Phasing Strategy.

Urban Design Principles

- Development must be of high quality design and layout, in accordance with DP26: Design.
- Landmark buildings should be located in prominent locations, to ensure high visibility from the A2300, where possible in accordance with Landscape, Biodiversity and Green Infrastructure Considerations.
- Provide and integrate high quality public realms, including public areas containing ancillary uses.
- Ensure the design is sensitive to the overhead power lines within the northern part of the site, including area of easement, and explore opportunities for their diversion or placement underground.
- Whilst within the same land ownership, the eastern parcel of the site is allocated for waste uses in the West Sussex Waste Local Plan 2014 (Policy W10) (2014). Ensure that the design of the site takes account of this allocation.
- Ensure that the design of the site takes account of nearby safeguarded waste uses, including the Goddards Green Waste Water Treatment Works to the east.

Landscape, Biodiversity and Green Infrastructure Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impact on views from the wider countryside to the south and to ensure the proposed development would not be dominant in the landscape.
- Retain the existing woodland to the east
- Retain and enhance existing mature trees and landscaping along the boundaries and within the site, incorporating them into the landscape structure and layout of the development.

Historic Environment and Cultural Heritage

- Archaeological pre-determination evaluation and appropriate mitigation may be required.

Sustainability

- Provision of electric vehicle charging points in accordance with the Council's adopted standards.
- Ensure the design would make the development future-ready for improvements in technology and sustainability such as (but not limited to) green technology, artificial intelligence and automation.

Highways and Access

- Provision of sustainable transport measures and other infrastructure requirements, including measures to mitigate impacts on the local and Strategic Road Network.
- The first priority is to mitigate development impacts by maximising sustainable transport interventions. Remaining impacts must be addressed through physical highway mitigation measures in consultation with the local Highways Authority and Highways England.
- Demonstrate that the development would not adversely affect the safe and efficient operation of the A23 and the A23/A2300 junction to the satisfaction of the local Highways Authority and Highways England.
- Demonstrate that access can be achieved to the satisfaction of the Highways Authority, minimising disruption and delay on the A2300 and surrounding roads.
- Provision of new bus routes or diversion of existing routes to connect with key hubs including railway and bus stations and Burgess Hill town centre.
- Provision of new pedestrian and cycle links to ensure connectivity with the Northern Arc, The Hub (south of A2300), Burgess Hill and surrounding countryside.
- Provision of pedestrian and cycle connectivity with Bolney Grange Business Park.
- Provision of car parking and cycle storage in accordance with the Council's adopted standards.

Flood Risk and Drainage

- The northern boundary of this site is within Flood Zones 2/3 and therefore should not be developed.
- A site-specific Flood Risk Assessment will be undertaken to inform the site layout and any appropriate mitigation measures that may be necessary.
- Proposals must incorporate Sustainable Drainage Systems (SuDS) as an integral part of the Green Infrastructure and open space proposals to mitigate flood risk and improve biodiversity and water quality.

Minerals

- The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

Housing Site Allocations

2.17 The District Plan 2014-2031 sets out the housing requirement for the district for the plan period of 16,390 dwellings. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings.¹¹

2.18 The District Plan 2014-2031 establishes a 'stepped' trajectory for housing delivery with an average of 876 dwellings per annum (dpa) between 2014/15 and 2023/24 and thereafter an average of 1,090 dpa between 2024/25 and 2030/31. The increased trajectory, from 2024/25, is subject to there being no further harm to the integrity of the European Habitats Sites in Ashdown Forest, which is discussed further below.

2.19 The stepped approach is used for the purposes of calculating the five-year housing land supply.

2.20 On the basis that the housing requirement for Mid Sussex has been established in the District Plan, the Sites DPD is addressing the residual necessary to meet the existing, and agreed, housing requirement for the plan period up to 2031, including the agreed quantum of unmet housing need to be addressed within Mid Sussex up to 2031.

2.21 The District Plan Policy **DP5: Planning to Meet Future Housing Need** sets out a commitment for the Council to continue to work under the 'Duty-to-Cooperate' with all other neighbouring local authorities on an ongoing basis to address the objectively assessed need for housing across the Housing Market Area (HMA), continuing to prioritise the Northern West Sussex HMA, which is established as the primary HMA for Mid Sussex.

2.22 DP5 makes it clear that the approach will ensure that consideration for future unmet need will be considered through a robust plan-making process as part of the review of the District Plan which is scheduled to commence in 2020.

Strategy for Delivery of District Plan Housing Requirement

2.23 Housing supply in Mid Sussex is made up of a number of sources, which include:

- Strategic allocations set out within the District Plan 2014-2031
- Additional allocations set out within the Sites DPD
- Retained Local Plan (2004) allocations
- Sites allocated in Small Scale Housing Allocations DPD (2008)
- Sites allocated within neighbourhood plans
- Sites not yet identified that will come forward through the development management process in accordance with policies set out in the Development Plan taken as a whole, these are often referred to as 'windfalls'.

2.24 The District Plan 2014-2031 allocates four strategic allocations, which made provision for around 5,080 dwellings to be delivered in the plan period up to 2031 (Table 2.2).

.....

¹¹ Mid Sussex District Council (2018) Mid Sussex District Plan 2014-2031. p.30.

Table 2.2: District Plan 2014 – 2031: Strategic Allocations

Settlement / Parish	Settlement Type	Site Name	Number of Dwellings
Burgess Hill	Category 1 - Town	North and North West Burgess Hill	3,500 ¹²
Burgess Hill		Kings Way	480
Hassocks	Category 2 - Larger Village (Local Service Centre)	North Clayton Mills	500
Pease Pottage (Slaugham)	Category 3 - Medium Sized Village	Pease Pottage	600
Total			5,080*

* The District Plan 2014-2031 allocated 3,500 dwellings. 3,287 dwellings are anticipated to be delivered in the plan period up to 2031.

2.25 The District Plan also sets out the Spatial Strategy for Mid Sussex and focuses the majority of housing and employment development at Burgess Hill as it has the greatest potential to deliver sustainable communities and to benefit from the opportunities that new development can deliver than at the district's other two main towns (East Grinstead and Haywards Heath). Two sites are allocated at Burgess Hill, land to the north and north-west of Burgess Hill and at Kings Way.

2.26 A smaller scale of strategic development was also allocated at Pease Pottage, and at Hassocks to complement the overall strategy, the remainder of development will be delivered at sustainable developments to be informed by the Settlement Hierarchy (DP 6) to support economic, infrastructure and social needs whilst maintaining the settlement pattern and protecting the quality of the rural and landscape character of the district.

2.27 The delivery of the Strategic Allocations set out in the District Plan have progressed well with building under way on the Kingsway site and the Pease Pottage site, outline planning consent granted for the other schemes. However, there have been some changes in the number of units expected to be delivered within the plan period up to 2031 for strategic development at Burgess Hill with the amended delivery up to 2031 for District Plan allocations anticipated to be 3,287 dwellings.

2.28 Windfall sites are those not specifically identified in the development plan. The Council's Windfall allowance is updated to reflect changes in national policy and District Plan Policy DP6 that supports development of up to 9 dwellings that are contiguous to existing Settlement Boundaries and is based on past performance. The allowance is therefore increased from considering development schemes of 1 to 5 dwellings to 1 to 9 dwellings and so is increased from 45 dwellings per year to 84 dwellings per year. This equates to a windfall allowance of 420 dwellings for years six onwards for the rest of the plan period up to 2031.

.....
¹² Whilst the District Plan allocates 3,500 dwellings at North and North West of Burgess Hill there have been changes in the number of units identified to reflect the amended trajectory for strategic development at Burgess Hill expected within the plan period as confirmed by Homes England who are acting as Site Promoter for the development.

2.29 The revised housing supply figures set out in Table 2.3, illustrates that following consideration for updated completion, commitments and windfall figures that the residual currently necessary to fully meet the district housing requirement is 797 dwellings as at 1st April 2021.

2.30 The Sites DPD allocates 22 sites to meet the residual necessary to meet the agreed housing requirement for the plan period as reflected in the 'stepped trajectory' and in accordance with the District Plan. This is important to ensure the Council can continue to maintain a five-year housing land supply.

2.31 The Site Allocations Policy **SA10: Housing** updates and complements District Plan Policy **DP4: Housing** and provides context for the residual necessary for the Sites DPD to address. The Site Allocations Policy **SA11: Additional Housing Allocations** identifies the sites that are allocated to meet the residual housing requirement addressed by the Sites DPD.

2.32 The Habitats Regulations require that the competent authority (Mid Sussex District Council) assesses the effects of land use plans to determine if there will be an adverse effect on the ecological integrity of a European site as a result of the plan's implementation, either on its own or in combination with other plans or projects. The European sites of interest to Mid Sussex District are the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC), which are located within neighbouring Wealden District.

2.33 A Habitats Regulations Assessment (HRA) has been undertaken to assess the Site Allocations DPD. The main potential impacts of the Site Allocations DPD are recreation impacts primarily relating to risks to the Ashdown Forest SPA and air quality impacts primarily relating to risks to the Ashdown Forest SAC. The HRA considers the existing approach to mitigation for recreation impacts and the options for future mitigation. The HRA considers the air quality modelling results in relation to the wider context of a long-term trajectory of air quality improvements and transport mitigation measures. Using evidence-based justifications, the HRA has concluded, at this stage of plan-making, that the Site Allocations DPD does not present any potential risks to the Ashdown Forest SPA and SAC that are not capable of being mitigated.

SA10: Housing

The strategy for meeting the housing target for Mid Sussex District is set out within the District Plan Policy **DP4: Housing** and includes details of strategic allocations, along with a policy framework for development.

This policy sets out how the Council will address the residual housing need necessary to fully meet the identified housing target for the District within the plan period.

The minimum housing requirement for the Mid Sussex District, including the agreed quantum of unmet housing need to be addressed within the district, is for at least 16,390 dwellings to be delivered in the plan period between 2014 and 2031.

Delivery will be at an average of 876 dwellings per annum (dpa) until 2023/24. Thereafter an average of 1,090 dpa will be delivered between 2024/25 and 2030/31.

Additional dwellings (for example windfalls) will be delivered through Neighbourhood Plans or through the Development Management Process. The contribution of all sources of housing supply are shown by the following Table (Table 2.3), which updates and supersedes the table set out in District Plan Policy DP4: Housing.

The spatial distribution of the housing requirement is in accordance with Table 2.4, which updates and supersedes the table set out in District Plan Policy DP4.

Table 2.3: District Plan Housing Requirement (updated)

District Plan minimum Requirement	16,390
Completions 2014/15	630
Completions 2015/16	868
Completions 2016/17	912
Completions 2017/18	843
Completions 2018/19	661
Completions 2019/20	1003
Completions 2020/21	1,116
Total Housing Commitments (including sites with planning permission and allocations in made Neighbourhood Plans)	9, 140
Windfall	420
Residual Housing Requirement	797

Site Allocations - Housing Supply

Site Allocations DPD - Allocations (SA11)	1,704
Total District Plan period (2014 - 2031) Supply	17,297
Over-supply with the District Plan period 2014 - 2031	+907

SA10: Housing (continued)

Table 2.4: Spatial Distribution of Housing Requirement

Settlement category	Settlements	Minimum Required over Plan Period	Updated Minimum Residual Housing Figure	Site Allocations – Housing Supply
1 – Town	Burgess Hill East Grinstead Hayward's Heath	10,653	706	1,379
2 – Larger Village (Local Service Centre)	Copthorne Crawley Down Cuckfield Hassocks and Keymer Hurstpierpoint Lindfield	3,005	198	105
3 – Medium Sized Village	Albourne Ardingly Ashurst Wood Balcombe Bolney Handcross Horsted Keynes Pease Pottage Sayers Common Scaynes Hill Sharpthorne Turners Hill West Hoathly	2,200	371	208
4 – Smaller Village	Ansty Staplefield Slaugham Twineham Warninglid	82	5	12
5 – Hamlets	Hamlets such as: Birch Grove Brook Street Hickstead Highbrook Walsted	N/A *	N/A *	N/A *
Total		16,390**	1,280	1,704

* Assumed windfall growth only

** including windfalls of 450 dwellings as identified in the District Plan (now updated to 504 dwellings)

SA11: Additional Housing Allocations

In addition to the strategic site allocations set out in District Plan Policy **DP4: Housing**, development will be supported at the additional site allocations, through a comprehensive approach involving the community, local planning authority, developer and other stakeholders, where development meets the requirements set out within the Policy Requirements **SA12 to 33, SA GEN: General Principles for Site Allocations** and are in accordance with the Development Plan read as whole. Table 2.5 below shows how the level of housing required through the Site Allocations DPD will be distributed:

Table 2.5: Sites DPD Housing Allocations

Settlement Type	Settlement	Site Name	Policy Reference	Number of Dwellings	
				Site	Category
Category 1 - Town	Burgess Hill	Land South of 96 Folders Lane	SA12	40	1,409
		Land South of Folders Lane and East of Keymer Road	SA13	300	
		Land South of Selby Close	SA14	12	
		Land South of Southway	SA15	30	
		St. Wilfrid's School	SA16	200	
		Woodfield House, Isaacs Lane	SA17	N/A (30)	
	East Grinstead	Former East Grinstead Police Station	SA18	22	
		Land South of Crawley Down Rd	SA19	200	
		Land South and West of Imberhorne Upper School	SA20	550	
	Haywards Heath	Land at Rogers Farm, Fox Hill	SA21	25	
Category 2 – Larger Village (Local Service Centre)	Crawley Down	Land North of Burleigh Lane	SA22	50	105
	Cuckfield	Land at Hanlye Lane East of Ardingly Road	SA23	55	
	Hassocks	Land North of Shepherds Walk	SA24	N/A (130) ^a	
Category 3 – Medium Sized Village	Ardingly	Land West of Selsfield Road	SA25	35	238
	Ashurst Wood	Land South of Hammerwood Road	SA26	12	
	Handcross	Land at St. Martin Close (West)	SA27	35 (65) ^b	
	Horsted Keynes	Land South of The Old Police House	SA28	25	
	Horsted Keynes	Land South of St. Stephens Church	SA29	30	
	Sayers Common	Land to the North of Lyndon, Reeds Lane	SA30	35	
	Scaynes Hill	Land to the rear of Firlands, Church Road	SA31	20	
	Turners Hill	Withypitts Farm, Selsfield Road	SA32	16	
Category 4 – Smaller Village	Ansty	Ansty Cross Garage	SA33	12	12
Total				1,704	1,704

- a – Planning permission has been granted on this site and it is now a commitment as at 1st April 2020. Therefore, no yield counted here to avoid double counting, although the allocation is to be retained for 130 dwellings.
- b – Slaugham Neighbourhood Plan is now made and Land at St Martin Close (east) for 30 units is now a commitment as at 1st April 2020. Therefore only 35 units are counted here to avoid double counting.
- c- Planning permission has been granted on this site and it is now a commitment as at 1st April 2021. Therefore, no yield

Individual Housing Allocation Policies

2.34 This section contains the site-specific policies for each housing site that is allocated in this Sites DPD. The site-specific policies are set within a template for each site that identifies key objectives and site specific policy requirements relating to issues such as urban design, landscape, historic environment, highways and access, green infrastructure, biodiversity, social and community, and flood risk and drainage.

2.35 The site-specific policies are accompanied by a series of general principles which are common to all the sites and are set out in **SA GEN: General Principles for Site Allocations**. Both the site-specific policies and the general principles highlight the issues that should be addressed in detail at the planning application stage. They should be read alongside the National Planning Policy Framework and Planning Practice Guidance, and the Development Plan taken as a whole, which includes neighbourhood plans.

2.36 In bringing forward the additional housing sites, the Council will expect to see high quality developments, in accordance with the National Planning Policy Framework and District Plan Policy **DP26: Character and Design** that are sustainable in the long term, and that integrate with and contribute to the existing settlement.

2.37 The Council has prepared a Mid Sussex Design Guide which is adopted as a Supplementary Planning Document (SPD) and looks specifically at enhancing local distinctiveness, as well as ensuring high quality, sustainable development. The design principles in this SPD will be treated as a material consideration in the assessment of all future planning schemes.

2.38 Individual applications for the site allocations should be accompanied by:

- a detailed Design and Access Statement that sets out the vision and overall masterplan for the site, demonstrating a commitment to creating a successful place, with well-designed new homes and supporting infrastructure;
- a Development Delivery Agreement which shows the proposed programme of house building, and demonstrates the number of homes the development will contribute to the District's five-year housing land supply; and
- a Statement of Community Involvement that sets out how the Town/Parish Council and other local organisations have been involved in the master planning process and infrastructure requirements.

2.39 Community involvement and consultation is key to ensuring that appropriate facilities are identified and designed to meet the needs of those who will use them. Community engagement and involvement is also essential for ensuring that new residents integrate with existing communities.

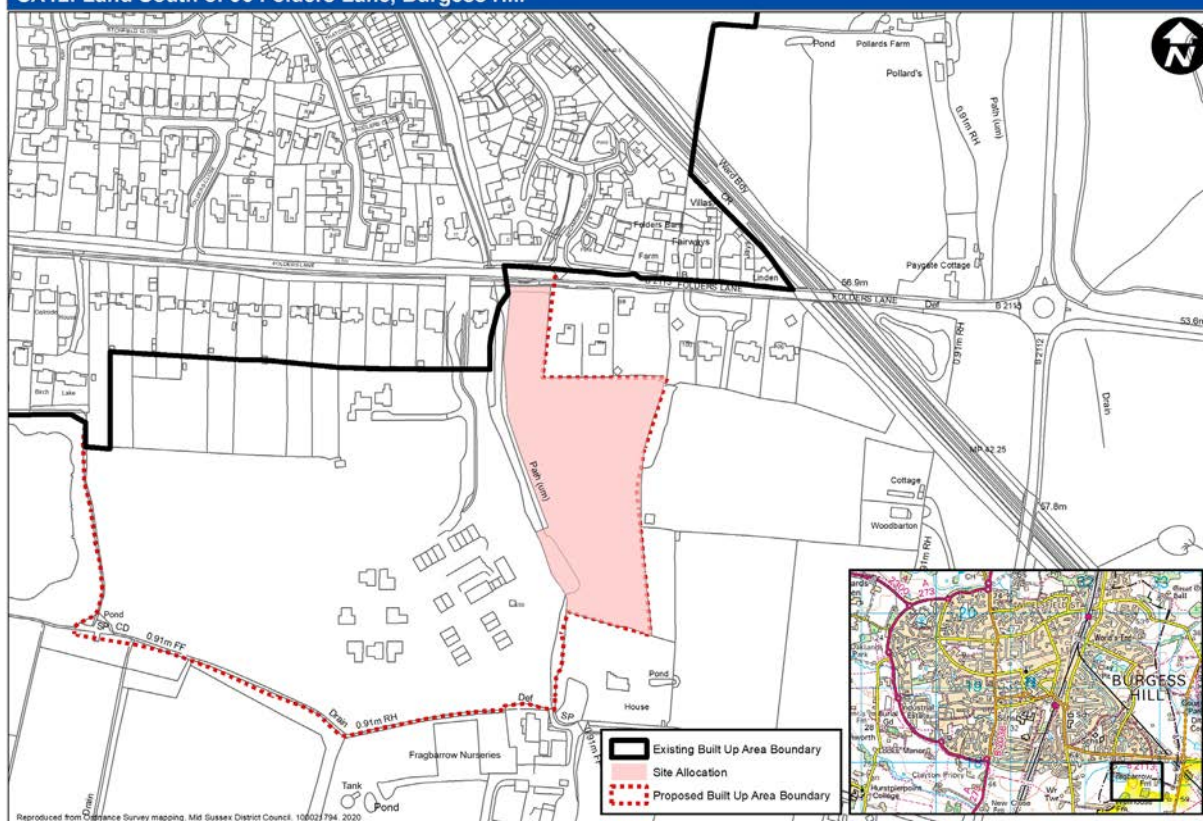
2.40 While the site-specific allocation policies identify some of the key requirements for development at each site, they do not preclude other requirements being identified at a later date. The Infrastructure Delivery Plan (IDP) identifies likely infrastructure requirements and is a live document that should be read in conjunction with the site-specific policies.

2.41 West Sussex County Council has responsibility for some of the infrastructure or services identified, such as schools and transport. Detailed requirements for these elements will need to be

SA 12 Land South of 96 Folders Lane, Burgess Hill

SHELAA:	827	Settlement:	Burgess Hill
Gross Site Area (ha):	1.72	Number of Units:	40 dwellings
Description:	Housing allocation		
Ownership:	In control of a house builder		
Current Use:	Greenfield / pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development.		

SA12: Land South of 96 Folders Lane, Burgess Hill



Objectives

- To deliver a sympathetic and well integrated extension to Burgess Hill, informed by a landscape led masterplan, which respects the setting of the South Downs National Park, providing attractive pedestrian and cycle routes throughout the site so residents can enjoy convenient access to existing services and facilities.

Urban Design Principles

- Orientate development to have a positive edge to the tree lined boundaries and proposed public open space to provide an attractive backdrop and avoid trees overshadowing back gardens.
- Provide an area of open space at the site entrance which integrates the PRow and provides an open space buffer along the tree-lined boundary on the west side.
- Optimise development potential for the site through the layout and design and ensure infrastructure requirements are considered at the concept stage.
- Maximise connectivity with the existing settlement of Burgess Hill and create a permeable layout across the site.
- Make a positive contribution towards the local character and distinctiveness of surrounding development.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impacts on the wider countryside and the setting of and any potential views from the South Downs National Park to the south.
- Any external lighting scheme shall be designed to minimise light spillage to protect dark night skies.
- Retain and substantially enhance existing landscape structure; safeguarding existing trees covered by Tree Preservation Orders along the north boundary of the site and, integrating existing hedge and tree boundaries, with new native tree planting throughout the layout, to contain new housing and limit the impact on the wider landscape.
- Protect and enhance the character and amenity of the existing PRow to the west of the site; including reinforcing the adjacent boundary with native tree planting and species-rich hedgerow, and providing connections through the new development.

Historic Environment and Cultural Heritage

- Establish the need for pre-determination evaluation and appropriate mitigation.
- Archaeological field evaluation (geophysical survey) shall be undertaken to inform an archaeological mitigation strategy.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including; retention of existing landscape features and enhancement with new native species-rich hedgerows, native tree planting and wildflower seeding in areas of open space to provide a matrix of habitats with connections to the surrounding landscape.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.

Highways and Access

- A Sustainable Transport Strategy will be required identifying sustainable transport infrastructure improvements, demonstrating how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
- Mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.
- Investigate access arrangements onto Folders Lane and sharing access with the adjacent development to the west; make necessary safety improvements to provide appropriate visibility, pedestrian footways and suitable pedestrian crossing facilities.

Flood Risk and Drainage

- Informed by a site specific Flood Risk Assessment (FRA), mitigation measures are required to address flood risk and existing surface water flooding in the northern part of the site adjacent to Folders Lane. Avoid developing areas at risk of surface water flooding.
- Surface Water Drainage to be designed to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.

Minerals

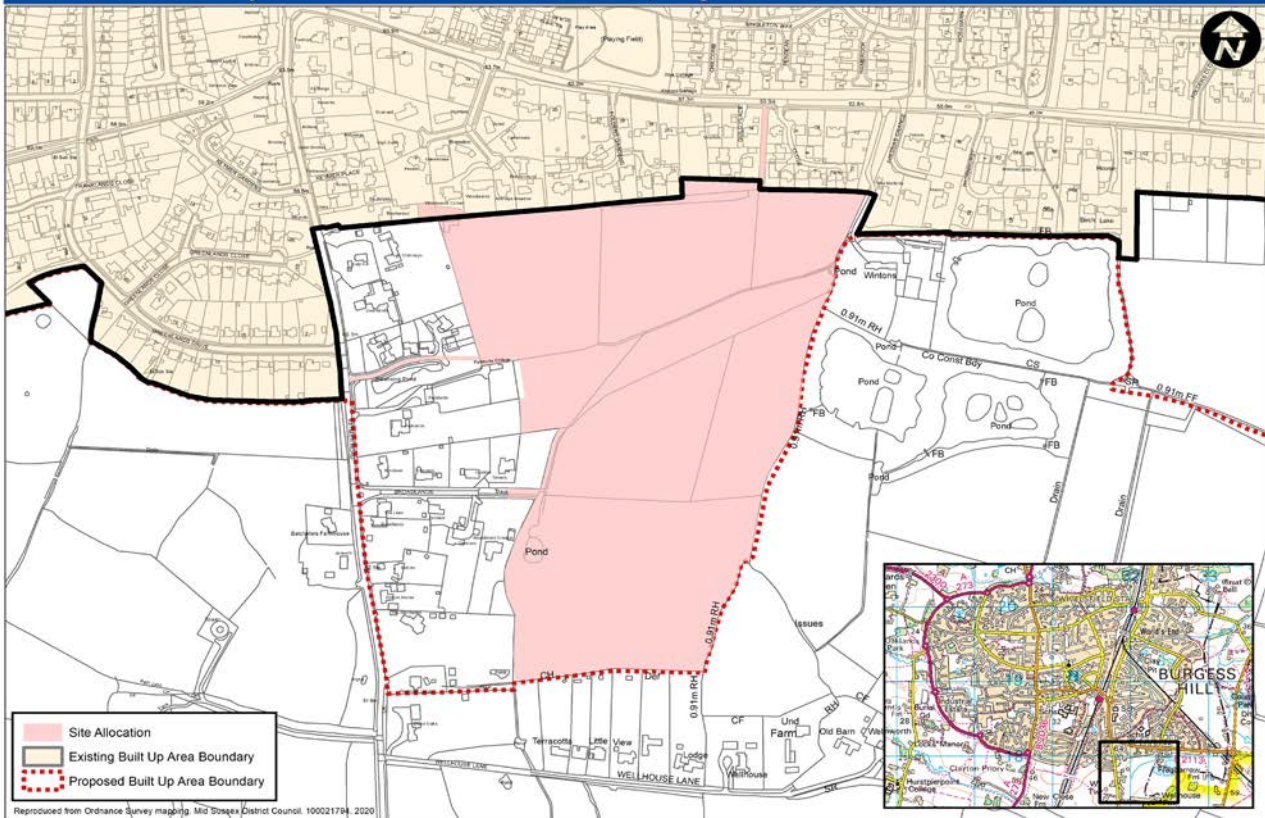
- The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 13

Land East of Keymer Road and South of Folders Lane, Burgess Hill.

SHELAA:	976	Settlement:	Burgess Hill
Gross Site Area (ha):	15.2	Number of Units:	300 dwellings
Description:	Housing allocation with on site open space and children's equipped playspace.		
Ownership:	In house builders ownership		
Current Use:	Greenfield / pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development.		

SA13: Land East of Keymer Road and South of Folders Lane, Burgess Hill



Objectives

- To deliver a sympathetic and well integrated extension to Burgess Hill, informed by a landscape led masterplan, which responds to the setting of the South Downs National Park in its design creating a focal point with a central open space incorporating attractive and convenient pedestrian and cycle routes throughout the site providing good connections to local services and facilities.

Urban Design Principles

- Comprehensively masterplanned development across the entire site, designing a fully integrated scheme which optimises the potential for the whole site as a single development, under the same planning application(s). Piecemeal development will be resisted.
- Development shall be sympathetic to the transitional, urban edge, semi-urban to semi-rural character of Keymer Road/Folders Lane whilst protecting the landscape setting.
- Existing landscape features and established trees shall be integrated with enhanced green infrastructure, open space provision and movement strategy that encourages pedestrian and cycle use.
- Establish a strong sense of place through the creation of a main central open space to provide a focus for the development with higher density housing in close proximity to benefit from the provision with lower density development towards the southern end of the site to reflect the existing settlement.

- Orientate development to have a positive edge to proposed open space and to the countryside by fronting onto retained field boundaries/ mature trees.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impacts on the most visible parts of the site on the wider countryside and the setting of and any potential views from the South Downs National Park to the south. Any external lighting scheme shall be designed to minimise light spillage to protect dark night skies.
- The LVIA will incorporate the findings of the Opportunities and Constraints Plan, paying particular attention to the increasing sensitivity moving through the site towards the south, and acknowledge its position as an edge of settlement development to Burgess Hill that reflects the characteristics of its immediate area.
- The design will take account of and respond to the findings of the LVIA.
- Ensure the design and layout of the development works with the natural grain of the landscape following the slope contours of the site, minimising cut and fill.
- Retain and substantially enhance existing landscape structure, particularly along the southern and eastern boundary. Safeguard mature trees and landscaping along the boundaries, within the site and along historic field boundaries, incorporating them into the landscape structure and layout of the development with new native tree planting throughout the layout, to contain new housing and limit the impact on the wider landscape.
- Protect the character and amenity of the existing PRow to the south of the site.

Social and Community

- Provide a suitably managed and designed on site public open space, equipped children's playspace/kickabout area.
- Mitigate increased demand for formal sport to the satisfaction of the Local Planning Authority.

Historic Environment and Cultural Heritage

- Provide appropriate layout, design and landscaping, particularly within the north west corner of the site, to protect the rural setting of the Grade II Listed High Chimneys, ensuring development is not dominant in views from the building or its setting and by reinforcing the tree belt on the western boundary.
- Archaeological field evaluation (geophysical survey) shall be undertaken to inform an archaeological mitigation strategy.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including; retention of existing landscape features and enhancement with new native species-rich hedgerows, native tree planting and wildflower seeding in areas of open space to provide a matrix of habitats with links to the surrounding landscape.
- Provide a Habitat Management Plan detailing conservation and enhancement of all areas of Habitat of Principle Importance (HPI) (woodland, hedgerows and standing water); this shall include retention of a minimum of a 5 metre buffer around the HPI.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where it is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.

Highways and Access

- A Sustainable Transport Strategy will be required identifying sustainable transport infrastructure improvements, demonstrating how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
- Provide vehicular access onto Keymer Road and make any necessary safety improvements; access(es) shall include a pedestrian footway connecting to existing footpaths on the highway.
- Mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.
- Provide good permeability across the site with attractive and convenient pedestrian and cyclepath access connecting onto Folders Lane and Keymer Road to improve links to existing services in Burgess Hill.

Flood Risk and Drainage

- Informed by a Flood Risk Assessment (FRA), measures are required to address flood risk associated with the site and in particular the watercourse which runs across the site and down the western boundary. Avoid developing areas adjacent to the existing watercourse and those at risk of surface water flooding.
- Surface Water Drainage to be designed to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.

Minerals

- The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

Utilities

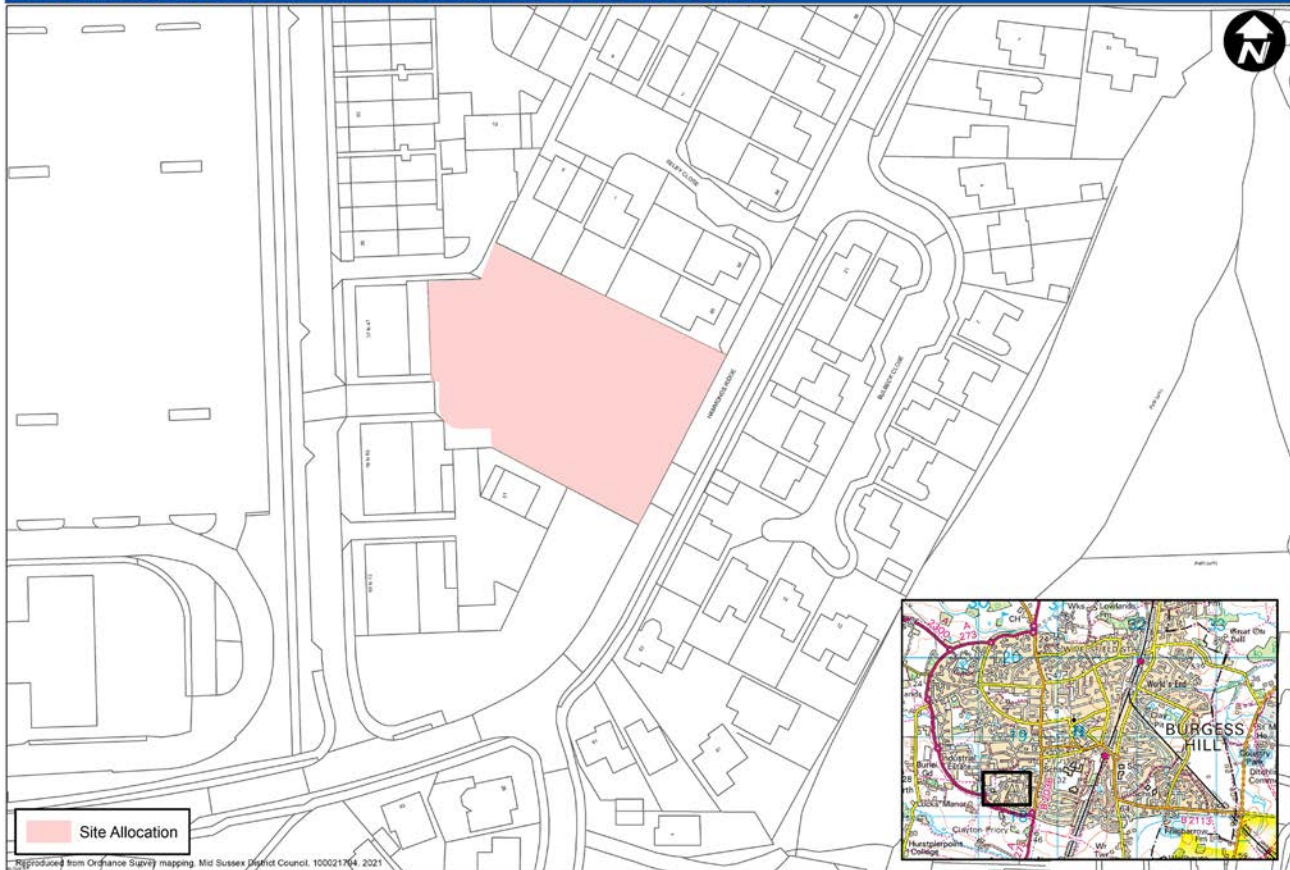
- Provide necessary water infrastructure reinforcement on Keymer Road.
- Occupation of development will be phased to align with the delivery of necessary sewerage infrastructure, in liaison with the service provider.

SA 14

Land to the south of Selby Close, Hammonds Ridge, Burgess Hill

SHELAA:	904	Settlement:	Burgess Hill
Gross Site Area (ha):	0.16	Number of Units:	12 flats plus community use
Description:	Mixed use allocation of housing and community facilities		
Ownership:	MSDC		
Current Use:	Brownfield site/former site office	Indicative Phasing:	6 to 10
Delivery Mechanisms:	District Council in partnership with Developer/ Registered Provider		

SA14: Land to the south of Selby Close, Hammonds Ridge, Burgess Hill



Objectives

- To deliver a high density, sustainable, mixed use development which is comprehensively integrated with, and connected to, the surrounding development and Town Centre so residents can access existing facilities.

Urban Design Principles

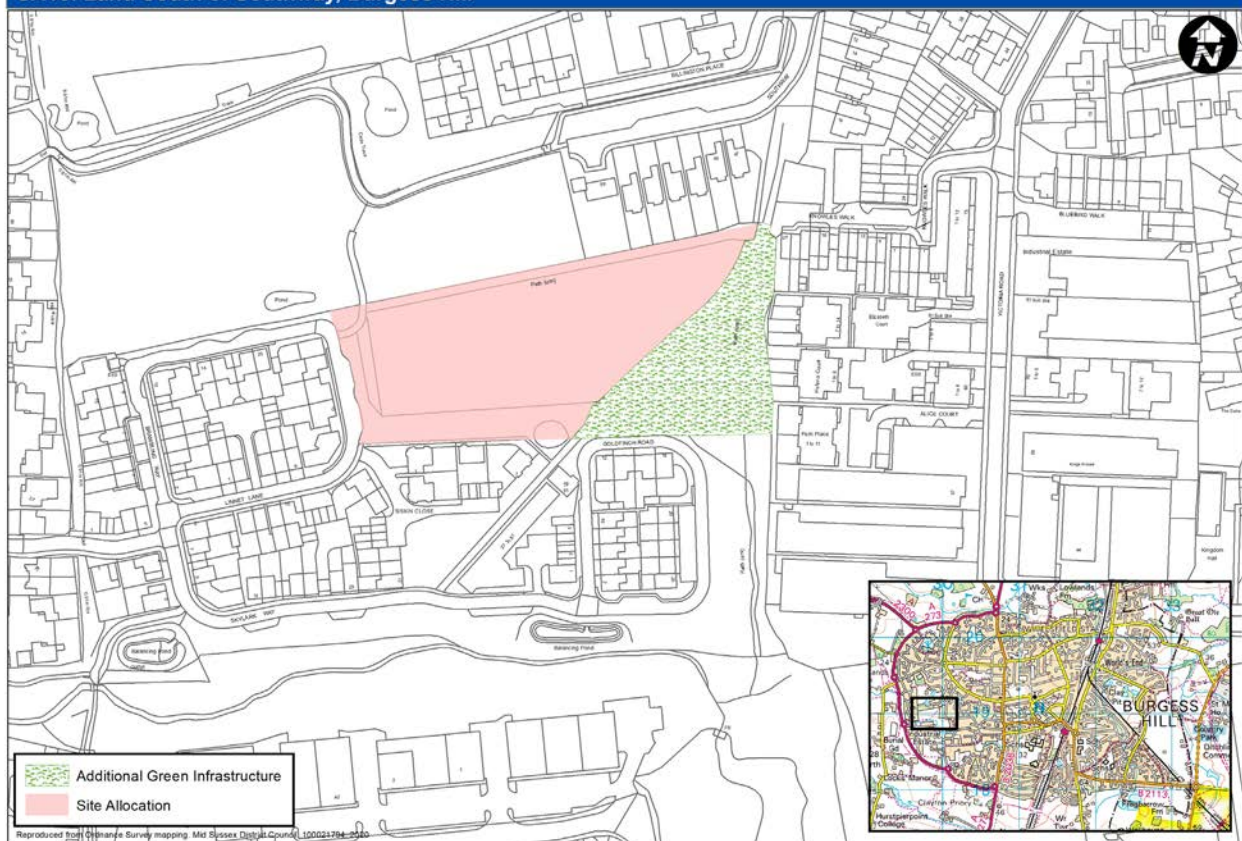
- The site is in a sustainable location near to services and Burgess Hill Town Centre. Optimise the development potential of the site while respecting the character of the surrounding townscape and residential amenity.
- Seek to enhance the connectivity of the site with the surrounding development by providing pedestrian and/or cycle links to existing networks.
- Orientate development to provide a positive frontage to Hammonds Ridge and the small open space and trees to the south.
- Ensure building heights are in keeping with the surrounding area, so as not to cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution.

Landscape Considerations
<ul style="list-style-type: none"> • The south western corner of the site contains a number of trees covered by a group Tree Preservation Order. Retain and enhance existing mature trees and incorporate these into the landscaping proposals for the site.
Social and Community
<ul style="list-style-type: none"> • Include a community use as part of the development proposals as required by a restrictive covenant relating to this site.
Biodiversity and Green Infrastructure
<ul style="list-style-type: none"> • Provide a net gain in biodiversity and Green Infrastructure through ecological enhancements, by incorporating new natural native habitats and native street trees into the landscaping proposals and designing buildings with integral bat boxes and bird nesting opportunities.
Highways and Access
<ul style="list-style-type: none"> • Provide access from Hammonds Ridge. • Provide a Sustainable Transport Strategy to identify sustainable transport infrastructure improvements and demonstrate how the development will provide comprehensive sustainable links to the town centre and transport hubs, including safe and convenient routes for walking and cycling.
Flood Risk and Drainage
<ul style="list-style-type: none"> • Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.
Minerals
<ul style="list-style-type: none"> • The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 15 Land South of Southway, Burgess Hill

SHELAA:	594	Settlement:	Burgess Hill
Gross Site Area (ha):	1.2	Number of Units:	30 dwellings
Description:	Housing and open space allocations		
Ownership:	Private landowner		
Current Use:	Overgrown and inaccessible land designated as part of a wider area of Local Green Space in the Burgess Hill Neighbourhood Plan	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with developer		

SA15: Land South of Southway, Burgess Hill



Objectives

- This policy seeks to deliver a high quality, sustainable residential scheme along with a number of public benefits in the form of enhanced and accessible open space, that is connected to the surrounding network of adjacent open spaces; improvements to the amenity of and setting to the right of way that crosses the site and the informal paths that border the site and the provision of a cycle route to connect to adjacent cycle routes as part of the Burgess Hill Place and Connectivity Programme.

Urban Design Principles

- The site is in a sustainable location near to local services. Optimise the development potential of the site while making provision for open space and rights of way, as well as respecting the character of the surrounding townscape.
- Orientate development to have a positive active frontage to the woodland to the north and existing Maltings Park development (south and west) to provide an attractive backdrop to the public realm, integrate with the existing settlement and avoid trees overshadowing back gardens.

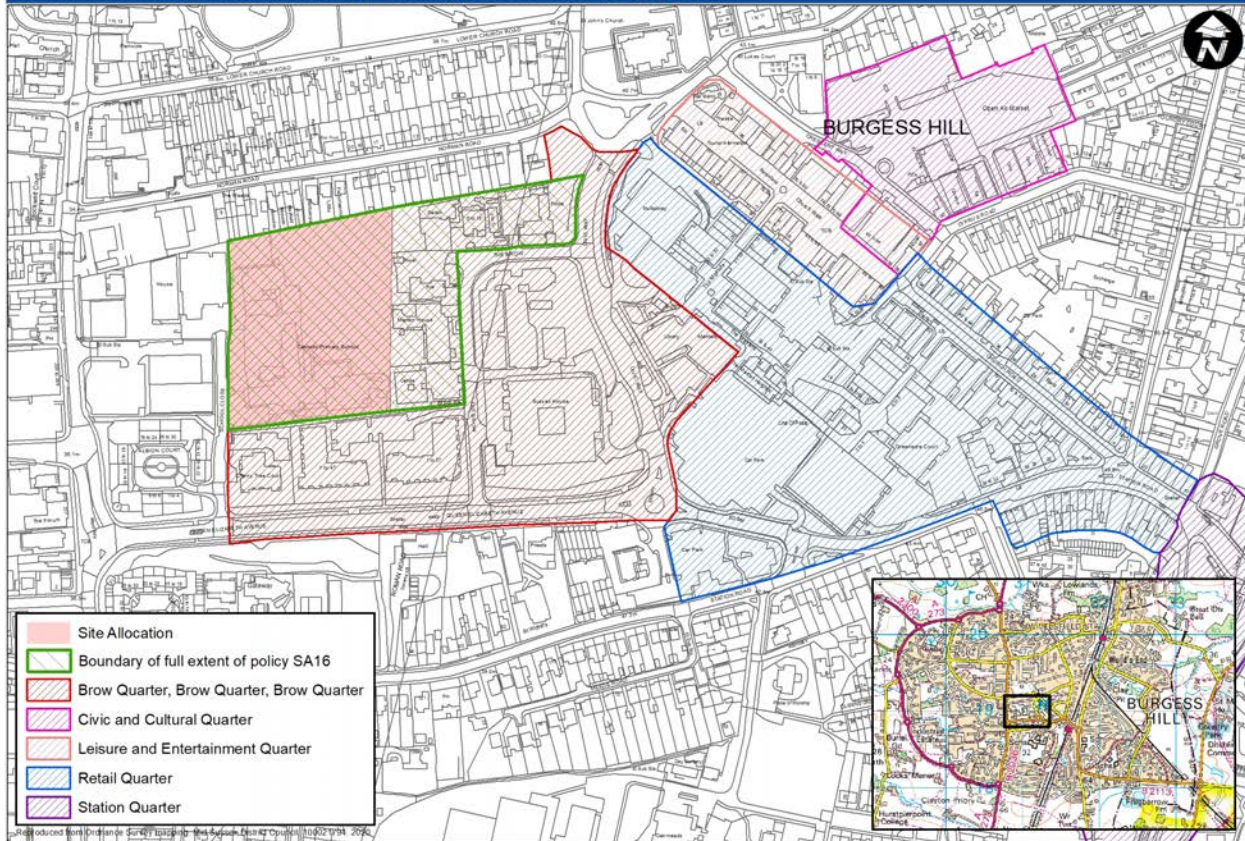
Landscape Considerations
<ul style="list-style-type: none"> • Retain any important mature trees and safeguard existing trees covered by Tree Preservation Orders, and incorporate these into the landscape structure of the development. • The layout of the development is to be informed by a landscape led masterplan.
Social and Community
<ul style="list-style-type: none"> • Compensate for the loss of Local Green Space (the southern most part of a larger area of Local Green Space allocated in the Burgess Hill Neighbourhood Plan) through the provision of new enhanced open space on site, that creates a connected network of open spaces and green corridors with the adjacent Local Green Space, and which sensitively integrates the right of way and informal paths and enhances their amenity. • Upgrade the existing right of way that crosses the site to allow for cycling.
Historic Environment and Cultural Heritage
<ul style="list-style-type: none"> • The site may contain buried archaeology. Carry out Archaeological Assessment and appropriate mitigation arising from the results.
Air Quality / Noise
<ul style="list-style-type: none"> • Industrial units are located to the east of the site which may be source of noise. Provide appropriate mitigation to address any impacts.
Biodiversity and Green Infrastructure
<ul style="list-style-type: none"> • Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area. • Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss. • Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
Highways and Access
<ul style="list-style-type: none"> • Provide access from Linnet Lane. The loss of the two visitor parking spaces to achieve this would need to be compensated for within the development. Detailed access arrangements will need to be investigated further. • Provide a Sustainable Transport Strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
Flood Risk and Drainage
<ul style="list-style-type: none"> • Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.
Contaminated Land
<ul style="list-style-type: none"> • The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.
Minerals
<ul style="list-style-type: none"> • The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 16

St. Wilfrids Catholic Primary School, School Close, Burgess Hill

SHELAA:	345	Settlement:	Burgess Hill
Gross Site Area (ha):	1.60	Number of Units:	200 dwellings
Description:	Mixed use allocation of residential and community facilities		
Ownership:	Public bodies and private landowners		
Current Use:	School	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Landowners to bring the development forward		

SA16: St. Wilfrids Catholic Primary School, School Close, Burgess Hill



Objectives

- To achieve comprehensive redevelopment which encompasses the broad aspirations and objectives of Burgess Hill Neighbourhood Plan Policy BHNP – TC3 The Brow Quarter. Optimise the town centre location by delivering a high density, sustainable, mixed use development of residential and community facilities, with each element of the scheme designed as an integrated part of a comprehensive design that delivers a legible layout with improved connectivity with the town centre and wider area. A masterplanned approach to the design shall be informed by preparation of The Brow Development Brief Supplementary Planning Document (SPD) for the site and the adjacent land parcels at The Brow.

Urban Design Principles

- Comprehensively masterplan development across the entire site, designing a fully integrated scheme which optimises the potential for the whole site as a single development, under the same planning application(s). Piecemeal development will be resisted.
- The anticipated yield of the comprehensive redevelopment scheme includes the 200 dwellings proposed in policy SA16, plus an additional 100 dwellings proposed in the Neighbourhood Plan for the Brow Quarter.
- Provide a coherent masterplan for the whole site involving integrated design, establishing a strong sense of place, focused around a high quality area of open space and carefully landscaped public realm, providing an appropriate setting for the scale of development, in accordance with The Brow Development Brief (SPD).

- Optimise the development potential of the site by providing high density development, up to 6 storeys in height designed as perimeter blocks that clearly defines public and private realms while also delivering a legible/permeable layout and active frontages.
- Deliver high quality public realm which maximises connectivity through the site, minimising the impact of parking and vehicle movement, providing attractive, convenient and safe pedestrian and cycle routes across the site, with links to existing networks outside the site.
- Parking should be discreetly accommodated and mostly provided off-street.
- Development shall respond appropriately to adjacent existing development in order to safeguard neighbouring amenity; particularly to the north of the site where a lower scale will be required to avoid overwhelming the rear gardens and domestic-scaled houses on Norman Road.
- Layout and design shall take account of potential development opportunities that exist immediately beyond the site boundaries to ensure future redevelopment opportunities are not hindered.

Social and Community

- Across the broader development area, which includes BHNP – TC3 The Brow Quarter, the existing uses include the following community uses; a General Practice (GP) Surgery/Clinic, Fire and Rescue Service Fire Station, Ambulance Station and Police Headquarters and St Wilfrid's Roman Catholic Primary School and playing fields.
- Redevelopment proposals shall provide evidence that demonstrates how replacement community facilities will be provided to the satisfaction of the Council and relevant key stakeholders, in accordance with the requirements of District Plan Policy DP25 (Community Facilities and Local Services); evidence shall include re-provision of the school playing fields or justification of their loss to the satisfaction of the Council and Sport England in accordance with the NPPF and Sport England's Playing Field Policy.

Historic Environment and Cultural Heritage

- Protect important views from within the site of the Grade II* Listed St John's Church to the north east, through careful design and layout.

Biodiversity and Green Infrastructure

- Provide a net gain in biodiversity, taking account of the wider ecological context, through biodiversity enhancements and Green Infrastructure provision, incorporating appropriate integral habitat in the construction of the buildings and inclusion of well designed and diverse landscaped areas with native street trees and planting.

Highways and Access

- Investigate access arrangements onto the Brow, including any necessary improvements to the highway infrastructure.
- Provide a Sustainable Transport Strategy to identify sustainable transport infrastructure improvements and demonstrate how the development will integrate with the existing network, providing comprehensive sustainable links to the town centre and transport hubs, including safe and convenient routes for walking and cycling.
- Mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.

Flood Risk and Drainage

- Design surface water drainage to minimise run off, incorporate SuDS and to ensure that Flood Risk is not increased.

Contaminated Land

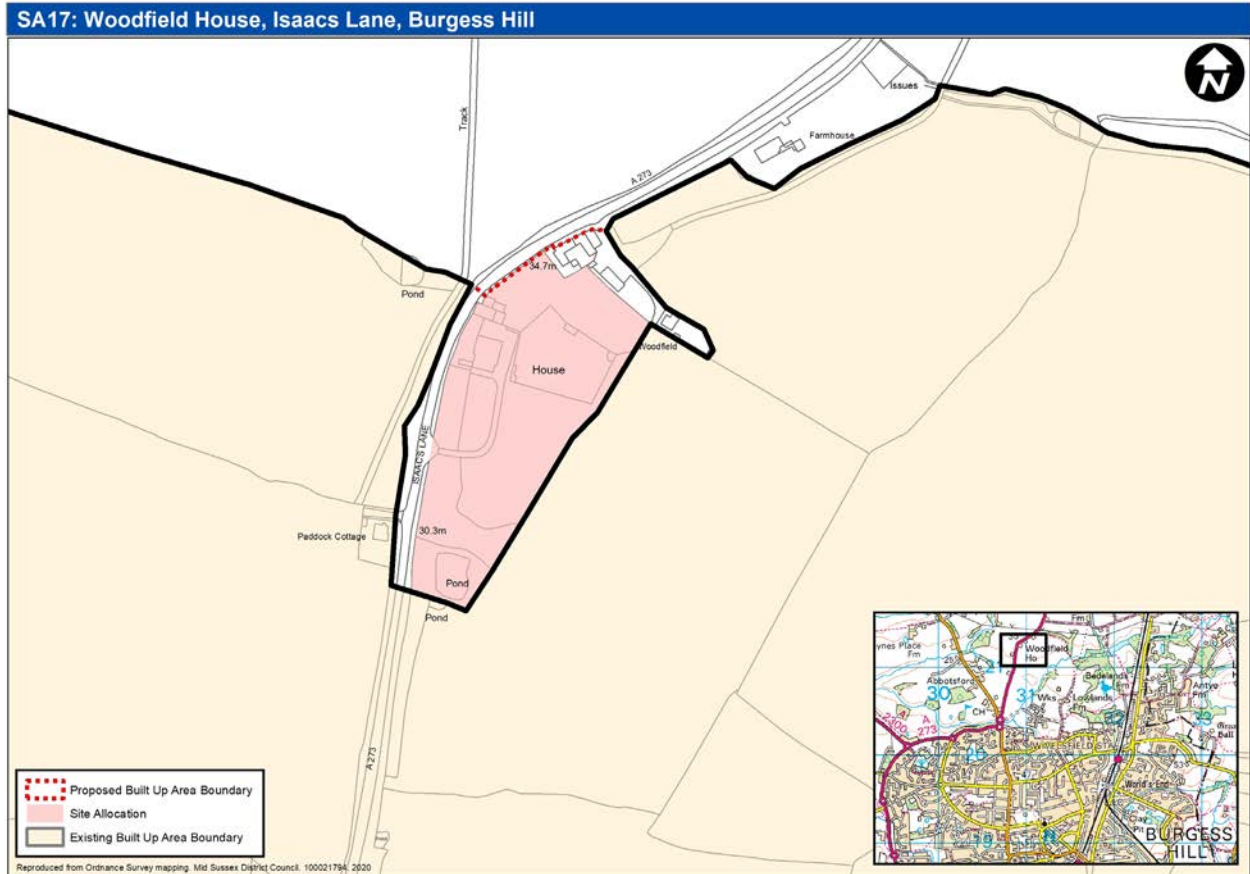
- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.

Utilities

- Southern Water's Infrastructure crosses the site therefore Easements may be required. Plan the layout to ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible.

SA 17 Woodfield House, Isaac's Lane, Burgess Hill

SHELAA:	840	Settlement:	Burgess Hill
Gross Site Area (ha):	1.4	Number of Units:	30 dwellings
Description:	Housing allocation		
Ownership:	Private landowner		
Current Use:	Private dwelling house and garden	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with developer		



Objectives

- To deliver a high quality, landscape led, sustainable extension to Burgess Hill, that is integrated with the Northern Arc Strategic Development, enabling residents to access facilities.

Urban Design Principles

- The Northern Arc Strategic Development surrounds the site. Connect and integrate the development of this site with the Northern Arc through careful masterplanning involving cohesive design, landscaping, open space and access arrangements that also includes cycle and walking routes.
- Orientate development to have a positive active frontage to the landscape features on the site and in relation to the Northern Arc Strategic Development.

Landscape Considerations

- There is a group Tree Preservation Order in the southern and western areas of the site. High quality substantial new planting of native trees is required, should these be lost to provide access from Isaac's Lane. All other TPO trees on the site are to be retained.
- Retain and enhance important landscape features, mature trees, hedgerows and the pond at the south of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- Identify and protect important views into and out of the site with proposals laid out so that views are retained and, where possible enhanced to improve both legibility and the setting of development.

Historic Environment and Cultural Heritage

- The site may contain buried archaeology. Carry out Archaeological Assessment and appropriate mitigation arising from the results.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.
- Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure provision to improve biodiversity and water quality.

Highways and Access

- Integrated access with the Northern Arc Development is strongly preferred, the details of which will need to be investigated further.

Flood Risk and Drainage

- Provide a site specific Flood Risk Assessment (FRA) to consider how surface water will be disposed from the site.
- Incorporate Sustainable Drainage Systems as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.

Minerals

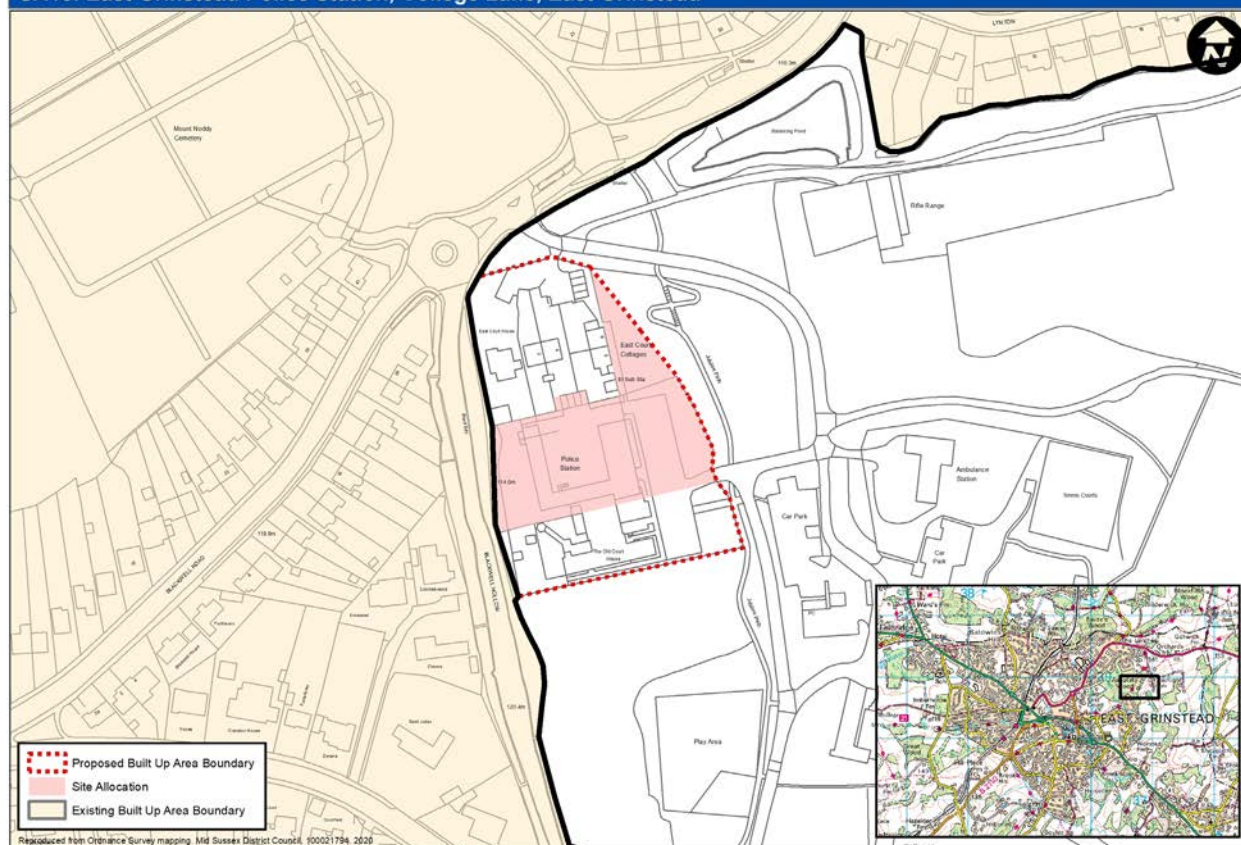
- The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 18

Former East Grinstead Police Station, College Lane, East Grinstead

SHELAA:	847	Settlement:	East Grinstead
Gross Site Area (ha):	0.42	Number of Units:	22 dwellings
Description:	Housing allocation		
Ownership:	Owned by Police		
Current Use:	Vacant Police Station	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Land owner has expressed an interest in bringing the site forward for development		

SA18: East Grinstead Police Station, College Lane, East Grinstead



Objectives

- To deliver a high density development and comprehensive landscape scheme which respects the parkland setting of East Court and protects the setting of nearby heritage assets.

Urban Design Principles

- Optimise the development potential of the site through the provision of apartments of no more than 2 ½ storeys taking account of potential development opportunities that exist immediately beyond the site boundaries to ensure future redevelopment opportunities are not hindered.
- Provide well integrated parking solutions to ensure parking areas do not dominate the public realm.
- Informed by a slope/land stability risk assessment report, provide an appropriate layout and scale of development and ensure any necessary mitigation is undertaken to the rear of the site adjacent to Blackwell Hollow.

Landscape Considerations

- The design shall respect the parkland setting, providing a comprehensive landscaping scheme that maintains the open frontage of the site, avoiding the use of prominent hard boundary treatment.

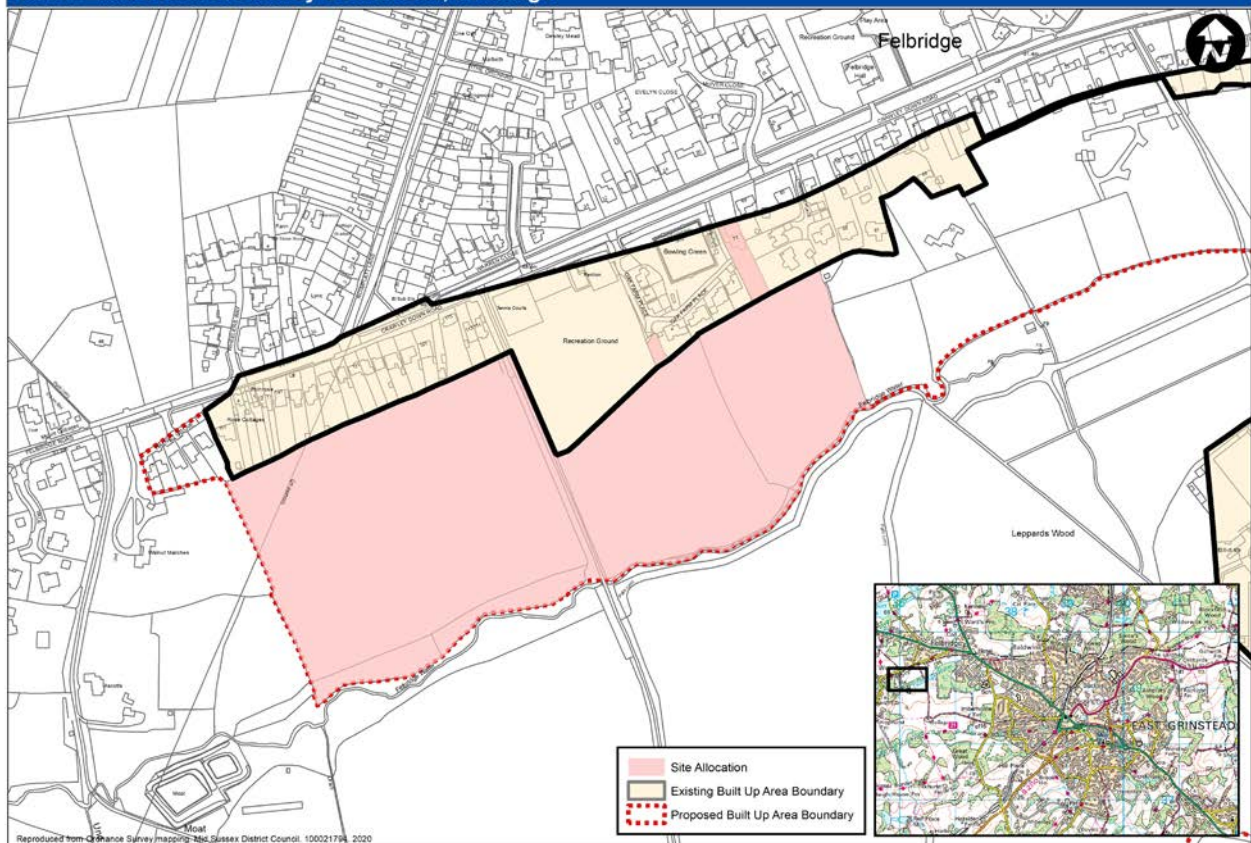
Historic Environment and Cultural Heritage
<ul style="list-style-type: none"> • Informed by a Heritage Impact Assessment, provide an appropriate design, layout and scale of development and landscaping scheme to protect the setting of the nearby Estcots and East Court Conservation Area and the Grade II Listed Council Offices.
Biodiversity and Green Infrastructure
<ul style="list-style-type: none"> • Provide a net gain in biodiversity and Green Infrastructure, taking account of the wider ecological context, creating additional habitat in the construction of the building, including where appropriate integral bat and bird boxes, and inclusion of well designed and diverse landscaped areas with native species. • Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss • Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
Highways and Access
<ul style="list-style-type: none"> • Utilise existing access arrangements and make any necessary safety improvements. • Informed by a Transport Assessment, provide an appropriate and level of well-integrated car parking.
Flood Risk and Drainage
<ul style="list-style-type: none"> • Surface Water Drainage to be designed to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.
Minerals
<ul style="list-style-type: none"> • The site lies within the brick clay (Wadhurst clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.
Utilities
<ul style="list-style-type: none"> • Occupation of the development will be phased to align with delivery of necessary sewerage infrastructure, in liaison with the service provider.

SA 19

Land south of Crawley Down Road, Felbridge

SHELAA:	196	Settlement:	East Grinstead
Gross Site Area (ha):	8.5	Number of Units:	200 dwellings
Description:	Housing allocation with onsite playspace and equipped children's playspace.		
Ownership:	Private land owner(s)		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Land in control of site promotor and housebuilder		

SA19: Land south of Crawley Down Road, Felbridge



Objectives

- To deliver a sympathetic extension to Felbridge, informed by a landscape led masterplan which optimises the opportunities provided by Felbridge Water to include an enhanced landscape buffer and notable biodiversity improvements.

Urban Design Principles

- Optimise the potential of the site through the masterplan process, whilst establishing a strong sense of place which is sympathetic to the landscape setting and character of Felbridge, providing a focus by incorporating a central open space with a higher density of housing in close proximity.
- Ensure the site maximises connectivity with the existing settlement of Felbridge and maintains a permeable layout throughout.
- Retain and enhance existing established trees and other landscape features and weave them into green infrastructure / open space / movement strategy that encourages pedestrian and cycle use.
- Development shall be orientated to have a positive edge with the countryside to the south, the PRoW, existing Felbridge recreation ground and proposed public open space, with buildings fronting onto the tree lined field boundaries to provide an attractive backdrop and avoid trees overshadowing back gardens.
- Optimise the potential created by the necessary flood risk buffer to Felbridge Water, including the siting of any necessary flood attenuation ponds to create an attractive edge to the development and additional recreation area.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impact on views from the wider countryside to the south.
- Retain and substantially enhance existing landscape structure, safeguarding existing mature and TPO trees and landscaping along/adjacent to the boundaries, and within the site and along historic field boundaries incorporating them into the landscape structure and layout of the development to contain the new housing, and limit the impact on the wider landscape; particularly to the southern boundary.
- Ensure the design and layout of the development works with the natural grain of the landscape following the slope contours of the site, minimising cut and fill.
- Development proposals shall protect and enhance the character and amenity of existing PRoW which runs through the centre of the site leading to the Worth Way and provide connections through the new development.

Social and Community

- Provide a suitably managed and designed public open space, playspace and equipped children's playspace.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including retention of existing landscape features and enhancement with new native species-rich hedgerows, native tree planting and wildflower seeding in areas of open space to provide a matrix of habitats with links to the surrounding landscape.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Provision of onsite SuDS will need to contribute to green infrastructure - the flood risk buffer along the Felbridge Water shall be used to maximise potential to enhance ecological connectivity, increase biodiversity and habitat creation.
- Potential impacts of the development on Hedgecourt Lake SSSI, which is accessible via existing PRoW to the north, should be understood and adequately mitigated.
- Provision of good quality green space shall be made for people and wildlife to attract people away from the nearby Hedgecourt Lake SSSI.
- Provide necessary protection and mitigation, including measures to minimise public access to the woodland, provision of a woodland management plan and woodland enhancement package.
- Provide enhanced ecological corridors between the ancient woodland and wider landscape to ensure there is no ecological deterioration and fragmentation of the woodland.

Highways and Access

- Provide a Sustainable Transport Strategy which identifies sustainable transport infrastructure improvements and demonstrates how the development will integrate with and enhance the existing network providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
- Investigate access arrangements onto Crawley Down Road and make necessary safety improvements to secure appropriate visibility.
- The access shall include footpaths to either side to connect with the existing pedestrian network along Crawley Down Road.
- Working collaboratively with and to the satisfaction of both Surrey and West Sussex County Council Highway Authorities, mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.
- Taking account for sustainable transport interventions, contribute towards providing any necessary capacity and safety improvements to junctions impacted upon by the development in the vicinity of the site along the A22/A264 corridor.

- Contribute towards improvements and protect the quality of the existing PRow across the site and provide traffic calming measures where any vehicular access crosses the footpath.

Flood Risk and Drainage

- The Southern boundary of the site borders a watercourse (Felbridge Water) and its associated flood zones. Informed by a Flood Risk Assessment, a sequential approach shall be applied to ensure all development avoids the flood extent for the 1 in 100 year event including Climate Change allowances; hydraulic modelling is likely to be required to identify the full extent of the area.

Contaminated Land

- Provide a detailed investigation into possible sources of adjacent/on-site contamination together with any remedial works that are required.

Utilities

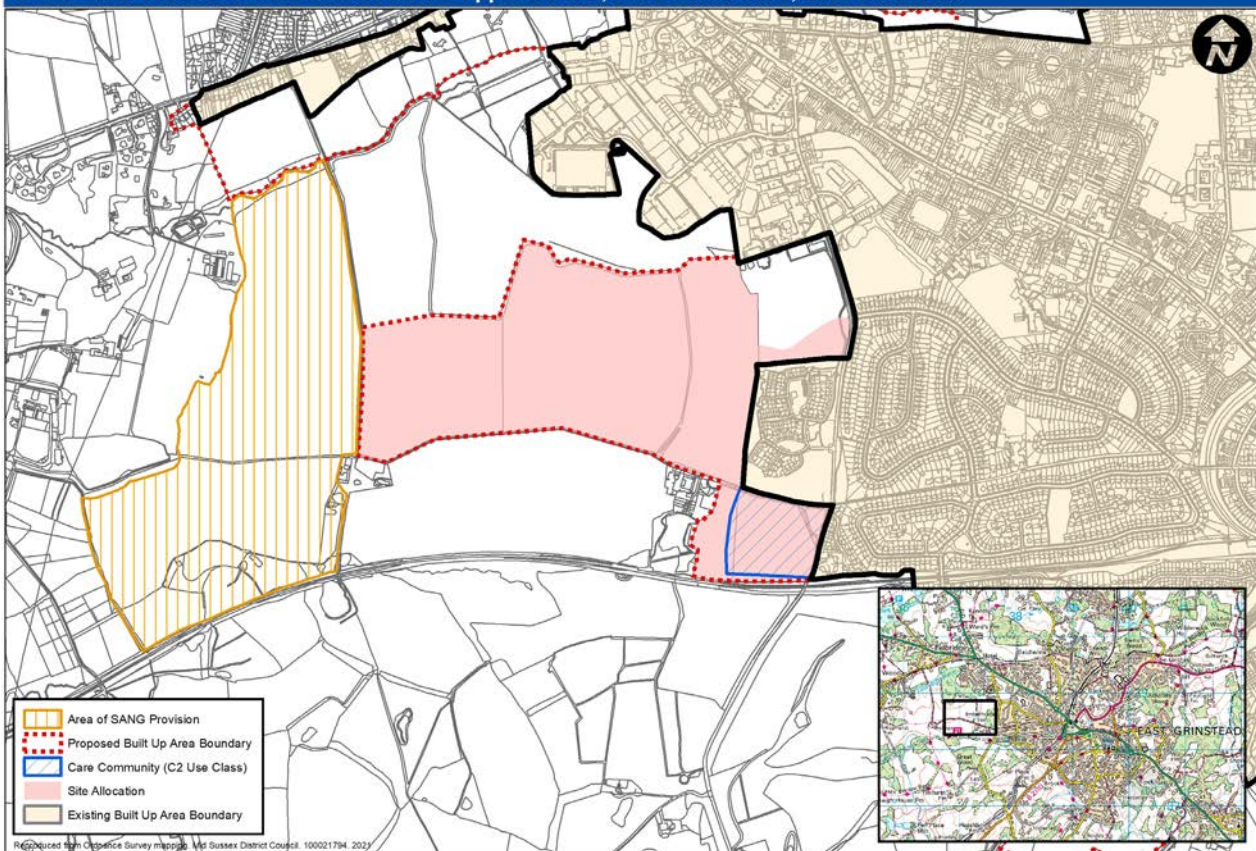
- Southern Water's Infrastructure crosses the site. Easements may be required with the layout to be planned to ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible.

SA 20

Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead

SHELAA:	770	Settlement:	East Grinstead
Gross Site Area (ha):	64.8	Number of Units:	550 dwellings
Description:	Housing allocation with Local Centre and Care Community (C2), early years, primary school and facilities for Special Educational Needs (2FE), strategic SANG, public open space and children's equipped playspace, provision of land for playing fields associated with Imberhorne School.		
Ownership:	Private land owner		
Current Use:	Greenfield/arable/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	In control of a land promoter		

SA20: Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead



Objectives

- To deliver a high quality and sustainable extension to East Grinstead, which facilitates the expansion of Imberhorne Upper School, informed by a landscape led masterplan creating a development which is sensitive to the rural setting of the nearby heritage assets, and includes generous green infrastructure corridors to contain the built form. The development shall establish a strong sense of place and include a neighbourhood centre, whilst providing good permeability across the site with attractive pedestrian and cycle routes throughout.

Urban Design Principles

- Optimise the potential of the site through the masterplan process, whilst establishing a strong sense of place which is sympathetic to the existing local character of East Grinstead and the wider landscape setting.
- Development shall provide a pedestrian friendly neighbourhood centre that is centrally positioned and well integrated with the development and in close proximity to the main open space provision.

- Provide a positive and soft edge to Imberhorne Lane and the countryside with buildings that front on to the tree-lined field boundaries allowing an attractive backdrop to the public realm, avoiding trees overshadowing back gardens.
- Retain and enhance existing established trees and other landscape features and weave them into green infrastructure / open space / movement strategy that encourages pedestrian and cycle use.
- Focus higher density development with 3 to 4 storey frontages in the most accessible part of the site around the neighbourhood centre. Carefully accommodate car parking to ensure it does not dominate the public realm.
- Ensure the site maximises connectivity with the existing settlement and services within East Grinstead and utilises a permeable layout throughout.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impact on the wider countryside.
- Retain and substantially enhance existing landscape structure, safeguarding mature trees and landscaping along the boundaries, and within the site and along historic field boundaries incorporating them into the landscape structure and layout of the development to contain the new housing, and limit the impact on the wider landscape.
- Ensure the design and layout of the development works with the natural grain of the landscape following the slope contours of the site, minimising cut and fill.
- Development proposals shall protect and enhance the character and amenity of the existing PRoW which runs through the site and provide connections through the new development. Protect the character and amenity of the Worth Way which runs adjacent to the southern boundary.

Social and Community

- Provide a detailed phasing plan with agreement from the Local Planning Authority in consultation with key stakeholders to secure:
 - Land and financial contribution for early years and primary school (2FE) provision with Early Years pre-school and facilities for Special Educational Needs. – 2.2 ha
 - A land exchange agreement between WSCC and the developer to secure 6 ha (gross) land to create new playing field facilities in association with Imberhorne Secondary School (c.4 ha net - excluding land for provision of a new vehicular access onto Imberhorne Lane).
 - A community use agreement for the new playing fields/sports facilities at Imberhorne Upper School.
 - Provide a neighbourhood/local centre on site.
 - Provision of suitably designed and managed onsite strategic SANG – c.40 ha
 - Provision of onsite suitably managed equipped children’s playspace and public open space. In consultation with the Council, mitigate increased demand for formal sport.
 - Provision of a minimum of 142 dwellings (Use Class C2) in a dedicated site within the allocation, fronting onto Imberhorne Lane.
 - In consultation with the Clinical Commissioning Group (CCG), address increase demand for GP services either on-site or by financial contribution to support expansion of existing local GP practices. Gypsies and Travellers and Travelling Showpeople provision may be required in accordance with District Plan policies DP30: Housing Mix and DP33: Gypsies and Travellers and Travelling Showpeople.

Historic Environment and Cultural Heritage

- Protect the rural setting of the nearby Grade II* listed Gullege, Grade II listed Imberhorne Farm and Grade II* listed Imberhorne Cottages by masterplanning the layout, design and landscape structure to ensure the development is not dominant in views from these listed buildings.
- Establish need for Archaeological pre-determination evaluation and appropriate mitigation and undertake a geophysical survey, the results of which will identify appropriate archaeological mitigation.

- Undertake an holistic approach to Green Infrastructure and corridors, maintaining existing habitat connectivity, incorporating existing retained trees and hedgerows within the site and connect to surrounding landscape.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
- Provide necessary protection and mitigation, including measures to minimise public access to the woodland, provision of a woodland management plan and woodland enhancement package along with a substantial semi-natural buffer, in excess of the 15m minimum between development and areas of Ancient Woodland.
- Provide enhanced ecological corridors between the ancient woodland and wider landscape to ensure there is no ecological deterioration and fragmentation of the woodland.
- Provide appropriately managed strategic Suitable Alternative Natural Greenspace (SANG) to the satisfaction of the Local Planning Authority to attract people away from the nearby Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). The management of the SANG should include regular monitoring of visitor numbers, where visitors travel from to visit the SANG, activities at the SANG, and any suggestions for future management.
- Potential impacts of the development on Hedgecourt Lake SSSI, which is accessible via existing PRow to the north and the Worth Way LWS to the south should be understood and adequately mitigated.

Highways and Access

- Provide a Sustainable Transport Strategy which identifies sustainable transport infrastructure improvements and demonstrates how the development will integrate with and enhance the existing sustainable transport network providing appropriate enhancements to the existing public transport networks and safe and convenient routes for walking and cycling to key destinations and links to the existing networks.
- Working collaboratively with and to the satisfaction of both Surrey and West Sussex County Council Highway Authorities mitigate development impacts by maximising sustainable transport enhancements; where additional impacts remain, highway mitigation measures will be considered.
- Taking account for sustainable transport interventions, contribute towards providing any necessary capacity and safety improvements to junctions impacted upon by the development in the vicinity of the site along the A22/A264 corridor.
- Vehicular access and necessary safety improvements will be provided on Imberhorne Lane; the access shall include footpaths to either side to connect with the existing pedestrian network along Imberhorne Lane.
- Contribute towards improvements to and positively integrate the PRow which cross the site, including providing an access link into the Worth Way cycle/pedestrian path (Three Bridges – East Grinstead).

Flood Risk and Drainage

- Provide a Flood Risk Assessment to identify the risk of flooding for different areas of the site. A sequential approach to the location of development should be followed and sufficient space retained to allow for the natural flood flow routes that cross the site, taking account of those which come from off site.
- Existing watercourses running across the site shall be given a minimum 5 metre buffer from the top of bank and any other existing water features shall be retained and enhanced.
- Retain and protect natural spring lines or flows along the southern part of the site adjacent to the Worth Way in order to avoid creating future flood risk.
- The masterplan process shall include measures to intergrate natural flood risk management techniques and infiltration SuDS into the layout and design of the development.

Contaminated Land

- Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required; particularly those associated with the historic landfill located around Imberhorne Farm to the south east of the site.

Minerals

- The site lies within the building stone (Ardingly stone) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

Utilities

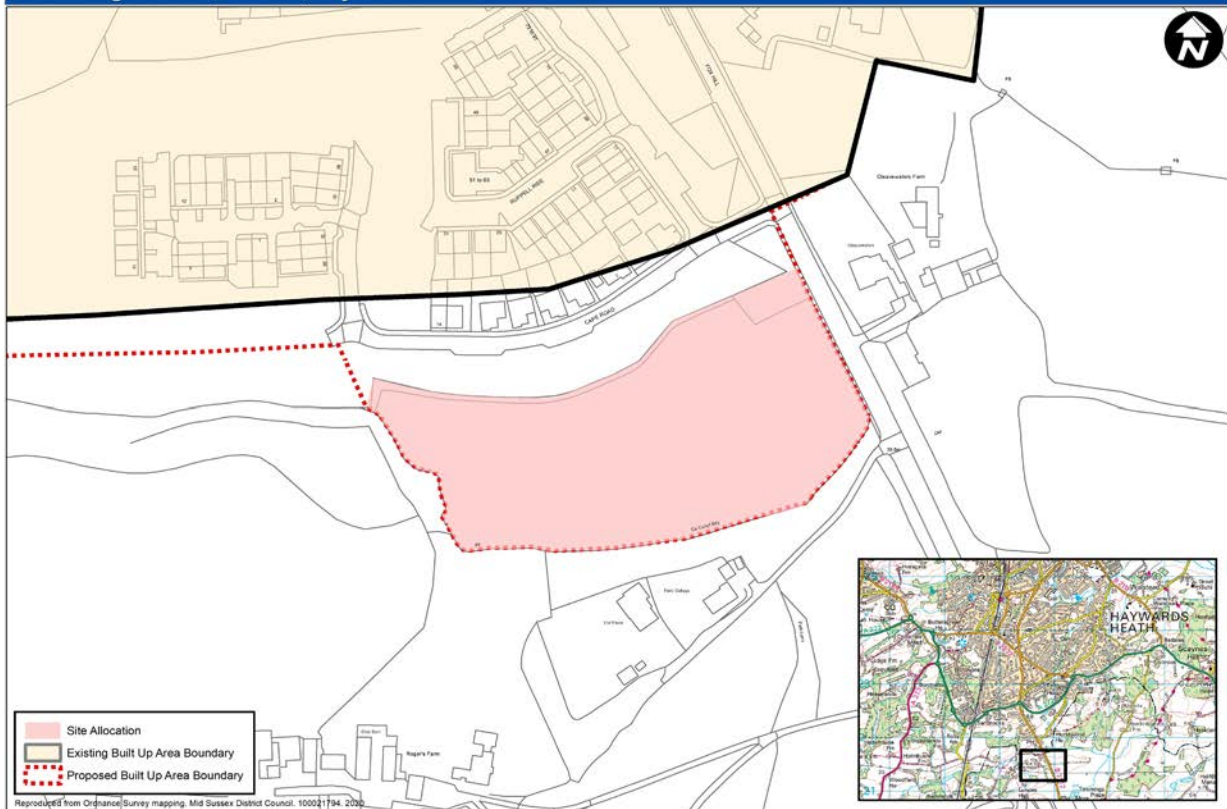
- Occupation of the development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

SA 21

Rogers Farm, Fox Hill, Haywards Heath

SHELAA:	783	Settlement:	Haywards Heath
Gross Site Area (ha):	1.30	Number of Units:	25 dwellings
Description:	Housing and open space allocations		
Ownership:	Private landowner		
Current Use:	Greenfield/grazing	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with Developer		

SA21: Rogers Farm, Fox Hill, Haywards Heath



Objectives

- To deliver a high quality, landscape led, sustainable urban extension to Haywards Heath, which respects the character of this settlement edge and the surrounding countryside, and which is comprehensively integrated with the town so residents can access existing facilities.

Urban Design Principles

- Optimise the development potential of the site while protecting the sensitive rural edge to the town and the setting of listed buildings through careful masterplanning.
- Seek to enhance the connectivity of the site with Haywards Heath by providing pedestrian and/or cycle links to adjacent existing networks, including a connection to the bridleway to the south of the site.
- Orientate development to have a positive active frontage in relation to the existing settlement, attractive tree boundaries and to define open spaces and routeways.

Landscape Considerations

- Protect the rural character of this edge of settlement and southern approach to Haywards Heath by providing a sufficiently sized landscape buffer along the frontage (eastern) boundary together with a locally native hedgerow and tree screen.
- Retain and enhance mature trees and planting along the northern, western and southern boundaries of the site and incorporate these into the landscape structure and Green Infrastructure proposals for the development to limit impacts on the setting of listed buildings and the wider countryside.

- Protect the character and amenity of existing public footpaths that are adjacent to the southern and western boundaries of the site and provide connections to these from the new development.

Social and Community

- Create a well connected network of open spaces, suitable for informal recreation on the north and western part of the site. This area is unsuitable for development due to flood risk.

Historic Environment and Cultural Heritage

- Preserve the rural setting of the Grade II listed Cleavewater opposite the site through sensitive design and landscaping, including by creating a sufficiently sized landscape buffer along the frontage (eastern) boundary and by providing a locally native hedgerow and tree screen.
- Preserve the rural setting of the Grade II listed Rogers Farm and Old Cottage to the south and south west of the site by retaining and enhancing the tree belts along the southern and western boundaries.
- The mitigation strategy is to be informed by a Heritage Impact Assessment.
- The site may contain buried archaeology. Carry out Archaeological Assessment and appropriate mitigation arising from the results.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss to biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure provision to improve biodiversity and water quality.

Highways and Access

- Provide access to Lunces Hill (B2112), the details of which will need to be investigated further.
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

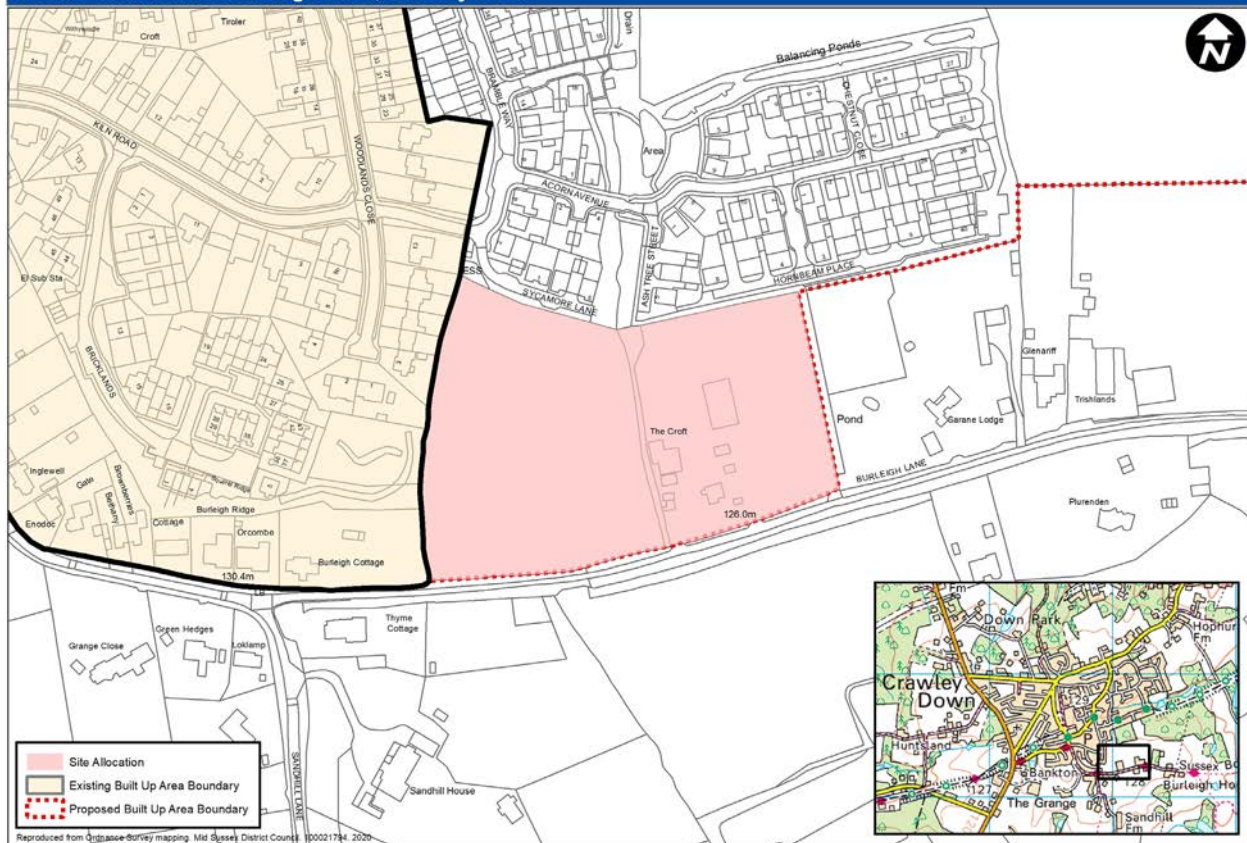
Flood Risk and Drainage

- The north western area of the site is at risk of surface water flooding due to the close proximity of watercourses and should not therefore be developed. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required. Any existing surface water flow paths across the site must be maintained.
- Incorporate Sustainable Drainage Systems as an integral part of the Green Infrastructure and open space proposals to improve biodiversity and water quality.

SA 22 Land north of Burleigh Lane, Crawley Down

SHELAA:	519	Settlement:	Crawley Down
Gross Site Area (ha):	2.25	Number of Units:	50 dwellings
Description:	Housing allocations		
Ownership:	Private landowner		
Current Use:	Former commercial site now overgrown and unused	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with developer		

SA22: Land north of Burleigh Lane, Crawley Down



Objectives

- To deliver a high quality, landscape led, sustainable extension to Crawley Down, which respects the character of the village and the surrounding countryside, and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- Concentrate higher density development towards the northern part of the site to reflect the existing settlement pattern, with a lower density towards the southern edges to help create a successful transition with Burleigh Lane.
- Orientate development to have a positive active frontage in relation to the existing settlement, attractive tree boundaries and to define open spaces and routeways.
- Seek to enhance the connectivity of the site with Crawley Down village by providing pedestrian and/or cycle links to Sycamore Lane, Burleigh Way and adjacent existing networks.

Landscape Considerations

- Retain and enhance existing mature trees and hedgerows on the site and around the boundaries and incorporate these into the landscaping structure for the site to limit impacts on the countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

- Protect the rural character of Burleigh Lane and views from the south by minimising loss of trees and hedgerows along the southern boundary and reinforcing any gaps with locally native planting.
- Protect the character and amenity of existing public footpaths and seek to integrate these into the Green Infrastructure proposals for the site.

Social and Community

- Provide a Locally Equipped Accessible Play Space (LEAP) that is inclusive to the local community.

Historic Environment and Cultural Heritage

- Provide appropriate mitigation to protect the rural setting of the Grade II listed Burleigh Cottage adjacent to the west of the site by creating a sufficiently sized landscape buffer of open space between the listed building and the new development. Provide a hedgerow/ tree belt screening between the open space and the development to protect the rural setting of Burleigh Cottage. The mitigation strategy should be informed by a Heritage Impact Assessment.
- Protect the rural character of Burleigh Lane and the setting of Burleigh Cottage by retaining the stone gateways on Burleigh Lane along the southern boundary of the site.

Air Quality / Noise

- No site specific sensitivities identified.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity. Avoid any loss to biodiversity through ecological protection and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.

Highways and Access

- Provide access from Sycamore Lane.
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

Flood Risk and Drainage

- Existing surface water flow paths cross the site and there is a watercourse adjacent to the east of the site. Provide a Flood Risk Assessment (FRA) to inform the site layout and any necessary mitigation measures that may be required.
- Design Surface Water Drainage to minimise run off to adjacent land, to incorporate SuDS and to ensure that Flood Risk is not increased.

Contaminated Land

- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.

Utilities

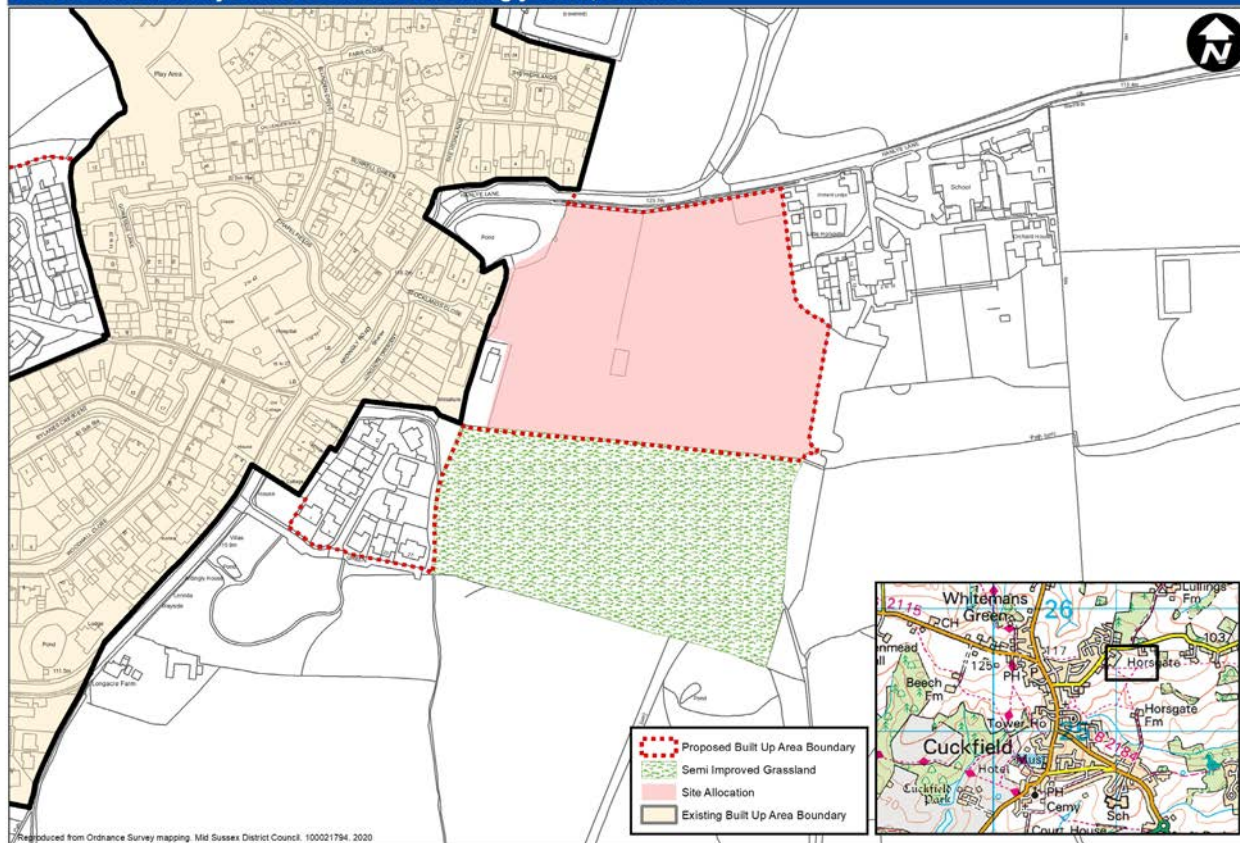
- Upgrade to the Sewerage infrastructure network is required. Occupation of development should be phased to align with the delivery of sewerage infrastructure in liaison with the service provider.

SA 23

Land at Hanlye Lane to the east of Ardingly Road, Cuckfield

SHELAA:	479	Settlement:	Cuckfield
Gross Site Area (ha):	5.75	Number of Units:	55 dwellings
Description:	Housing allocation and formal and informal open space		
Ownership:	Private landowner		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5 years
Delivery Mechanisms:	Landowner in partnership with Developer		

SA23: Land at Hanlye Lane to the east of Ardingly Road, Cuckfield



Objectives

- To deliver a high quality, landscape led, sustainable extension to Cuckfield, which provides enhanced and accessible open space; respects the character of the village and conserves and enhances the setting of the High Weald AONB; and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- Provide development on the northern part of the site, creating a suitable development edge and transition with the open space that is to be retained to the south. As shown on the policy map, no development is to be provided on the southern field, south of the row of trees protected by Tree Preservation Orders, which is unsuitable for development as it is more exposed to views from the south, contributes to settlement separation and is crossed by rights of way providing scenic views towards the South Downs.
- Enhance the connectivity of the site with Cuckfield village by providing pedestrian and/or cycle links to Ardingly Road, Longacre Crescent and adjacent existing networks.
- Orientate development to have a positive active frontage in relation to the existing settlement and the wider countryside through careful masterplanning.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements in order to conserve and enhance the setting of the High Weald AONB adjacent to the north and minimise impacts on the wider countryside.
- Protect the rural character of Hanlye Lane and the approach to Cuckfield village by minimising the loss of the existing hedgerow and trees along the northern boundary.
- Sensitively design the layout to take account of the topography of the site, and views into and out of the site.
- The site contains a number of trees many with Tree Preservation Orders. Retain and enhance existing mature trees and hedgerows on the site, and on the boundaries, and incorporate these into the landscaping structure and Green Infrastructure proposals for the site in order to minimise impacts on the wider countryside. Open space should be provided as an integral part of this landscape structure.
- Protect the character and amenity of the existing public footpaths that cross the site and seek to integrate these with the Green Infrastructure proposals and the footpath to the north.

Social and Community

- Create a well connected area of open space on the land to the south, suitable for informal and formal recreation, that enhances and sensitively integrates the existing rights of way.

Historic Environment and Cultural Heritage

- The site is located near the crest of a sandstone ridge, in the High Weald a favourable location for archaeological sites. Carry out Archaeological assessment and appropriate mitigation arising from the results.

Biodiversity and Green Infrastructure

- The land to the south, as indicated on the Policies Map, is designated as a Semi Improved Grassland Priority Habitat. Manage this area to promote its conservation, restoration and enhancement in accordance with the Natural England management objectives for this type of habitat.
- Undertake a holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.
- Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
- Maintain a minimum buffer of 15 metres between the development and the north of Horsegate Wood ancient woodland.

Highways and Access

- Provide access from Hanlye Lane, the details of which need to be investigated.
- Investigate whether any highway measures are required to mitigate impacts at the intersection of London Road (B2036) and Ardingly Road (B2114).
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

Flood Risk and Drainage

- The site is situated next to the village pond. The culverted pipe taking the outflow of the pond to the watercourse along the western boundary of the site to the southern field is in poor condition. Consider drainage works to improve the situation such as creating an open watercourse to avoid future blockage and capacity issues.
- Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.
- Incorporate Sustainable Drainage Systems in the southern part of the site as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.

Contaminated Land

- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.

Minerals

- The site lies within the building stone (Cuckfield and Ardingly stone) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

Utilities

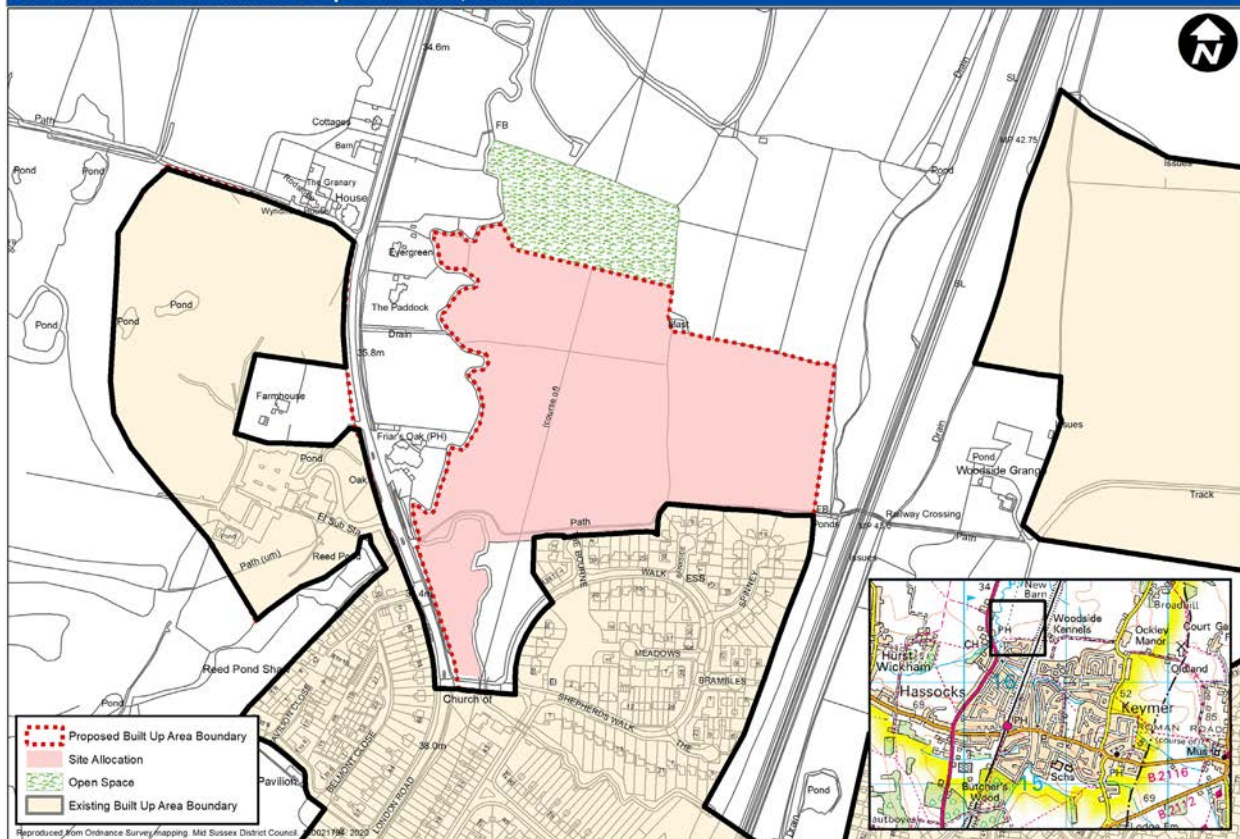
- Reinforcement of the sewerage network is required.
- Occupation of development will be phased to align with the delivery of sewerage infrastructure, in liaison with the service provider.

SA 24

Land to the north of Shepherds Walk, Hassocks

SHELAA:	221	Settlement:	Hassocks
Gross Site Area (ha):	10.5	Number of Units:	130 dwellings
Description:	Housing allocation with on site open space and equipped children's play area.		
Ownership:	Private land owner(s)		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Site in control of house builder.		

SA24: Land to the north of Shepherds Walk, Hassocks



Objectives

- To deliver a high quality development, informed by a landscape led masterplan, which optimises the opportunities provided by Herrings Stream, to include notable biodiversity improvements, whilst creating a sympathetic extension to the settlement of Hassocks which protects the integrity of the Local Gap to the north.

Urban Design Principles

- Optimise the potential of the site through the masterplan process, whilst establishing a strong sense of place which is sympathetic to the landscape setting creating a central open space that gives the layout a focus.
- Provide a positive edge to the countryside by fronting-on to (and safeguarding) the field boundary/ mature trees.
- Ensure the site maximises connectivity with the existing settlement of Hassocks.
- Optimise the potential created by the landscape buffer through the creation of an additional biodiversity enhancements and opportunities for informal recreation adjacent to Herrings Stream.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impact on the wider countryside.

- There are a number of trees covered by Tree Preservation Orders on the site. Existing hedgerows, mature and protected trees along the boundaries and within the site shall be retained, enhanced incorporating landscape buffers and incorporated into the landscape structure and layout of the development.
- Development proposals will need to protect the amenity and character of the existing public footpath which runs across the southern portion of the site, including where any diversion is necessary, providing new connections from the development where appropriate.

Social and Community

- Provide an extension to Shepherds Walk open space to include an equipped children’s playspace. The land is to be transferred to MSDC with an agreed commuted sum to cover future management.
- Ensure safe inclusive access across the railway line on the east boundary of the site through the provision of either a tunnel or footbridge.

Historic Environment and Cultural Heritage

- Pre-determination evaluation and appropriate mitigation may be required.
- Archaeological field evaluation (geophysical survey) shall be undertaken to inform an archaeological mitigation strategy.

Air Quality / Noise

- An Air Quality Impact Assessment is required in accordance with up to date local guidance to assess the potential impacts on the Stonepound Crossroads Air Quality Management Area (AQMA) and shall identify practical mitigation where appropriate.
- A noise assessment will be required to inform mitigation measures to reduce the impact of noise from the adjacent railway line.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements and protection of the flood plain area adjacent to Herrings Stream which runs along the western boundary of the site as a Green Infrastructure corridor.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure - provide a wildlife buffer and appropriate enhancements to Herrings Stream to improve biodiversity and habitat creation.

Highways and Access

- Provide a sustainable transport strategy identifying sustainable transport infrastructure improvements and demonstrating how the development will integrate with the existing network and provide safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.
- Investigate access arrangements onto London Road and make necessary safety improvements.
- Access shall include footpaths to connect with the existing pedestrian network along London Road and improved pedestrian links to the existing Friar’s Oak bus stop.
- Contribute towards improvements of Public Rights of Way (PRoW) across and in the vicinity of the site, including provision of safe access over the railway line on the east boundary of the site.

Flood Risk and Drainage

- The western boundary of the site borders a designated Main River (Herrings Stream) and its associated flood zones. Informed by a Flood Risk Assessment which identifies the flood extent, a sequential approach shall be applied to ensure development avoids the flood extent and shall include additional buffer zones for the 1 in 100 year event and include Climate Change allowances.
- Access to the site is across the flood plain and shall be appropriately designed to ensure that flood risk is not increased and any necessary flood plain compensation is provided.
- Safeguard Herrings Stream as part of any redevelopment and secure the long term protection and maintenance of the watercourse and landscape around it.
- Surface Water Drainage shall be designed to incorporate SuDS and minimise run off from the site to ensure that Flood Risk is not increased.

Minerals

- The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

Utilities

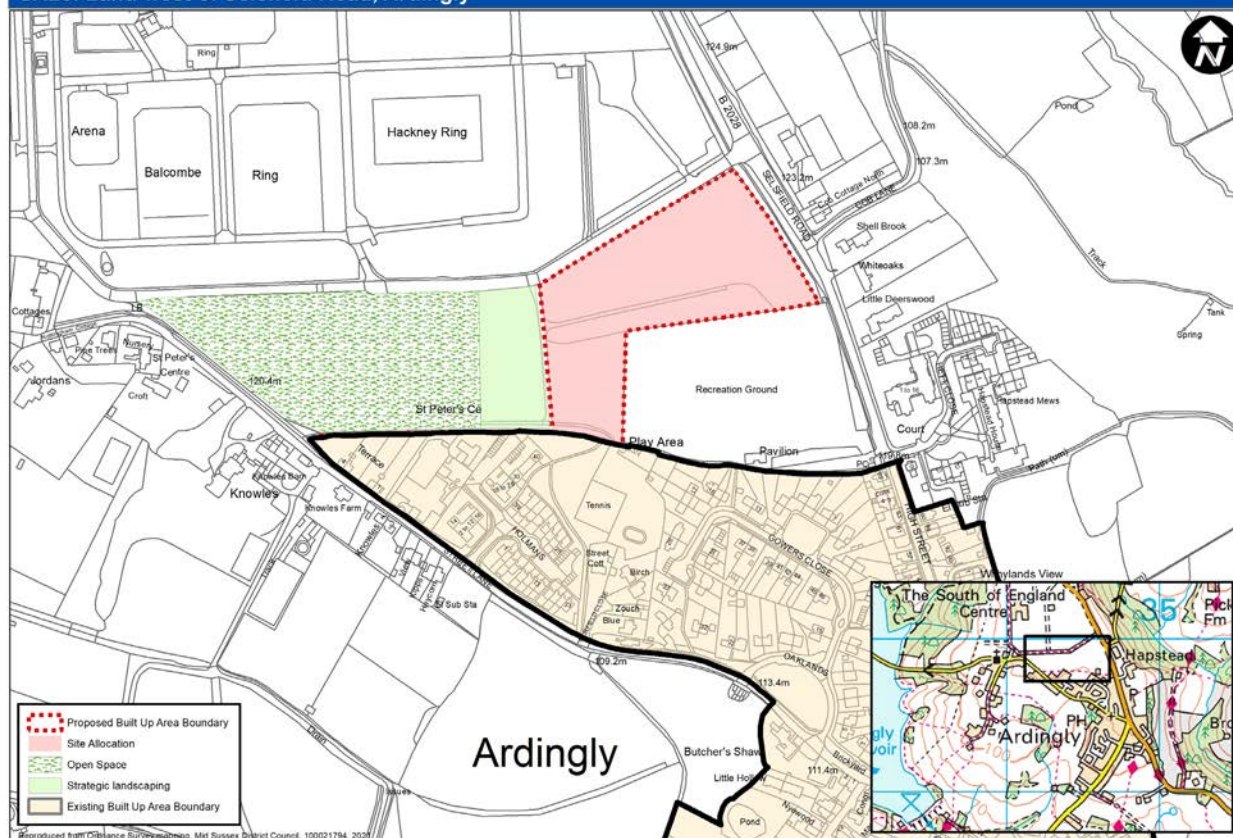
- Southern Water's Infrastructure crosses the site. Easements may be required with the layout to be planned to ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible.

SA 25

Land west of Selsfield Road, Ardingly

SHELAA:	832	Settlement:	Ardingly
Gross Site Area (ha):	5.17	Number of Units:	35 dwellings
Description:	Housing allocation with on site public open space.		
Ownership:	Private land owner		
Current Use:	Greenfield/parking for showground	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development.		

SA25: Land west of Selsfield Road, Ardingly



Objectives

- To deliver a sympathetic and well integrated extension to the village of Ardingly informed by a landscape led masterplan, which conserves and enhances the landscape character of the High Weald AONB and the setting of nearby heritage assets.

Urban Design Principles

- Locate the development at the eastern end of the open land between the South of England Showground and the Recreation Ground, fronting onto Selsfield Road. The proposed development should include strategic landscaping at its western end.
- Respect the distinctive character of the village and the existing settlement pattern.
- Orientate development to positively address existing and proposed areas of open space.
- Orientate development to have a positive edge to all site boundaries and to the adjacent recreation ground, facilitated by and including the removal of the existing bund providing a focal point for the development where sensitively designed higher density housing could be located; close boarded fencing should be avoided where visible from outside the site.
- Provide a permeable layout and enhance the connectivity of the site with Ardingly village and existing PRoW.

AONB

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to conserve and enhance the landscape of the High Weald AONB, as set out in the High Weald AONB Management Plan.
- Retain and substantially enhance existing trees and hedgerows incorporating them into the landscape structure and layout of the development and reinstate the historic field boundary through the centre of the site adjacent to the area of open space to the west, with native species-rich hedgerow and native trees, incorporating the existing mature Oak tree.
- Incorporate retained landscape features into a strong new landscape setting, containing the new housing and limiting the impact on the wider landscape.
- Protect and enhance the character and amenity of existing PRow which runs along the northern and southern boundaries and provide connections from the new development.

Social and Community

- In consultation with the Local Planning Authority, address requirements for suitably managed open space and equipped children's playspace, either on-site or by financial contribution to upgrade existing adjacent facilities.

Historic Environment and Cultural Heritage

- Provide appropriate design, layout and landscaping mitigation to protect the rural setting of the adjacent Ardingly Conservation Areas and nearby listed St Peter's Church (Grade I) and the listed group which surrounds the Church (Grade II); ensure development is not dominant in views from within the conservation areas and the setting of the listed buildings.
- Retain the western end of the site as an undeveloped area of public open space in order to protect the rural setting of these assets and maintain separation of the two historic cores of the village.
- Establish the need for Archaeological pre-determination evaluation and appropriate mitigation and undertake a geophysical survey shall be undertaken, the results of which will identify appropriate archaeological mitigation.

Air Quality / Noise

- Noise assessment shall inform any necessary mitigation required to provide an acceptable standard of accommodation for each of the dwellings, arising from the Ardingly Showground operations.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including retention of existing landscape features and enhancement with new native species-rich hedgerows, native tree planting and wildflower seeding in areas of open space to provide a matrix of habitats with links to the surrounding landscape.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.

Highways and Access

- Provide a Sustainable Transport Strategy which identifies sustainable transport infrastructure improvements and demonstrates how the development will integrate with and enhance the existing network providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks in Ardingly.
- Mitigate development impacts by maximising sustainable transport enhancements; where addition impacts remain, highway mitigation measures will be considered.
- Investigate access arrangements onto Selsfield Road and make necessary safety improvements.

Flood Risk and Drainage

- Provide a Flood Risk Assessment which includes details of ground investigations and permeability testing to inform an appropriate method for disposal of surface water and explores the potential use of infiltration SuDS.

Contaminated Land

- Provide a detailed investigation into possible sources of adjacent/on-site contamination together with any remedial works that are required.

Minerals

- The site lies within the building stone (Cuckfield and Ardingly stone) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

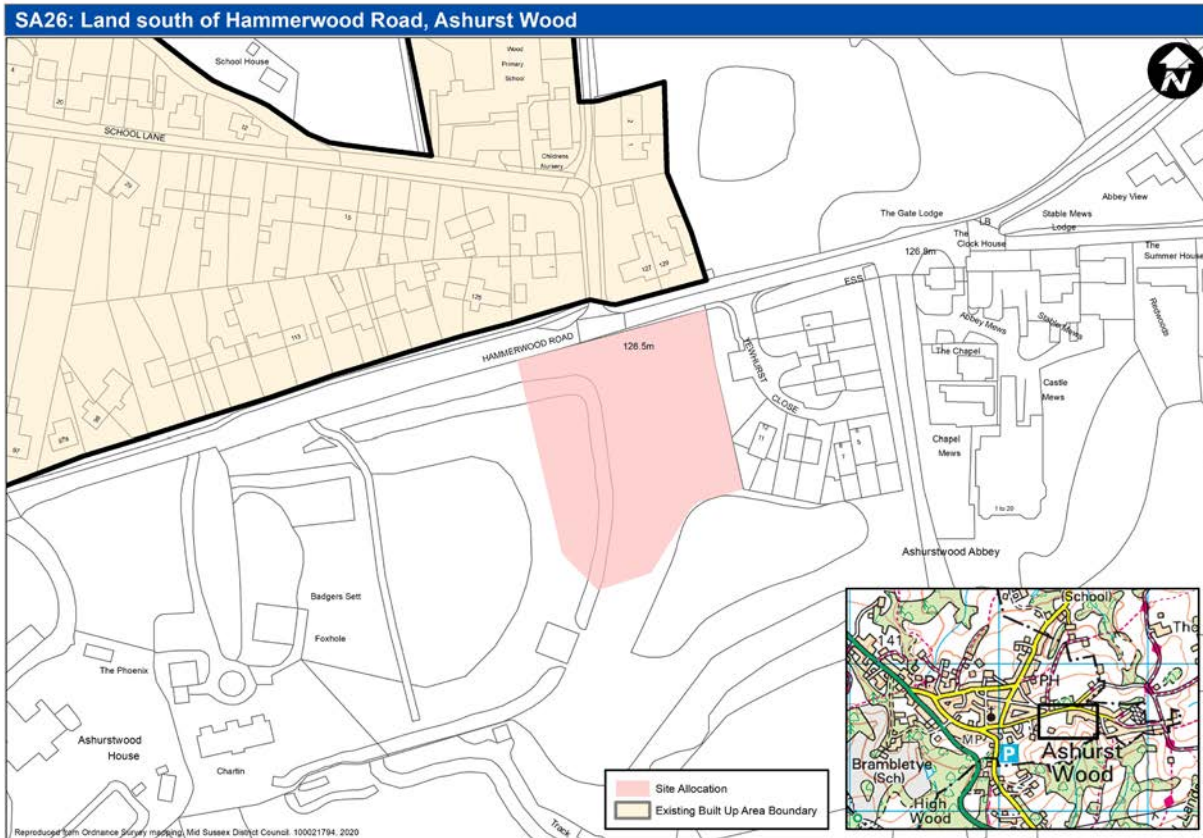
Utilities

- Occupation of development will be phased to align with the delivery of necessary sewerage infrastructure, in liaison with the service provider.
- Southern Water's Infrastructure crosses the site. Easements may be required with the layout to be planned to ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible.

SA 26

Land south of Hammerwood Road, Ashurst Wood

SHELAA:	138	Settlement:	Ashurst Wood
Gross Site Area (ha):	0.58	Number of Units:	12 dwellings
Description:	Housing allocation		
Ownership:	Private land owner(s)		
Current Use:	Workshop, woodland and grassland.	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development		



Objectives

- To deliver a sensitive extension to Ashurst Wood which reflects local distinctiveness which conserves and enhances the landscape and scenic beauty of the High Weald AONB, retaining the sylvan, Parkland landscape character and semi-rural character of this section of Hammerwood Road.

Urban Design Principles

- Retain and protect the rural character of Hammerwood Road by retaining the existing hedgerow and trees along the northern boundary and compliment and integrate the positive characteristics of Ashurst Wood in the design and layout.
- Concentrate development towards the northern part of the site, creating a soft transition with the countryside to the south.
- Orientate development to have a positive edge to Hammerwood Road and to the wider countryside to the south to avoid the use of hard boundary treatment along these boundaries.

AONB

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to conserve and enhance the landscape and natural beauty of the High Weald AONB.
- Incorporate existing trees of significance and landscaping into the layout of development and provide new specimen tree planting, mixed native and evergreen planting into the landscape structure in order to retain the parkland setting and conserve the sense of place.

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Biodiversity and Green Infrastructure

- Impact on the nearby Herries Pasture a Local Wildlife Site (LWS) and on-site wildlife habitat shall be fully considered and appropriate mitigation measures specified.
- Restore and manage the areas of designated Deciduous Woodland Priority Habitat, introducing new parkland style mixed native planting and enhancing green corridors to the surrounding landscape and conserve and enhance habitats for native species.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.

Highways and Access

- Investigate the most suitable vehicular access arrangements from either Yewhurst Close or Hammerwood Road, taking account of landscape impacts and make necessary safety improvements and contributions towards sustainable transport infrastructure improvements.

Flood Risk and Drainage

- Following any necessary remediation of previously contaminated land, Surface Water Drainage shall be designed to incorporate SuDS and minimise run-off, to ensure Flood Risk is not increased elsewhere.
- Incorporate SuDS as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.

Contaminated Land

- The land may be contaminated due to present or historical on site or adjacent land uses and is positioned over a secondary aquifer. Provide a detailed investigation into possible sources of adjacent/on-site contamination together with any remedial works that are required to ensure there is no risk to human health and/or groundwater supplies.

Minerals

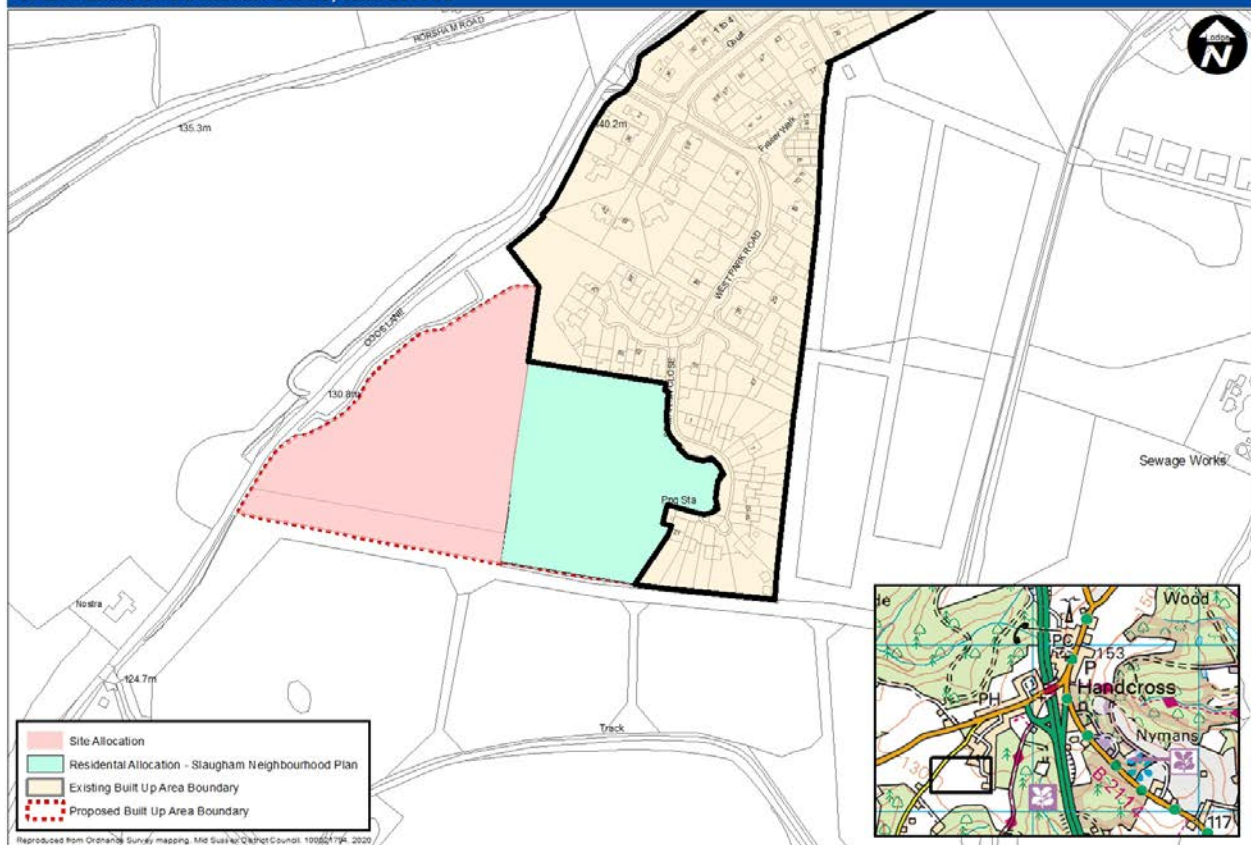
- The site lies within the brick clay (Wadhurst clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 27

Land at St. Martin Close, Handcross

SHELAA:	127	Settlement:	Handcross
Gross Site Area (ha):	1.9	Number of Units:	35 dwellings at St Martin Close (West)
Description:	Housing and open space allocations		
Ownership:	Private landowner		
Current Use:	Grazing land	Indicative Phasing:	35 units 6 to 10
Delivery Mechanisms:	Landowner in partnership with developer		

SA27: Land at St. Martin Close, Handcross



Objectives

- To deliver a high quality, landscape led, sustainable extension to Handcross, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.
- The Slaugham Neighbourhood Plan allocates St Martin Close (East) for 30 dwellings (SNP: Policy 9 refers) and St Martin Close (West) as a Reserve site for 35 dwellings (SNP: Policy 10 refers). The Neighbourhood Plan identifies that the release of the Reserve site is to be triggered by a number of potential events, including the adopted Mid Sussex Site Allocations DPD and the need to allocate the site to meet the residual District housing requirement.
- This policy allocates St Martin Close (West) for housing and open space, subject to phasing as set out in the Neighbourhood Plan i.e. to come forward later within the Plan period following the delivery of St Martin Close (East). It seeks to ensure that a high quality, landscape led and coherent sustainable extension to Handcross is delivered, including integrated open space and access arrangements with that of St Martin Close (East).

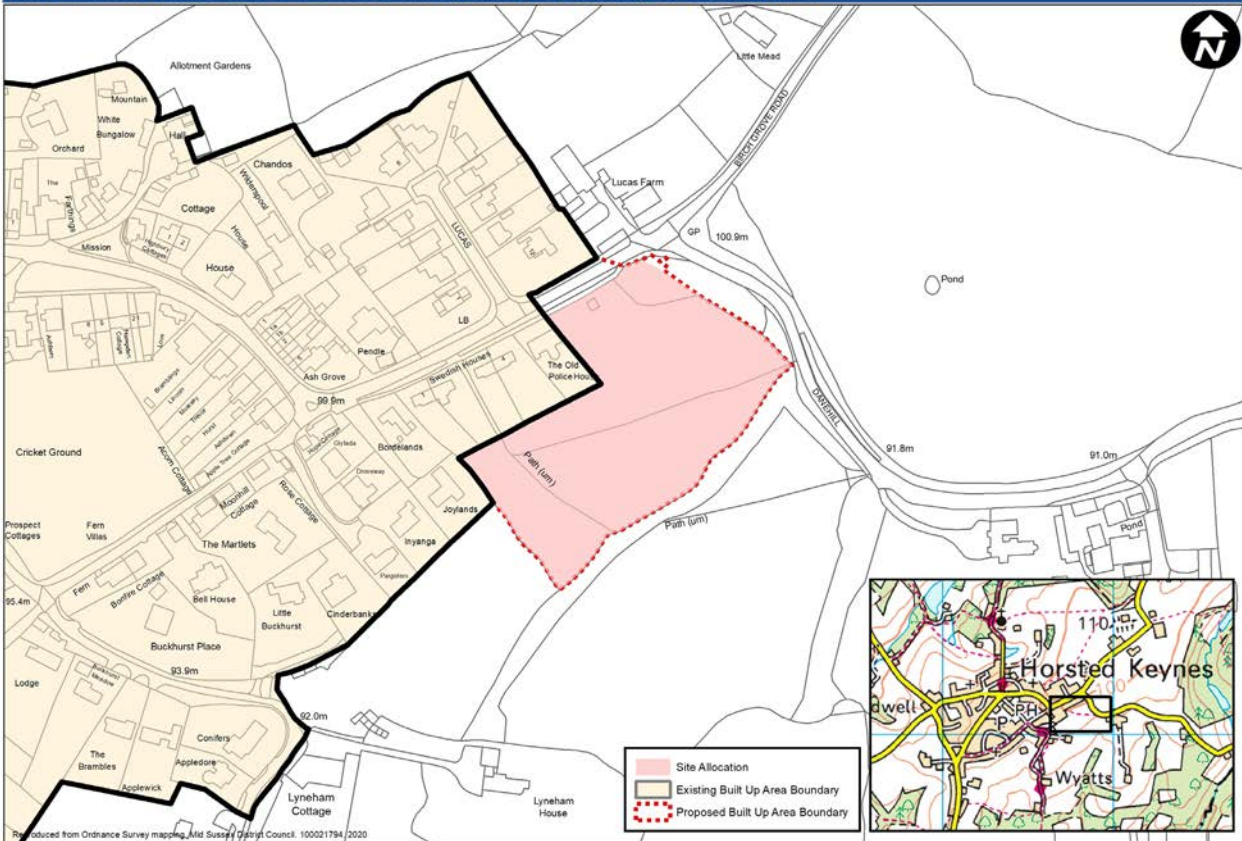
<p>Urban Design Principles</p> <ul style="list-style-type: none"> • Provide a landscape led, coherent master-plan that involves integrated design, landscaping, access and open space arrangements with that of St Martin Close (East). • Contribute towards local character and local needs of Handcross village and the High Weald AONB by providing a mix of dwelling types and sizes, including smaller terraces or flats, ensuring contextual architectural style and detailing. • Enhance the connectivity of the site with Handcross village by providing pedestrian and/or cycle links to St Martin Close, West Park Road and Coos Lane. • Orientate development with building frontages facing the tree lined field boundaries and open space to provide an attractive backdrop to the public realm and to avoid trees overshadowing back gardens.
<p>AONB</p> <ul style="list-style-type: none"> • Ensure that the site layout, capacity and landscape mitigation requirements are informed by the recommendations of a Landscape and Visual Impact Assessment (LVIA), in order to conserve and enhance the landscape of the High Weald AONB, as set out in the High Weald AONB Management Plan. • Retain and enhance mature trees and planting along the boundaries of the site, incorporating these into the landscape structure and Green Infrastructure provision of the development to limit impacts on the wider countryside.
<p>Social and Community</p> <ul style="list-style-type: none"> • Integrate the provision of open space between the two sites, and with the existing open space at West Park Road, to provide enhanced and connected open space facilities. The open space is to be accessible and inclusive to the local community.
<p>Historic Environment and Cultural Heritage</p> <ul style="list-style-type: none"> • The site is located near the crest of a sandstone ridge in the High Weald, a favourable location for archaeological sites, requiring Archaeological Assessment and appropriate mitigation arising from the results.
<p>Biodiversity and Green Infrastructure</p> <ul style="list-style-type: none"> • Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area. • Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss. • Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
<p>Highways and Access</p> <ul style="list-style-type: none"> • Provide integrated access with St Martin Close (East). Access from Coos Lane is not acceptable for highway and landscape reasons.
<p>Flood Risk and Drainage</p> <ul style="list-style-type: none"> • Design surface water drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased. • Layout to ensure future access to existing wastewater infrastructure for maintenance and upsizing purposes. A 15 metre gap between the pumping station and any sensitive development (such as housing) should be taken into consideration in the site layout.
<p>Utilities</p> <ul style="list-style-type: none"> • Underground wastewater infrastructure crosses the site.. Ensure that the layout of the development enables future access to existing wastewater infrastructure for maintenance and upsizing purposes.

SA 28

Land South of The Old Police House, Birchgrove Road, Horsted Keynes

SHELAA:	807	Settlement:	Horsted Keynes
Gross Site Area (ha):	1.23	Number of Units:	25 dwellings
Description:	Housing allocations		
Ownership:	Private landowner		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with Developer		

SA28: Land south of The Old Police House, Birchgrove Road, Horsted Keynes



Objectives

- To deliver a high quality, landscape led, sustainable extension to Horsted Keynes, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- Contribute towards local character and local needs of Horsted Keynes village by providing a mix of dwelling types and sizes, including a proportion of smaller terraces or flats, ensuring contextual architectural style and detailing in the design.
- Concentrate higher density development towards the northern part of the site to reflect the existing settlement pattern with a lower density around the edges to help create a suitable transition with the countryside.
- Seek to enhance the connectivity of the site with Horsted Keynes village by providing pedestrian and/or cycle links to adjacent networks.
- Orientate development to have a positive active frontage in relation to the existing settlement and to define open spaces and routeways.

AONB

- Ensure that the site layout, capacity and landscape mitigation requirements are informed by the recommendations of a Landscape and Visual Impact Assessment (LVIA) in order to conserve and enhance the landscape of the High Weald AONB, as set out in the High Weald AONB Management Plan.
- Identify and protect important views into and out of the site with proposals laid out so that views are retained and, where possible, enhanced to improve both legibility and the setting of development.
- Protect the rural character of Birchgrove Road and this edge of settlement by retaining, where possible, the Oak tree and hedgerow on the frontage of the site.
- Retain important mature trees and hedgerows along the eastern, southern and western boundaries of the site, and incorporate these into the landscape structure and Green Infrastructure proposals of the development to limit impacts on the wider countryside. Open space should be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.
- Protect the character and amenity of the existing public footpath (a historic routeway) that crosses the site and seek to integrate this with the Green Infrastructure proposals for the site.

Historic Environment and Cultural Heritage

- Provide appropriate mitigation to protect the rural setting and historic farmstead of the Grade II listed Lucas Farm to the north of the site by creating a sufficiently sized landscape buffer at the north eastern corner of the site and by retaining and enhancing the tree belt on the eastern boundary. The mitigation strategy should be informed by a Heritage Impact Assessment.
- Conserve the setting of the Horsted Keynes Conservation Area by ensuring that development is not dominant in views through appropriate design and landscaping. The mitigation strategy should be informed by a Heritage Impact Assessment.
- The site is located near the crest of a sandstone ridge in the High Weald, a favourable location for archaeological sites, requiring Archaeological Assessment and appropriate mitigation arising from the results.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site that connect to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.

Highways and Access

- Provide access from Birchgrove Road, ensuring sufficient visibility splays are provided with the junction with Danehill Lane.
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

Flood Risk and Drainage

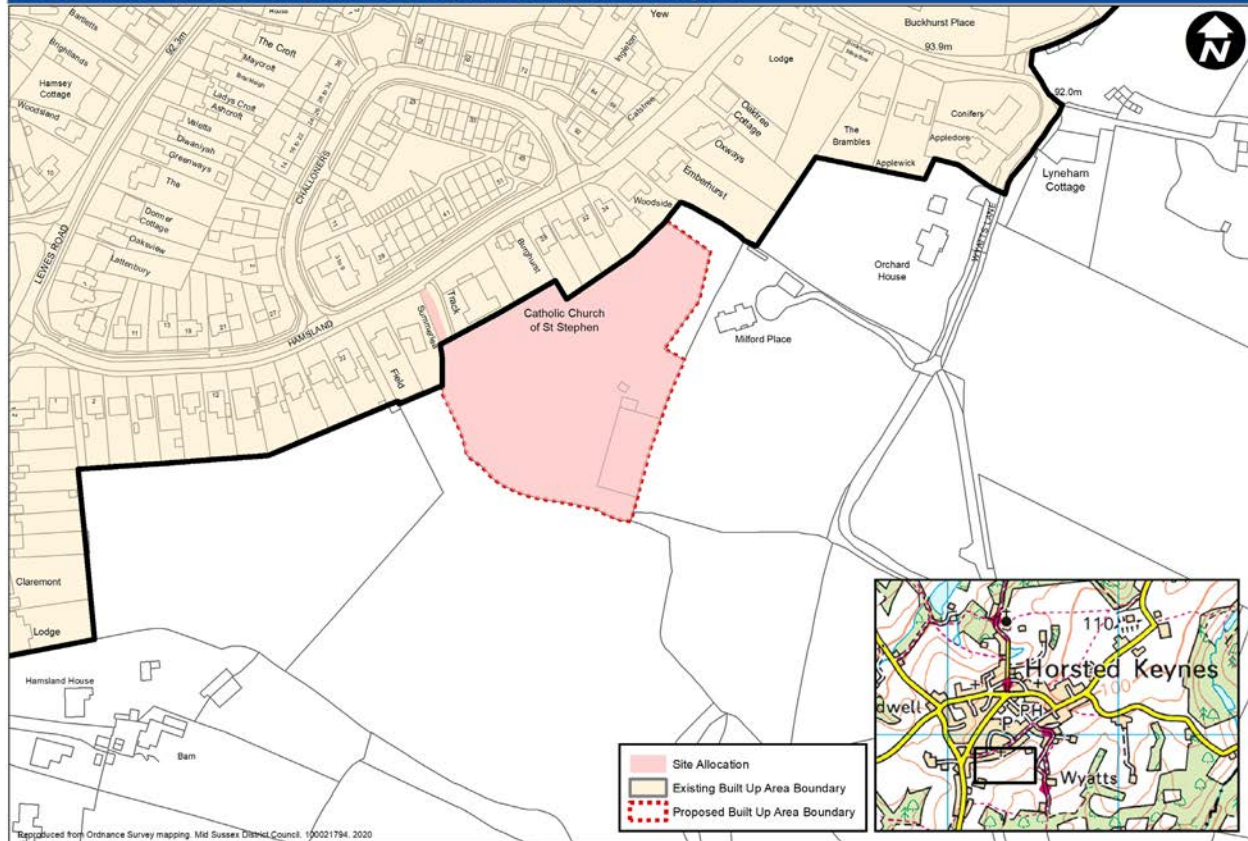
- The site lies within a Groundwater Source Protection Zone 3. Development proposals will need to demonstrate that there is no significant harm caused to groundwater resources.
- Manage surface water to minimise flood risk and flows to watercourses and incorporate SuDS as an integral part Green Infrastructure provision to improve biodiversity and water quality. The design and layout of the SuDS will need to be informed by ground investigation and permeability testing, and take into account the location of the site within a Groundwater Source Protection Zone.

SA 29

Land south of St. Stephens Church, Hamsland, Horsted Keynes

SHELAA:	184	Settlement:	Horsted Keynes
Gross Site Area (ha):	1.13	Number of Units:	30 dwellings
Description:	Housing allocation		
Ownership:	Private landowner		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with Developer		

SA29: Land south of St. Stephens Church, Hamsland, Horsted Keynes



Objectives

- To deliver a high quality, landscape led, sustainable extension to Horsted Keynes, which respects the character of the village and conserves and enhances the landscape and scenic beauty of the High Weald AONB, and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- Contribute towards the local character and local needs of Horsted Keynes village and the High Weald AONB by providing a mix of dwelling types and sizes, including a proportion of smaller terraces or flats, ensuring contextual architectural style and detailing in the design of the development.
- Enhance the connectivity of the site with Horsted Keynes village by providing pedestrian and/or cycle links to Hamsland and adjacent networks.
- Orientate development to provide a positive active frontage in relation to the existing settlement, open space and attractive tree belts.
- Concentrate higher density development towards the northern part of the site, reflecting the existing settlement pattern, with a lower density around the edges to create a suitable transition with the countryside.

AONB

- Ensure that the site layout, capacity and landscape mitigation requirements are informed by the recommendations of a Landscape and Visual Impact Assessment (LVIA) in order to conserve and enhance the landscape of the High Weald AONB, as set out in the High Weald AONB Management Plan.
- Identify and protect important views into and out of the site with proposals laid out so that views are retained and, where possible enhanced to both improve legibility and the setting of development.
- Retain and enhance important landscape features, mature trees and hedgerows and incorporate these into the landscape structure and Green Infrastructure proposals for the development to limit impacts on the wider countryside. Open space is to be provided as an integral part of this landscape structure and should be prominent and accessible within the scheme.

Historic Environment and Cultural Heritage

- Provide appropriate mitigation to protect the rural setting of the Grade II listed Wyatts to the south of the site by enhancing the boundary tree belt at the south western corner, and ensuring that development is not dominant in views from the listed building. The mitigation strategy is to be informed by a Heritage Impact Assessment.
- The site is located near the crest of a sandstone ridge in the High Weald, a favourable location for archaeological sites, requiring Archaeological Assessment and appropriate mitigation arising from the results.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Incorporate SuDS within the Green Infrastructure to improve biodiversity and water quality.
- Ensure adequate protection of the existing trees along the site boundary.

Highways and Access

- Safe and convenient pedestrian and vehicular access needs to be secured, in accordance with Manual for Streets (MfS) to enable (a) satisfactory access by waste collection vehicles and emergency services vehicles; and (b) safe and convenient pedestrian access, both along Hamsland and into the proposed development.
- Investigate opportunities to set the access away from the trees on the site boundary to protect the existing trees.
- Improve local traffic conditions by setting back the existing on-street parking spaces in Hamsland into the verge opposite the site.
- Provide a sustainable transport strategy to identify sustainable transport infrastructure improvements and how the development will integrate with the existing network, providing safe and convenient routes for walking, cycling and public transport through the development and linking with existing networks.

Flood Risk and Drainage

- Design Surface Water Drainage to minimise run off, to incorporate SuDS and to ensure that Flood Risk is not increased.
- Provide SuDs in the southern part of the site as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.

Contaminated Land

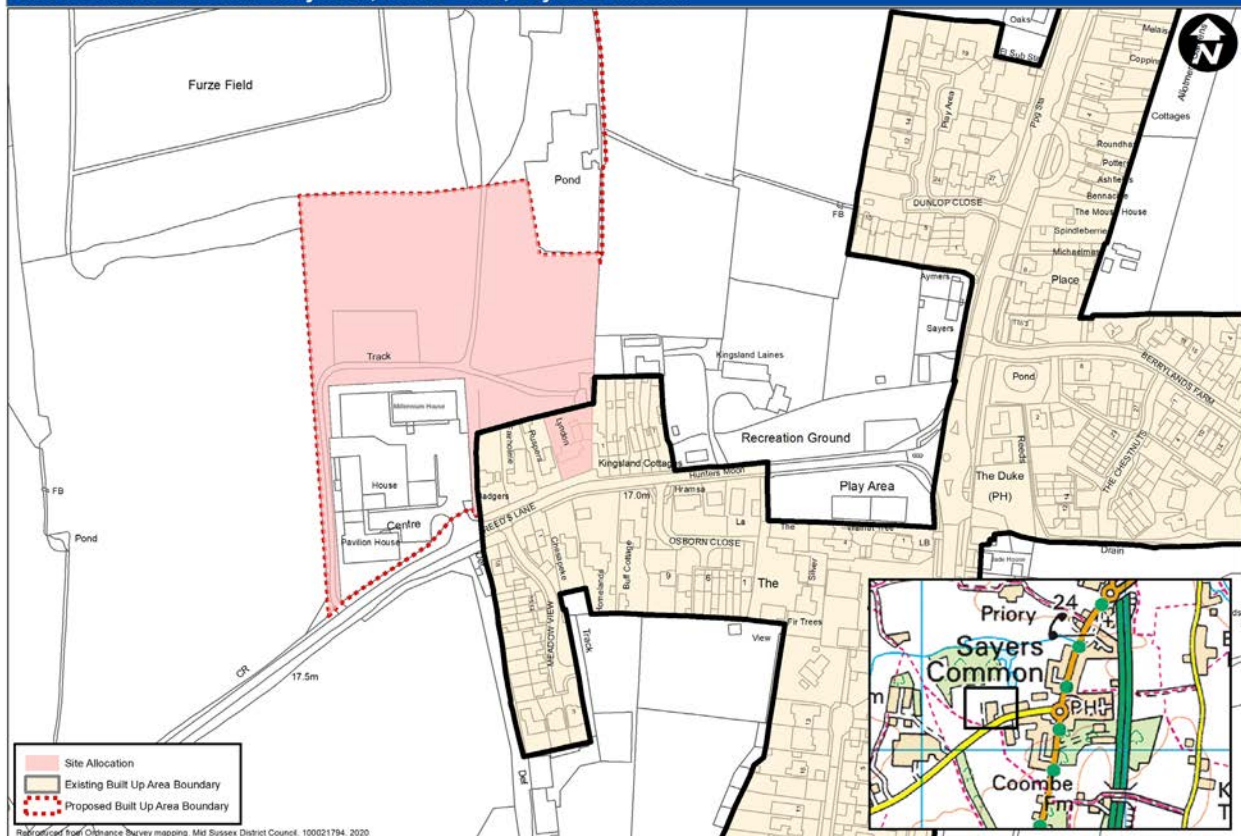
- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of on-site contamination together with any remedial works that are required.

SA 30

Land to the north of Lyndon, Reeds Lane, Sayers Common

SHELAA:	829	Settlement:	Sayers Common
Gross Site Area (ha):	2.01	Number of Units:	35 dwellings
Description:	Housing allocation		
Ownership:	Private landowner		
Current Use:	Former brickyard now greenfield	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Private landowner in partnership with Developer		

SA30: Land to the north of Lyndon, Reeds Lane, Sayers Common



Objectives

- To deliver a high quality, landscape led, sustainable extension to Sayers Common, which respects the character of the village and the setting of the adjacent countryside, and which is comprehensively integrated with the settlement so residents can access existing facilities.

Urban Design Principles

- Ensure the design and layout of this site respects that of the adjacent site at Kingsland Laines to the east through careful masterplanning.
- Enhance connectivity with Sayers Common village by providing pedestrian and/or cycle links to adjacent existing networks.
- Orientate development to provide a positive active frontage in relation to the existing settlement, neighbouring site to the east and to define open spaces and routeways.

Landscape Considerations

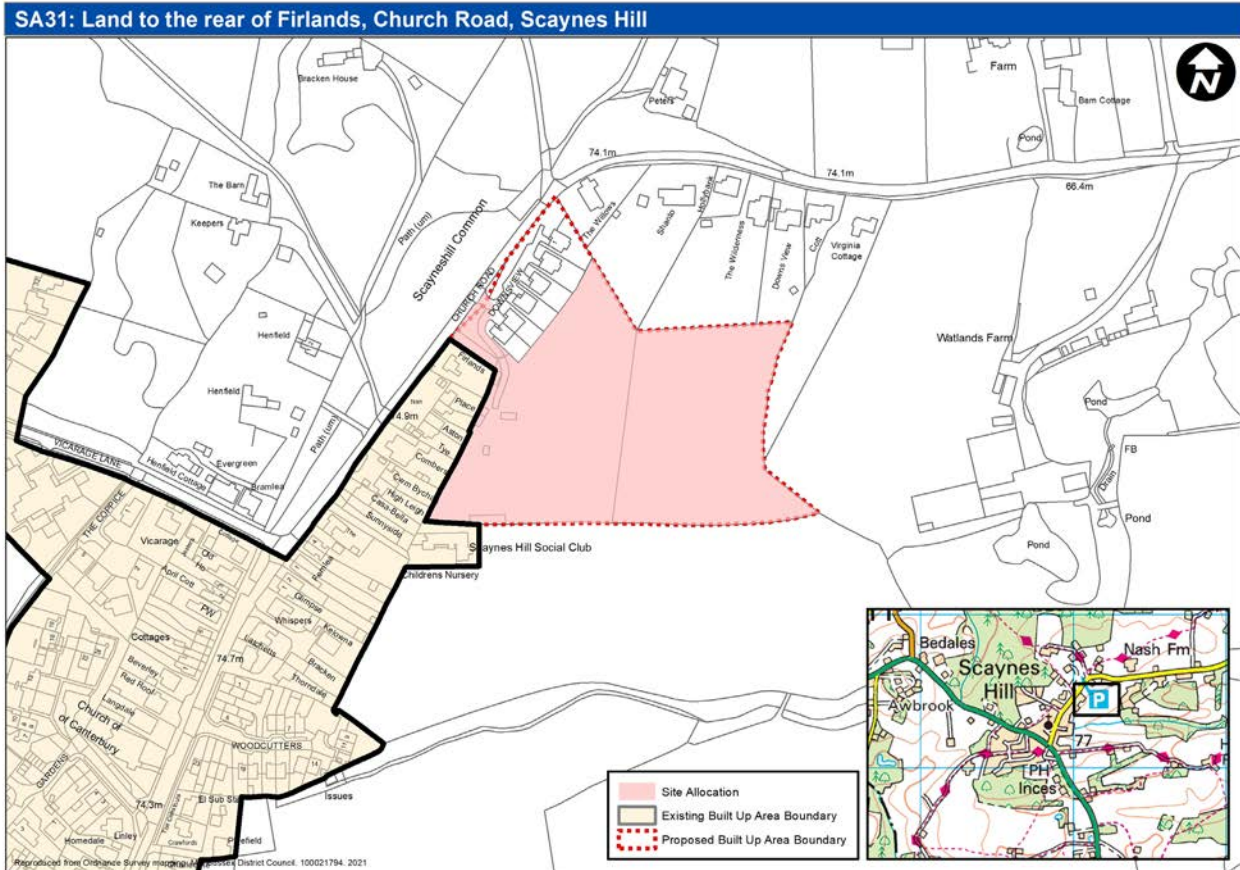
- Retain and enhance existing mature trees and hedgerows on the site and on the boundaries, and incorporate these into the landscaping structure and Green Infrastructure proposals for the site to limit impacts on the wider countryside.
- Open space is to be provided as an integral part of this landscape structure, making a feature of trees and landscaping and should be prominent and accessible within the scheme.

<p>Historic Environment and Cultural Heritage</p> <ul style="list-style-type: none"> • The site may contain buried archaeology. Carry out archaeological assessment and appropriate mitigation arising from the results.
<p>Biodiversity and Green Infrastructure</p> <ul style="list-style-type: none"> • Undertake an holistic approach to Green Infrastructure provision through biodiversity and landscape enhancements within the site connecting to the surrounding area. • Conserve and enhance areas of wildlife value to ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss. • Incorporate SuDs within the Green Infrastructure to improve biodiversity and water quality.
<p>Highways and Access</p> <ul style="list-style-type: none"> • Access to the site will require the demolition of the bungalow Lyndon that fronts onto Reeds Lane. Detailed access arrangements will need to be investigated further.
<p>Flood Risk and Drainage</p> <ul style="list-style-type: none"> • The site is adjacent to watercourses that also take surface water run-off from other parts of Sayers Common. This flood risk will reduce the developable areas and affect how surface water is disposed from the site. Provide a site specific Flood Risk Assessment (FRA) to identify areas which are susceptible to surface water flooding to inform the site layout and any necessary mitigation measures. • Consider the method of disposal of surface water from this site taking into account that the watercourses are in an area of high surface water flood risk. • Incorporate SuDS as an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.
<p>Minerals</p> <ul style="list-style-type: none"> • The site lies within the brick clay (Weald clay) Minerals Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 31

Land to the rear Firlands, Church Road, Scaynes Hill

SHELAA:	897	Settlement:	Scaynes Hill
Gross Site Area (ha):	2.2	Number of Units:	20 dwellings
Description:	Housing allocation		
Ownership:	In control of a house builder		
Current Use:	Greenfield/pasture	Indicative Phasing:	1 to 5
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development		



Objectives

- To deliver a sympathetic extension to Scaynes Hill which works with the contours of the site, focusing development on the more level western portion of the site, set within a new landscape structure to contain the new housing and limit the impact on the wider landscape.

Urban Design Principles

- Respect the character of the village and the existing settlement pattern through the layout and design of the development, concentrating on the western section abutting existing development.
- Ensure development works with the grain of the landscape, focusing built form within the flatter western area of the site, avoiding the need for cut and fill to address topographical constraints.
- Orientate development to have a positive edge with the countryside to the southern and eastern boundaries, with buildings fronting onto an enhanced tree screen.

Landscape Considerations

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to minimise impact on the wider countryside.
- Retain and substantially enhance existing landscape structure, integrating existing hedge and tree boundaries to contain new housing and limit the impact on the wider landscape.
- Development proposals will need to protect the character and amenity of existing PRow which runs along Clearwater Lane to the south, by containing development within a new landscape setting.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancement, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.
- Retain and enhance existing hedgerows retaining a minimum of a 5 metre buffer to development and provide new native tree planting and species-rich hedgerows to provide a green corridor network.
- Exploit the undeveloped south-eastern area of the site for landscape and ecological enhancements and public open space.
- Undertake an assessment of any impacts on Scaynes Hill Common Local Wildlife Site (LWS) and Costells, Henfield and Nashgill Woods LWS shall be made and appropriately mitigated against. Unavoidable damage to biodiversity must be off-set through ecological enhancement and mitigation measures to ensure there is a net gain in biodiversity.

Highways and Access

- Investigate access arrangements onto Church Road and make necessary safety improvements and provide safe and convenient routes for walking and cycling through the site and contribute towards sustainable transport infrastructure.
- Contribute towards provision of a footpath connecting the site to the existing footpath to the south. This could be done either as an extension to the Scaynes Hill Common footpath or exploring options for a formal footway alongside the carriageway.

Flood Risk and Drainage

- Informed by permeability testing, design surface water drainage to minimise run off and incorporate SuDS to ensure that Flood Risk is not increased.
- Any SuDS shall be an integral part of the Green Infrastructure proposals to improve biodiversity and water quality.

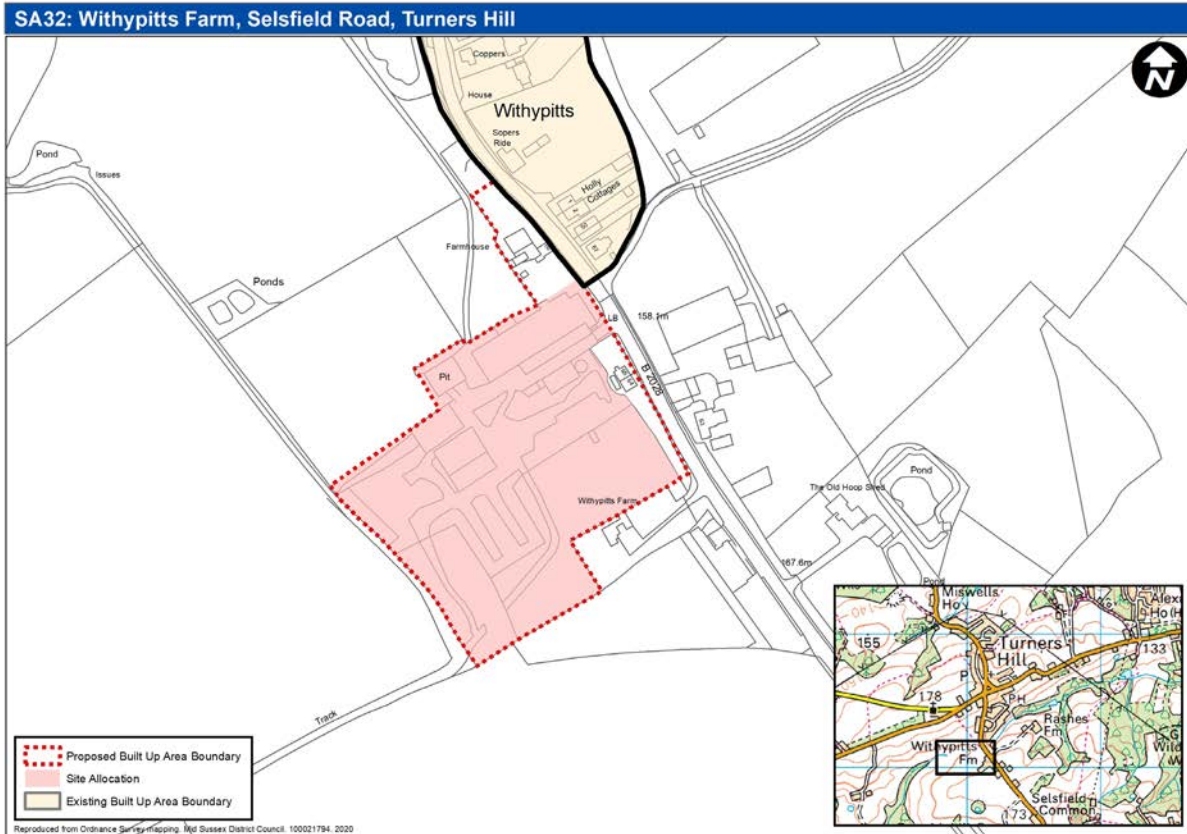
Minerals

- The site lies within the building stone (Cuckfield and Ardingly stone) Mineral Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 32

Withypitts Farm, Selsfield Road, Turners Hill

SHELAA:	854	Settlement:	Turners Hill
Gross Site Area (ha):	1.7	Number of Units:	16 dwellings
Description:	Housing allocation		
Ownership:	Private land owner		
Current Use:	Active farmstead	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development		



Objectives

- To deliver a farmstead character redevelopment which retains existing buildings of historic value and capable of conversion, and which conserves and enhances the landscape character of the High Weald AONB.

Urban Design Principles

- Enhance local landscape and historic character and views with a high quality development with a farmstead character based on an analysis of the historic farmstead, utilising any existing historic buildings which are capable of being retained.
- Ensure the design and layout of the development works with the natural grain of the landscape following the slope contours of the site, minimising cut and fill.

AONB

- Undertake a Landscape and Visual Impact Assessment (LVIA) to inform the site layout, capacity and mitigation requirements, in order to conserve and enhance the landscape of the High Weald AONB, as set out in the High Weald AONB Management Plan.
- Avoid development on the higher and more visible areas of the site in order to conserve and enhance landscape views.
- Retain and enhance with native tree species the the existing Scots Pine tree belt on the western boundary and provide additional tree planting along the southern and eastern boundaries.
- Provide a robust native hedge with trees along the north boundary of the site to reinforce the field patterns and soften the visible built form.

- Avoid use of close boarded fencing adjacent to any site boundaries where it will be visible in wider views.
- Development proposals will need to protect the character and amenity of existing PRow to the north of the site.

Historic Environment and Cultural Heritage

- Informed by a Heritage Assessment and structural survey, utilise existing buildings of historic value that are capable of conversion; new development should be focused on areas with existing and previous historic built form.
- Provide a layout that retains the farmstead character of the site. Any new development should respect this character in the design, incorporating materials which compliment those on the existing historic buildings.

Biodiversity and Green Infrastructure

- Undertake an holistic approach to Green Infrastructure and corridors, including biodiversity and landscape enhancements within the site connecting to the surrounding area.
- Conserve and enhance areas of wildlife value and ensure there is a net gain to biodiversity overall. Avoid any loss of biodiversity through ecological protection and enhancekent, and good design. Where this is not possible, mitigate and as a last resort, compensate for any loss.

Highways and Access

- Investigate access arrangements onto Selsfield Road and make necessary safety improvements and contribute towards sustainable transport improvements.
- Provide safe and convenient routes for pedestrians and cyclists through the site.

Flood Risk and Drainage

- Following any necessary remediation of previously contaminated land and informed by permeability testing, Surface Water drainage shall be designed to incorporate SuDS and minimise run-off to ensure that Flood Risk is not increased.

Contaminated Land

- The land may be contaminated due to present or historical on site or adjacent land uses. Provide a detailed investigation into possible sources of adjacent/on-site contamination together with any remedial works that are required.

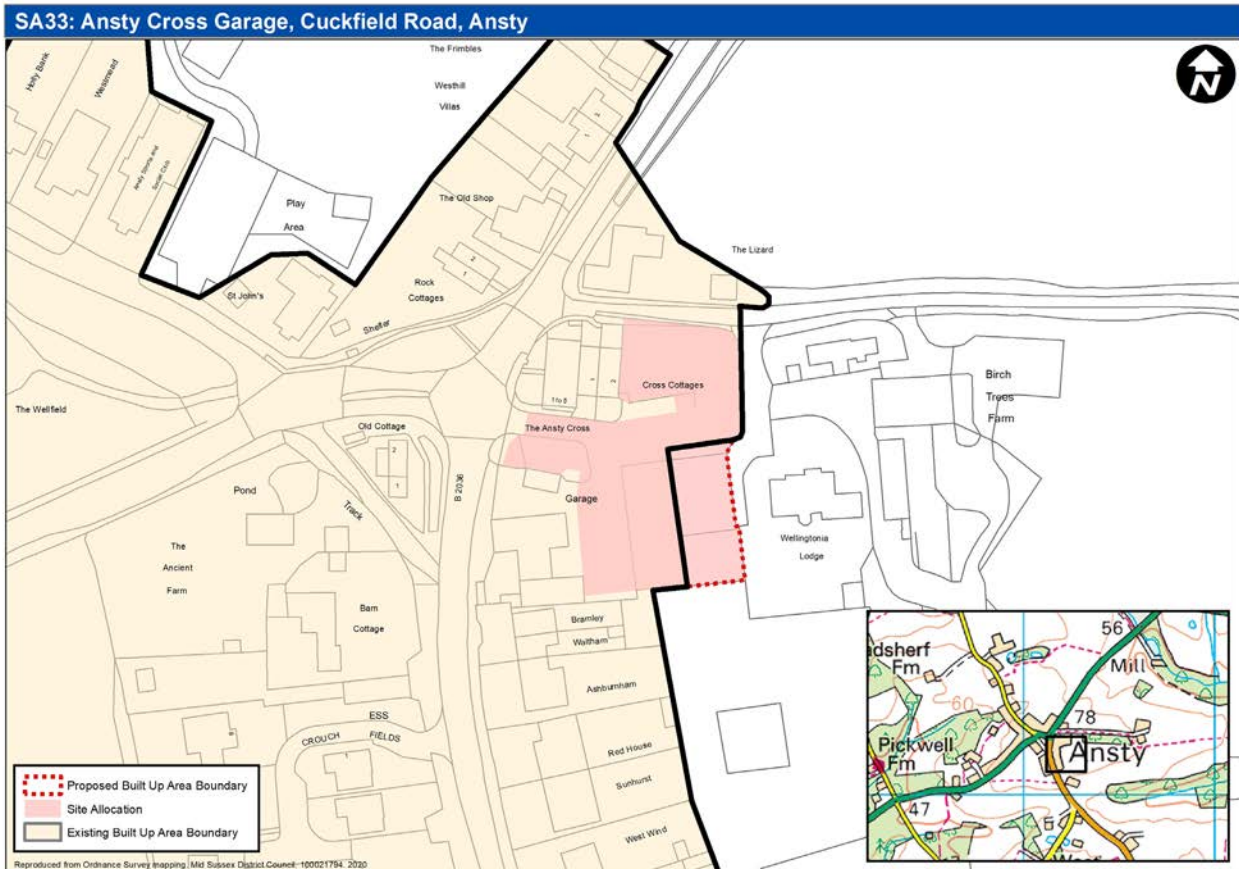
Minerals

- The site lies within the brick clay (Wadhurst clay) and the Building Stone (Ardingly and Cuckfield) Minerals Safeguarding Areas, therefore the potential for mineral sterilisation should be considered in accordance with policy M9 of the West Sussex Joint Minerals Local Plan (2018) and the associated Safeguarding Guidance.

SA 33

Ansty Cross Garage, Cuckfield Road, Ansty

SHELAA:	644	Settlement:	Ansty
Gross Site Area (ha):	0.24	Number of Units:	10 dwellings
Description:	Housing allocation		
Ownership:	Private land owner		
Current Use:	Commercial garage and car parking	Indicative Phasing:	6 to 10
Delivery Mechanisms:	Land owner has confirmed intent to bring the site forward for development		



Objectives

- To optimise the capacity of the site and deliver a development which positively addresses Cuckfield Road and relates well to the adjacent Cross Cottages whilst retaining the rural character of the lane to the north of the site.

Urban Design Principles

- Retain the existing mature vegetation adjacent to the rural lane to the north of the site and avoid the use of hard boundary treatment, to protect the rural character.
- Provide a comprehensive landscape scheme to enhance the setting and provide an appropriate buffer to the service station.
- Carefully integrate parking into the layout to ensure it does not dominate the development.

Landscape Considerations

- Protect the rural character of the lane to the north of the site.

Historic Environment and Cultural Heritage

- Protect the remaining rural character of the setting of the adjacent Grade II listed buildings at The Ancient Farm and Old Cottage by careful treatment of the frontage to the west of the site.

Air Quality / Noise
<ul style="list-style-type: none"> • A noise assessment shall inform any necessary mitigation required to provide an acceptable standard of accommodation for each of the dwellings, arising from the Ansty Service Station operations.
Biodiversity and Green Infrastructure
<ul style="list-style-type: none"> • Provide a net gain in biodiversity and Green Infrastructure, taking account of the wider ecological context, creating additional habitat in the construction of the building, including where appropriate integral bat and bird boxes and inclusion of well designed biodiverse landscaped areas with native species.
Highways and Access
<ul style="list-style-type: none"> • Investigate access onto the Cuckfield Road and make necessary safety improvements avoiding creating a new access onto the narrow lane to the north and contribution towards sustainable transport infrastructure improvements.
Flood Risk and Drainage
<ul style="list-style-type: none"> • Following any necessary remediation of previously contaminated land, Surface Water Drainage shall be designed to incorporate SuDS and significantly reduce any run off and to ensure Flood Risk is not increased.
Contaminated Land
<ul style="list-style-type: none"> • The land may be contaminated due to present or historical on site or adjacent land uses and is positioned over a secondary aquifer. Provide a detailed investigation into possible sources of adjacent/on-site contamination together with any remedial works that are required to ensure there is no risk to human health and/or groundwater supplies.
Utilities
<ul style="list-style-type: none"> • Southern Water's Infrastructure crosses the site. Easements may be required with the layout to be planned to ensure future access for maintenance and/or improvement work, unless diversion of the sewer is possible.

3 Development Policies

3.1 The District Plan 2014-2031 sets out a comprehensive suite of forty two strategic policies to inform development across the district. The plan's policies seek to achieve a balance between delivering new housing, supporting economic growth and protecting the district's high quality natural and built environment.

3.2 In addition to the Sites DPD policies relating to site allocations (Policies SA1 to SA33), the District Plan policies are complemented by five additional strategic policies that are set out in the following section. These policies help to ensure that the Development Plan supports the delivery of sustainable development when considered as a whole. In the case of **SA38: Air Quality**, this policy replaces the relevant Air Quality section of **DP29: Noise, Air and Light Pollution**.

3.3 The additional policies included within the Sites DPD cover the following areas:

- **SA34: Existing Employment Sites**
- **SA35: Safeguarding of Land for Strategic Highway Improvements**
- **SA36: Wivelsfield Railway Station**
- **SA37: Burgess Hill/ Haywards Heath Cycle Network**
- **SA38: Air Quality**

3.4 The review of the District Plan, to commence in 2020 will provide a further opportunity to update the Council's policies to support sustainable development if required.

Existing Employment Sites

3.5 District Plan Policy **DP1: Sustainable Economic Development** sets out the policy position related to making effective use of employment land and premises. The policy provides broad support for intensification, conversion, redevelopment and/or extension provided it is in accordance with other policies in the plan. It also seeks to protect allocated and existing employment land.

3.6 Since the District Plan was adopted in March 2018, the Council have approved an updated Economic Development Strategy (EDS) (April 2018). The aim of the EDS is to make Mid Sussex a vibrant and attractive place for businesses and people to grow and succeed. The EDS sets out a number of success measures, broadly within four priority themes:

- Places
- People
- Premises
- Promotion

3.7 Regarding the Premises theme, the EDS aims to increase the amount of business floorspace in the District, as well as minimising the loss of floor space. The following policy (**SA34: Existing Employment Sites**) supplements District Plan Policy DP1 by providing additional policy requirements relating to the protection of existing sites, whilst supporting their growth where appropriate.

SA34: Existing Employment Sites

Existing Employment Sites – Protection, Intensification and Redevelopment

Existing Employment Sites, classified as those in use classes E(g): Business, B2: General Industrial or B8: Storage or Distribution (as shown in **Appendix A** and on the policies map) are protected; proposals that would involve their loss will be resisted. Proposals on Existing Employment Sites that would involve the loss of employment land or premises will only be supported where it can be clearly demonstrated by the applicant that the site/premises are no longer needed and/or viable for employment use.

Development proposals outside the traditional employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment uses, is not viable, through the provision of:

- (i) Details of comprehensive marketing of the site for at least 12 months and appropriate to the prevailing marketing conditions; and
- (ii) A financial appraisal that demonstrates that the development of any employment generating use is unviable.

Development proposals outside the traditional employment use classes for non-employment generating uses will be supported on existing and allocated employment sites, if it is demonstrated that the continued use of the site, or its development for employment or employment uses causes, or would lead to site-specific, environmental problems, such as noise, pollution or disturbance through traffic generation, recognising the environmental benefits to be gained by redeveloping these sites for non-employment generating uses.

Proposals for intensification within the boundary of Existing Employment Sites will be supported providing it is in accordance with other development plan and national policies.

Redevelopment for employment use within the boundary of Existing Employment Sites (as shown in **Appendix A** and on the Policies Map) will be supported where it does not result in the overall loss of employment floorspace. Proposals for alternative uses, with the exception of residential use, within Existing Employment Sites will only be supported where it can be demonstrated that the sequential approach has been applied to the redevelopment of the site, and the proposals support their integrity and function as centres of employment.

Existing Employment Areas – Expansion

Within the built-up area, expansion of Existing Employment Sites and premises for E(g)/B2/B8 uses will be supported where the business requirements cannot be met within the existing site/premises through acceptable on-site expansion or intensification; and that relocation to existing stock is not preferable.

Outside the built-up area, expansion of Existing Employment Sites for E(g)/B2/B8 uses will only be supported where:

- Detailed layout and design are in keeping with its countryside location
- The expansion is contiguous with the boundary of an existing employment site
- Where the impacts of expansion are assessed in-combination with the existing site, and the overall impact of existing plus expansion is considered acceptable.

Safeguarding of Land for Strategic Highway Improvements

3.8 Mid Sussex is well placed to allow easy movement for people, giving good access to jobs, with many commuting to London and the area benefits from excellent rail-based public transport connectivity, particularly along the Brighton Main Line that connects to Gatwick Airport, London and the south coast. However, the district's location within the Gatwick Diamond, particularly with high volumes of commuters and freight passing through, has led to a number of transport related constraints. In particular, these include:

- road congestion during peak periods affects many parts of the highway network throughout the district; most notably:
- M23/A23 corridor which is congested at key junctions; A23/A2300 Hickstead, A23/A272 Bolney, A23/A264 Pease Pottage and M23 J10 Cophorne
- East Grinstead is affected by the A264 and the A22 passing through the town centre and high car dependency due partially to the lack of a direct rail connection to the Crawley / Gatwick Airport area and bus journey times can be uncompetitive;
- Haywards Heath is particularly affected by the A272 passing around the town and high car dependency;
- Burgess Hill suffers from congestion due to the lack of crossing points for vehicles crossing the Brighton Main Line within the town and high car dependency; and
- there is a lack of good public transport operating within the rural locations meaning that individuals with no access to private cars have limited options for accessing key services such as hospitals, shops and leisure facilities.

3.9 A Strategic Objective of the District Plan 2014 - 2031¹³ is to ensure that development is accompanied by the necessary infrastructure to support new development and **DP 21: Transport** ensures that development supports the objectives of the West Sussex Transport Plan 2011 – 2026 and contributes towards delivering sustainable development and appropriate infrastructure.

3.10 The West Sussex Transport Plan 2011 – 2026¹⁴ outlines a strategy for Mid Sussex that seeks to tackle the identified transport issues, partly through seeking external funding sources to deliver new infrastructure and by ensuring that new development contributes to delivering the strategy. It is stated that all new developments should contribute to:

- improving public transport facilities and networks
- increasing the use of sustainable modes of transport
- improving network efficiency in order to reduce delays and emissions
- improving safety for all road users, and
- improving the public rights of way network in accordance with the RoWIP.

3.11 Development identified in the District Plan 2014 – 2031 is accompanied by a committed list of highway infrastructure to be constructed in Mid Sussex and neighbouring districts by 2031. These schemes have been identified in partnership with West Sussex County Council and other key stakeholders. Details of the highway and transport infrastructure already identified is as set out within the Transport Assessment Report¹⁵.

.....
¹³ Mid Sussex District Council (2018) Mid Sussex District Plan 2014-2031. p.8.

¹⁴ West Sussex County Council (2011) West Sussex Transport Plan 2011-2026.

3.12 Highway infrastructure mitigation is only considered once all relevant sustainable travel interventions (for the relevant corridor) have been fully explored and have been taken into account in terms of their level of mitigation.

3.13 The additional development proposed by the Site Allocations DPD has been subject to further technical investigations, working in partnership with West Sussex County Council and further highway and transport infrastructure has been identified to ensure that proposed development is sustainable.

3.14 The planning and funding of highway and transport infrastructure can take time to prepare and it is therefore important the Development Plan is not compromised by inappropriate development occurring in the interim that may prevent highway schemes being delivered.

3.15 To support the delivery of strategic highway and sustainable transport infrastructure, land will be identified for safeguarding in accordance with **SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements** for the following schemes, subject to further detailed work. This approach will ensure the long-term delivery of these schemes is not prejudiced whilst more detailed feasibility work is undertaken in partnership with West Sussex County Council, relevant neighbouring authorities and other key stakeholders.

- upgrades to the A23 Junction at Hickstead to increase the capacity of this junction in the longer-term, which could include extending the slip roads, particularly for accessing the A2300.
- upgrades to the A264 Copthorne Hotel Junction and to the A22 Felbridge, Imberhorne Lane and Lingfield Road Junctions. These upgrades are necessary to increase capacity and improve highway safety within Mid Sussex and support planned growth in Tandridge and are being developed in partnership with West Sussex and Surrey County Councils.

3.16 The areas to be safeguarded will be informed by more detailed design and feasibility work, to be carried out in consultation with West Sussex County Council and other relevant parties; this will be subject to further consultation.

.....
¹⁵ Mid Sussex District Council (2019) Mid Sussex Transport Study - Transport Impacts Scenarios Reports.
Council - 29 June 2022

SA35: Safeguarding of Land for and Delivery of Strategic Highway Improvements

Land will be identified for future safeguarding to support the delivery of the transport schemes listed below*:

- A22 Corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Junctions
- A264 Corridor upgrades at Copthorne Hotel Junction
- A23 junction upgrades at Hickstead

If necessary, the Council, working in partnership with West Sussex County Council and relevant neighbouring authorities, will use Compulsory Purchase Powers to enable delivery and bring forward the identified transport schemes, to support delivery of the Site Allocations Development Plan.

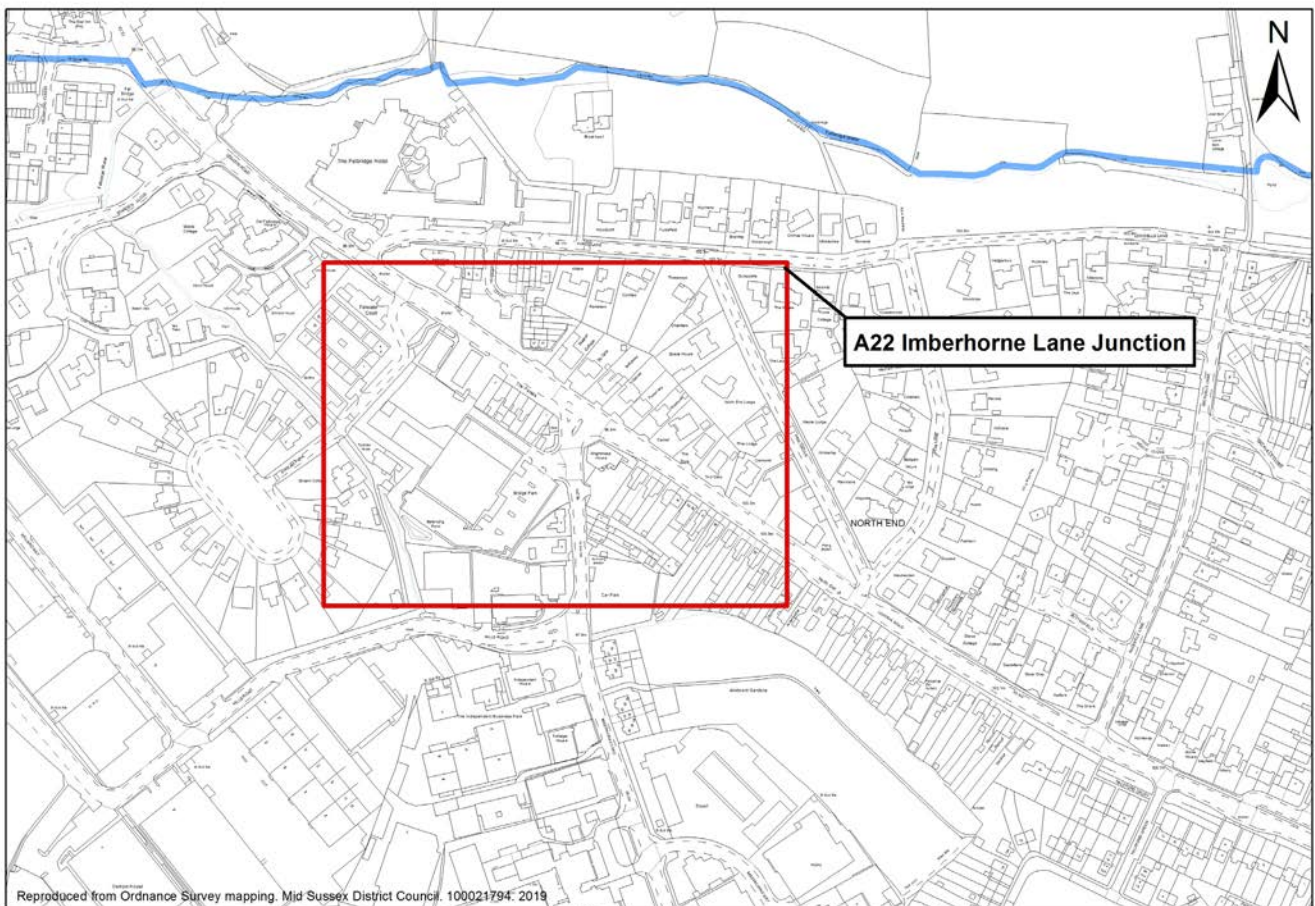
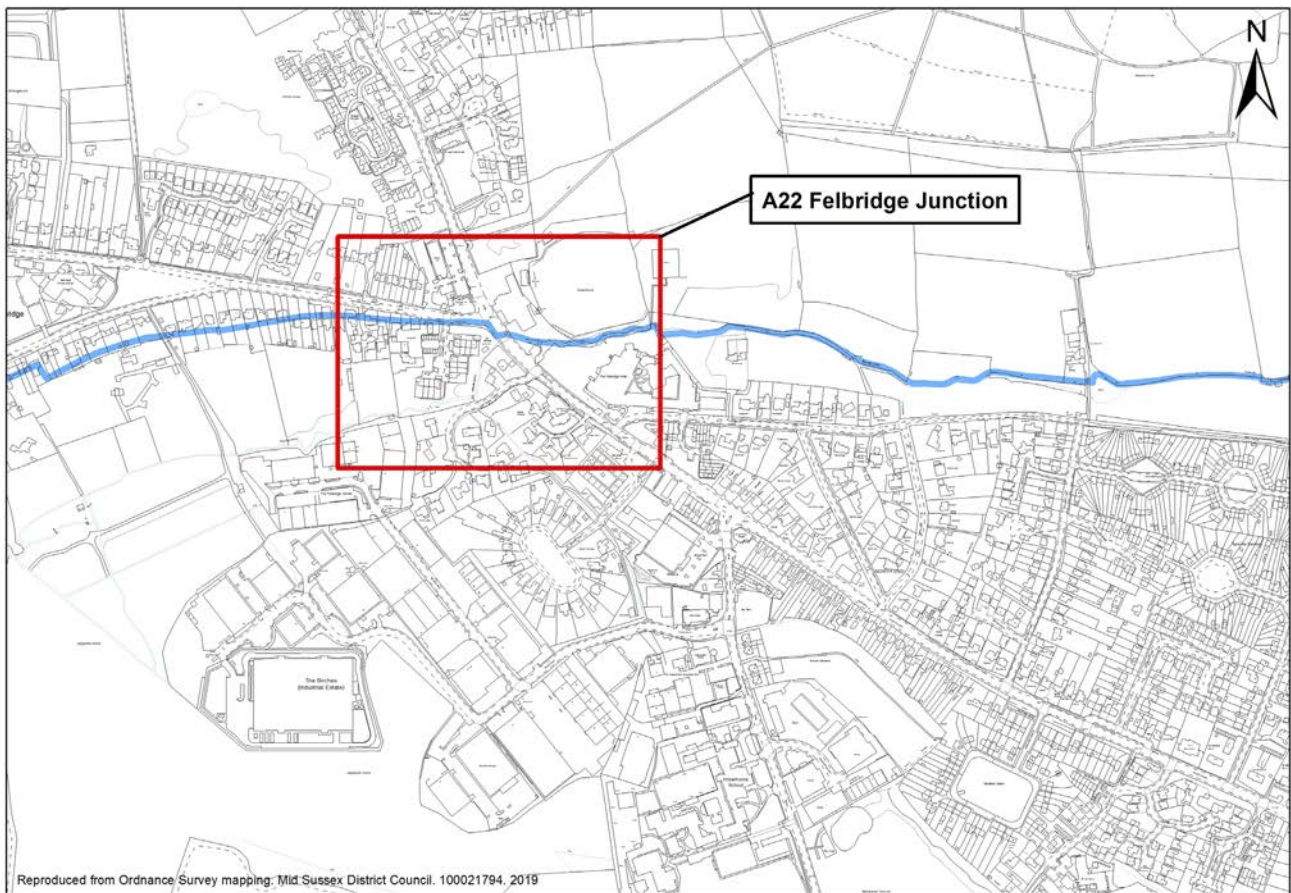
Any proposals for development that may reasonably be considered to impact the delivery of the identified transport schemes, as listed above is required to demonstrate the proposal would not harm their delivery.

Planning permission will not be granted for development that would prejudice the construction or effective operation of the transport schemes listed.

New development in these areas should be carefully designed having regard to matters such as building layout, noise insulation, landscaping, the historic environment means of access and meeting the requirement for biodiversity net gain.

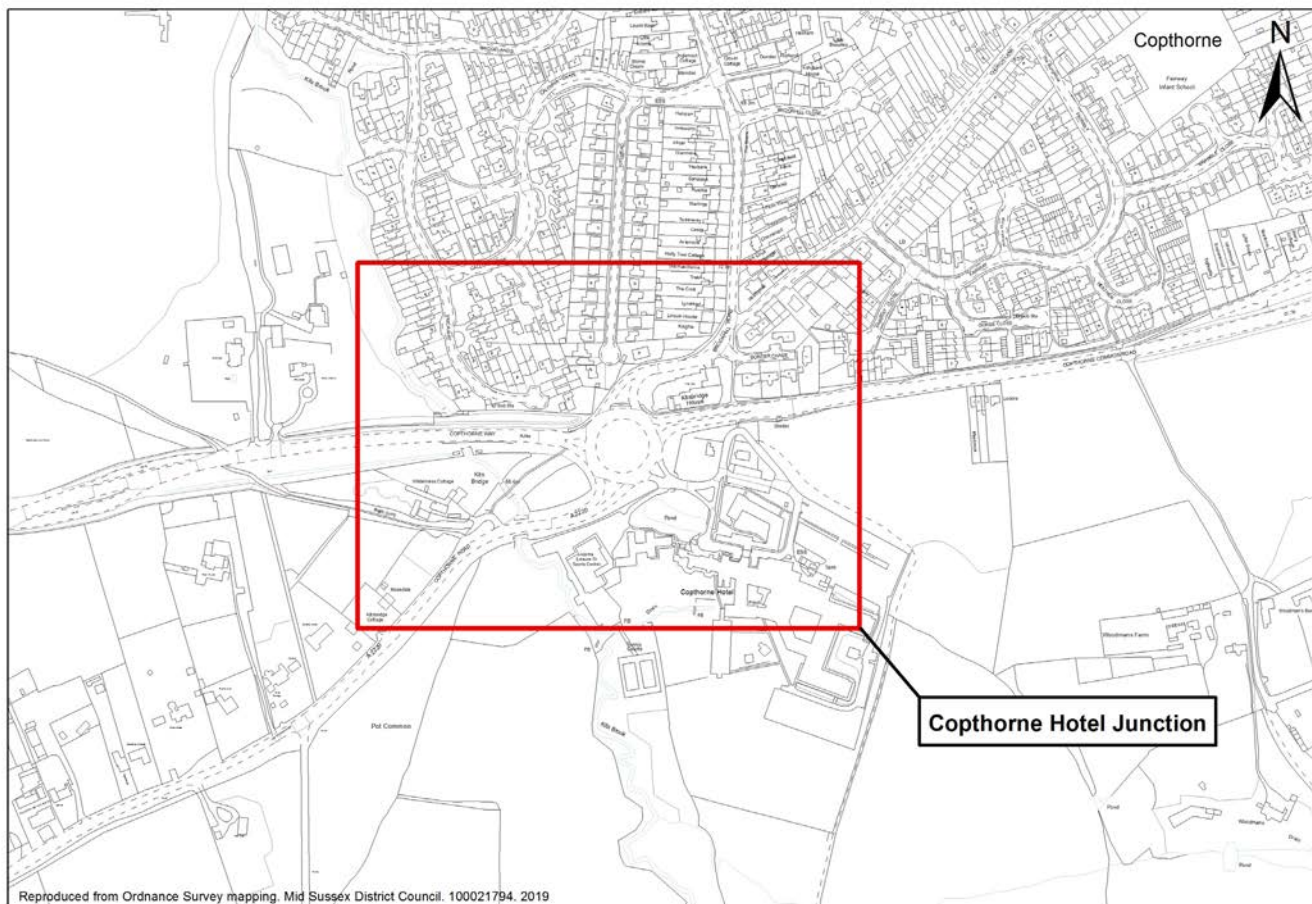
* The areas to be safeguarded will be informed by more detailed design and feasibility work to be carried out in consultation with WSCC and other relevant parties and will be subject to further consultation.

A22 Corridor upgrades at Felbridge, Imberhorne Lane and Lingfield Junctions

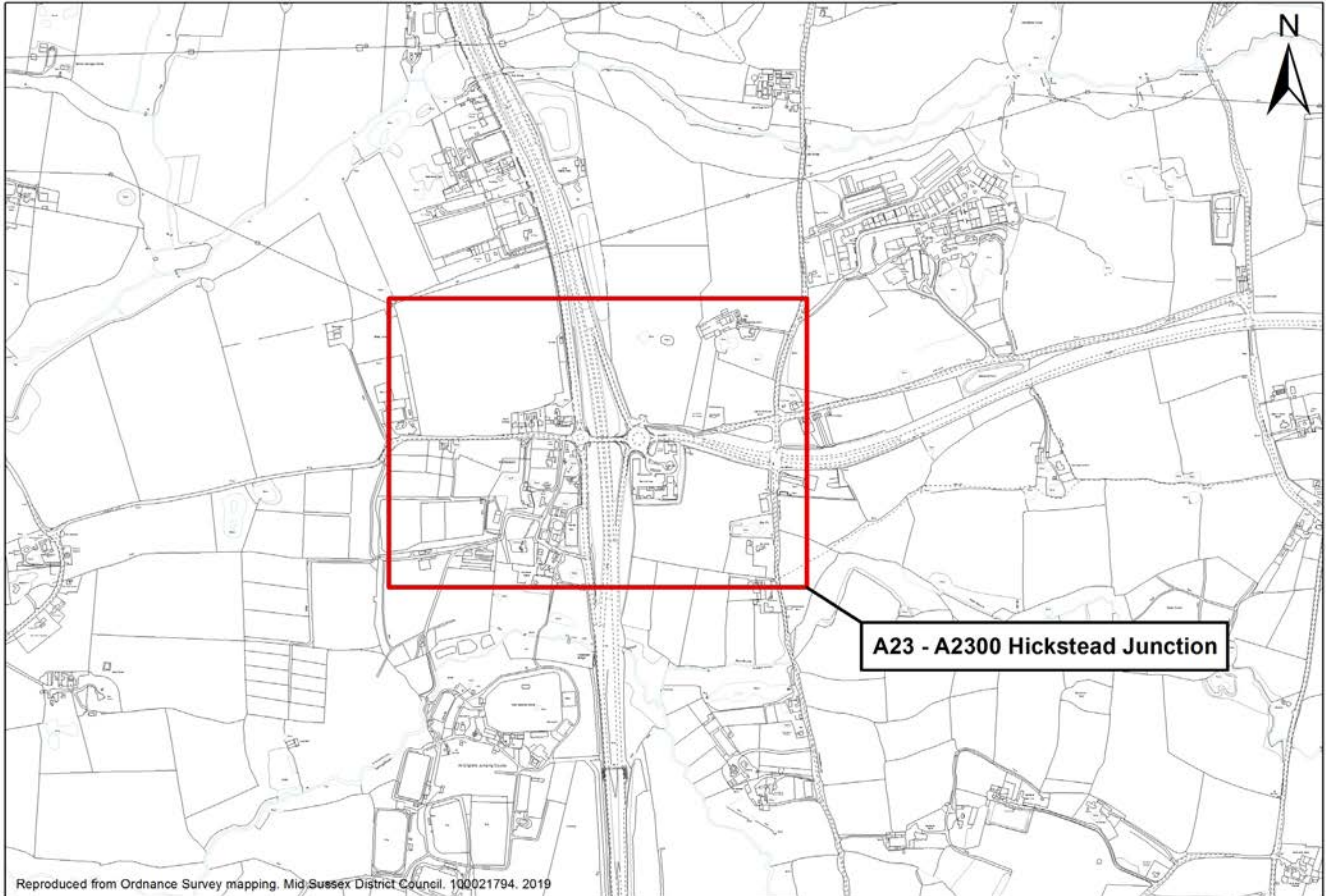




A264 Corridor upgrades at Copthorne Hotel Junction



A23 junction upgrades at Hickstead



Wivelsfield Railway Station

3.17 Wivelsfield Railway Station is located on the Brighton Mainline and serves as a public transport hub. This role will significantly increase due to its proximity to the strategic residential and employment allocations to the north and north-west of Burgess Hill and east of Burgess Hill as set out in the District Plan 2014-2031.

3.18 The Council has a long-standing ambition to expand and upgrade facilities at Wivelsfield Railway Station to improve the efficiency and effective operation of the station and increase the use of sustainable modes of travel and make it more attractive to users. This ambition includes station platform and ticket office accessibility, station area public realm enhancements; car and cycle parking provision with electric charging points; passenger pick up and drop off points, upgraded bus stop infrastructure; and the provision of cycle links to directly connect with on-going cycle routes to key locations.

3.19 Whilst the area in question is identified within the Burgess Hill Neighbourhood Plan as Local Green Space, the proposed enhancements to the station are consistent with the Neighbourhood Plan Policy S2: Wivelsfield Station and Worlds End that supports 'enhancements to the accessibility of Wivelsfield Station for all users will be encouraged and supported to enhance the sustainability of the town'. Improvements to the station would not be deliverable without using the land in question, which adjoins the existing railway station; it is therefore proposed that the areas covered by Policy SA36 would supersede the LGS designation.

3.20 Achieving the ambition will require the use of land located to the west of the station. Land to the west of Wivelsfield Railway Station is therefore safeguarded to support the delivery of a package of improvements in accordance with **SA36: Wivelsfield Railway Station**. This approach ensures that multi-phased delivery of the scheme is not prejudiced.

3.21 It is important to note that any areas safeguarded are indicative and will be subject to detailed design work.

SA36: Wivelsfield Railway Station

The Council continues to support the expansion and upgrade of Wivelsfield Railway station and will work with others to ensure opportunities to deliver a package of improvements are prioritised and maximised.

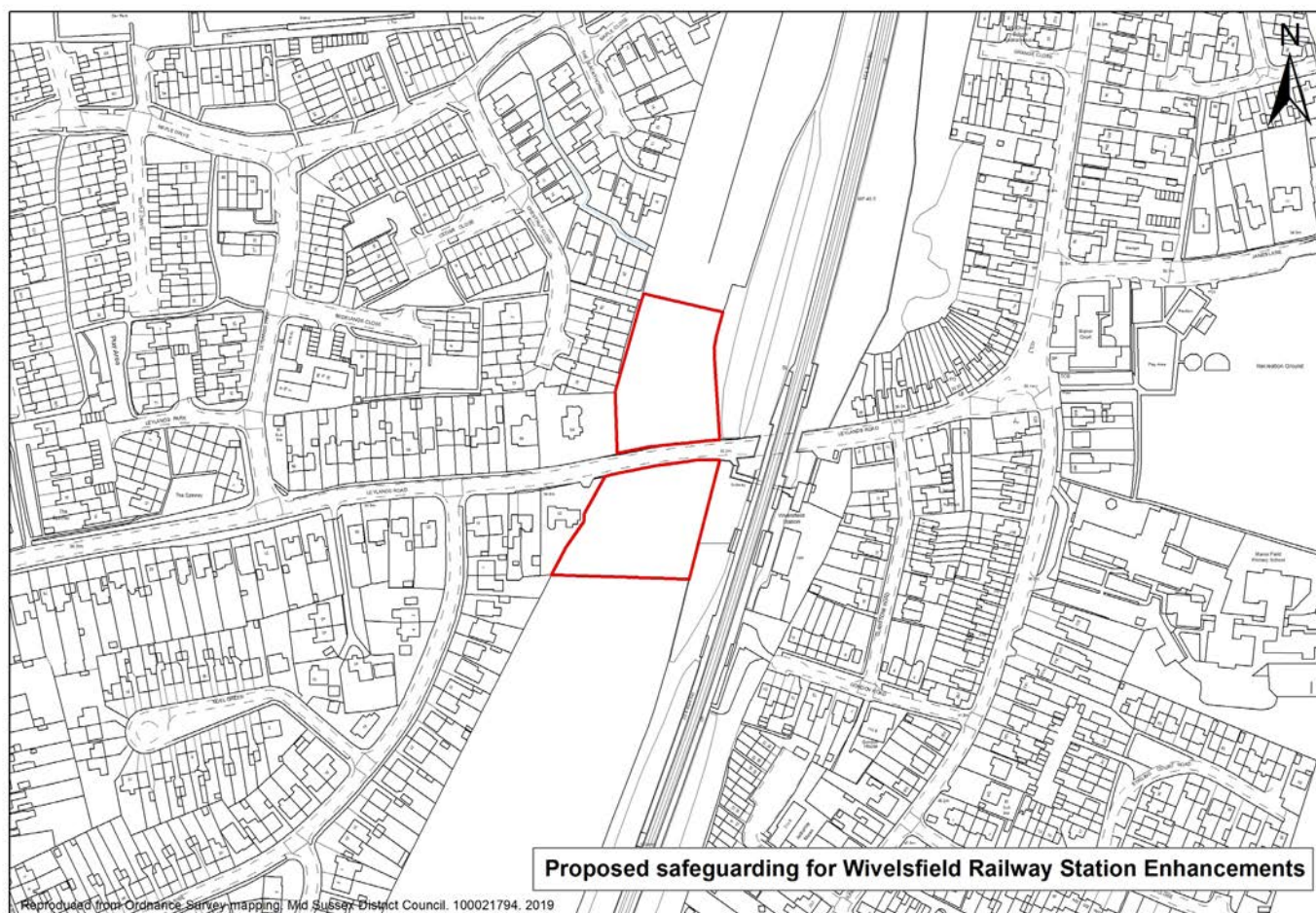
Land to the west of Wivelsfield Railway Station is safeguarded to support the delivery of a package of improvements to expand and upgrade Wivelsfield Railway Station.

The area identified on the Policies Map illustrates where **SA36** will apply; the precise alignment for the scheme, will be informed by detailed design work.

Any proposals for development that may reasonably be considered to impact upon the delivery of the station expansion and upgrade (as shown on the Policies Map) will be required to demonstrate the proposal would not harm delivery of the scheme.

Planning permission will not be granted for development that would prejudice the delivery or effective operation of the expansion and upgrade to Wivelsfield Station.

If necessary, the Council, working in partnership with West Sussex County Council, will use Compulsory Purchase Powers to enable delivery and bring forward the identified transport schemes, to support delivery of the Development Plan.



Burgess Hill to Haywards Heath Multifunctional Network

3.22 The Council is committed to delivering an ambitious programme of sustainable transport infrastructure improvements to support development, particularly strategic development at Burgess Hill as set out in the District Plan 2014-2031.

3.23 Despite Burgess Hill and Haywards Heath being less than three miles apart, there is no realistic traffic free means of travelling between the two towns. Delivering a strategic multifunctional (walking/cycling/equestrian) network between Burgess Hill and Haywards Heath would have multiple benefits including the potential to promote road safety by taking such uses away from the road highway; provide commuting alternatives and support local businesses, reduce the use of the private car and tackle congestion, promote social mobility and cohesion and support healthy lifestyles.

3.24 Work has progressed to bring forward a package of sustainable transport infrastructure improvements to Burgess Hill. This has identified the potential for a dedicated multifunctional network between Burgess Hill and Haywards Heath.

3.25 A number of route options are being investigated to the east and west of the Brighton main railway line and these include, for example, opportunities to connect strategic development to the north and north west of Burgess Hill, including a new secondary school to be developed, and with Haywards Heath that is away from the road highway.

3.26 To support the delivery of the Burgess Hill/ Haywards Heath Multifunctional Network, land is therefore safeguarded in accordance with **SA37: Burgess Hill/ Haywards Heath Multifunctional Network**. This approach ensures that multi-phased delivery of the scheme is not prejudiced.

3.27 It is important to note that any areas safeguarded are indicative and will be subject to detailed design work. In addition, the Council does not consider the use of Compulsory Purchase of private property appropriate to facilitate any route.

SA37: Burgess Hill/ Haywards Heath Multifunctional Network

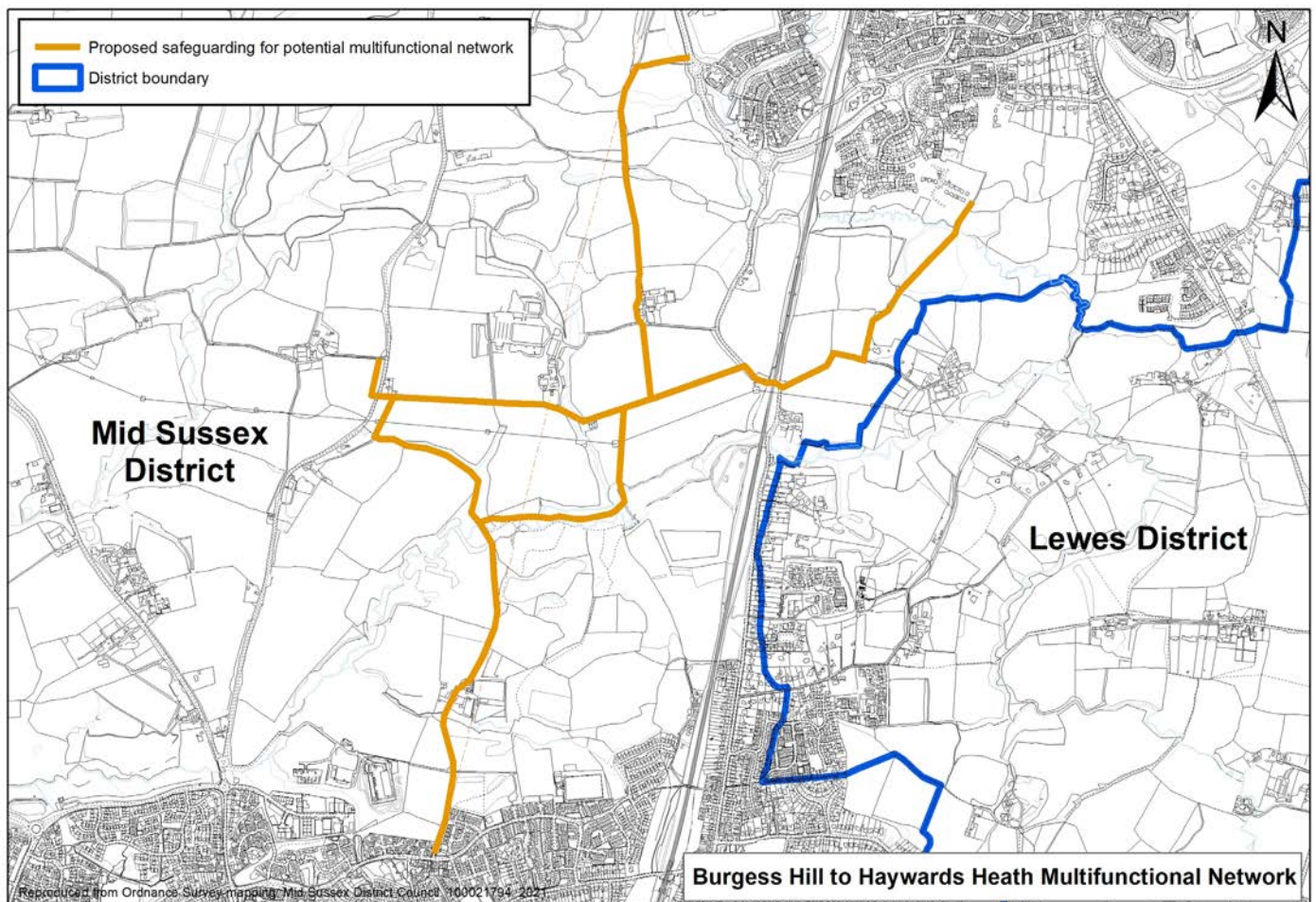
The Council continues to support the delivery of a dedicated multifunctional network, within the lifetime of this plan and will work with key stakeholders to ensure opportunities to deliver the scheme are prioritised and maximised.

Land is safeguarded to support the delivery of the Burgess Hill/ Haywards Heath multifunctional network.

The area shown on the Policies Map illustrates where **SA37** will apply; the precise alignment for the scheme will be informed by detailed design work and it should be carefully designed having a clear consideration of matters such as biodiversity and landscape in order to avoid harmful impacts on those features.

Any proposals for development that may reasonably be considered to impact the delivery of the multifunctional network (as shown on the Policies Map) will be required to demonstrate the proposal would not harm delivery of the scheme.

Planning permission will not be granted for development that would prejudice the delivery or effective operation of the proposed multifunctional network.



Air Quality

3.28 National planning policy is clear on the importance of taking into account the potential impacts on air quality when assessing development proposals. In particular, national policy identifies the importance of preventing new and existing development from either contributing to or being put at unacceptable risk from pollution and that new development is appropriate taking into account any likely effects.¹⁶

3.29 Furthermore, legislative¹⁷ limits are set for concentrations of major air pollutants that may impact on public health, amenity and local biodiversity, such as airborne particulate matter and nitrogen dioxide.

3.30 Air quality within Mid Sussex District is predominantly good and there is only one currently known location where air pollution exceeds the levels set by European and UK regulations. For this reason, the Council has declared one Air Quality Management Area (AQMA) that relates to elevated levels of nitrogen dioxide (NO²) at Stonepound Crossroads, Hassocks.

3.31 Development proposals located in proximity to an AQMA will need to assess the impact on air quality and have regard to the Council's Air Quality Action Plan.¹⁸

3.32 Any development that is likely to generate traffic will need to assess its impact on air quality. The level of assessment will be based on the proposed development's proximity to an AQMA and the amount of increase in traffic for human health protection and potential impact on protected sites such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs) or Sites of Special Scientific Interest (SSSIs).

3.33 Proposals will also be considered in accordance with **SA38: Air Quality** that replaces District Plan Policy DP29 in relation to air quality. Early engagement with the Council's air quality officer is encouraged to help ensure the approach taken is acceptable.

3.34 It is likely that a detailed Air Quality Assessment will be required, where proposals are of a large scale and/ or likely to have a significant or cumulative impact upon air quality, particularly where development is located in, or within relevant proximity, to an AQMA. The level of assessment will depend on the nature, extent and location of the development. Besides a development-related traffic emissions assessment, a dust construction assessment may also be required.

3.35 Any air quality assessments and other related work should be undertaken by a competent person/ company¹⁹ in line with best practice and the Air Quality and Emissions Mitigation Guidance for Sussex 2021²⁰, or its replacements. This guidance requires that appropriate levels of mitigation are detailed to reduce air quality impacts.

3.36 Increased traffic emissions as a consequence of new development may result in atmospheric pollution on the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)²¹.

.....
¹⁶ National Planning Policy Framework (NPPF) (2019) para. 181.

¹⁷ The Air Quality Standards Regulations 2010

¹⁸ Mid Sussex District Council (2018) Air Quality Action Plan.

¹⁹ Such as holding membership of the Institute for Air Quality Management.

²⁰ Air Quality and Emissions Mitigation Guidance for Sussex (2021)

²¹ This may also apply to other protected sites (SPA, SAC, Ramsar and SSSI) within 200m from roads where significant increased traffic emissions are expected.

The main impacts of interest are acid deposition and eutrophication by nitrogen deposition, as well as NO_x concentrations. High levels of nitrogen may detrimentally affect the composition of an ecosystem and lead to loss of species, whilst high levels of NO_x concentrations may lead to leaf damages and reduced growth. The District Council has undertaken a Habitats Regulations Assessment of the implications of the Site Allocations DPD for the Ashdown Forest SPA and SAC in view of that protected site's conservation objectives and to ensure no significant adverse effect on the integrity of the Ashdown Forest SPA and SAC. However, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), development proposals will need to consider any potential impacts, including in combination with other development. Additional information may need to be provided by the applicant for the purposes of undertaking a Habitats Regulations Assessment in accordance with SA38 and **DP 17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)**.

SA38: Air Quality

The Council will require applicants to demonstrate that there is not unacceptable impact on air quality. The development should minimise any air quality impacts, including cumulative impacts from committed developments, both during the construction process and lifetime of the completed development, either through a redesign of the development proposal or, where this is not possible or sufficient, through appropriate mitigation.

Where sensitive development is proposed in areas of existing poor air quality and/ or where major development is proposed, including the development types set out in the Council's current guidance (Air Quality and Emissions Mitigation Guidance for Sussex (2019 or as updated)) an air quality assessment will be required.

Development proposals that are likely to have an impact on local air quality, including those in or within relevant proximity to existing or potential Air Quality Management Areas (AQMAs), will need to demonstrate measures/ mitigation that are incorporated into the design to minimise any impacts associated with air quality.

Mitigation measures will need to demonstrate how the proposal would make a positive contribution towards the aims of the Council's Air Quality Action Plan and be consistent with the Council's current guidance as stated above.

Mitigation measures will be secured either through a negotiation on a scheme, or via the use of planning condition and/ or planning obligation depending on the scale and nature of the development and its associated impacts on air quality.

In order to prevent adverse effects on the Ashdown Forest SPA and SAC, new development likely to result in increased traffic may be expected to demonstrate how any air quality impacts, including in combination impacts, have been considered in relation to the Ashdown Forest SAC. Any development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate for any potential adverse effects.

SA39: Specialist Accommodation for Older People and Care Homes

The Council's Housing and Economic Development Needs Assessment (HEDNA, August 2016) supporting the District Plan established the Council's need for specialist accommodation for older people (Use Class C2).

In order to contribute towards meeting the needs of these specialist types of accommodation, policy SA39: Specialist Accommodation for Older People and Care Homes provides support for such uses providing certain requirements are met.

SA39: Specialist Accommodation for Older People and Care Homes

There is an identified need for specialist accommodation for older people comprising at least 665 additional extra care units (Use Class C2) by 2030, of which at least 570 should be leasehold.

The Housing and Economic Development Needs Assessment Addendum (August 2016) identified forecast demand for care homes (Use Class C2) at 2031 as 2,442 bedspaces. The Council will support proposals that will contribute to meeting these types of specialist accommodation.

Proposals for specialist accommodation for older people and care homes will be supported where:

- a) It is allocated for such use within the District Plan, Site Allocations DPD or Neighbourhood Plan; or
- b) It forms part of a strategic allocation; or
- c) It is located within the Built-Up Area Boundary as defined on the Policies Map; or
- d) Where the site is outside the Built-Up Area, it is contiguous with the Built-Up Area Boundary as defined on the Policies Map and the development is demonstrated to be sustainable, including by reference to the settlement hierarchy (policy DP4).

In all circumstances, the site must be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. Proposals must demonstrate how reliance on the private car will be reduced and be accompanied by a Travel Plan which sets out how the proposal would seek to limit the need to travel and how it offers a genuine choice of transport modes, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

4 Implementing the Plan

4.1 One of the key tests of an effective development plan is that it is deliverable. The Council has a range of mechanisms which it can use to ensure the Site Allocations DPD objectives and policies are effective, including partnership working with landowners, developers and strategic stakeholders, and use of its own powers, land and assets.

4.2 In line with the NPPF and in order to foster sustainable development the Council has a positive approach to decision taking over planning applications which accord with the development plan.

4.3 However, it recognises that there are many factors that can influence the timely development of sites including land assembly, changes in ownership, changes in the economy and speed of delivery of required infrastructure. In order to address these risks and maintain a rolling 5 year housing land supply the Council will:

- continue to closely monitor the commitment and completion of sites;
- continue to work closely with developers, landowners and promoters of sites to ensure delivery within agreed timescales;
- work with Town and Parish Councils to bring forward Neighbourhood Plan allocations in line with District Plan policies DP4: Housing and DP6: Settlement Hierarchy and support further Neighbourhood Plan preparation;
- continue working with a Developers' Liaison Group in order to understand issues regarding site supply and development constraints; and
- prepare, maintain and publish and update regularly a Brownfield Sites Register.

4.4 The Council has worked in partnership with a range of strategic organisations (including the Coast to Capital LEP; the Gatwick Diamond Initiative; and the West Sussex and Greater Brighton Strategic Planning Board) to make sure that sub-regional issues are addressed.

Monitoring of the Sites DPD

4.5 Monitoring is an essential component of the plan-making process. The purpose of monitoring is to assess whether the policies of the documents produced as part of the Development Plan are achieving the objectives and intended policy outcomes, whether they are having any unintended consequences and whether they are still relevant or require a review. It is important that there are mechanisms in place for the Council to identify changing circumstances and take appropriate action if required.

4.6 The Mid Sussex District Plan 2014-2031 sets out a comprehensive Spatial Strategy and Strategic Policies that shapes the pattern, amount and type of future development in the District. These policies are subject to their own monitoring framework, in Chapter 5 of the District Plan. As a supplementary document to the District Plan, the additional allocations and policies in the Site Allocations DPD complement the Spatial Strategy and Strategic Policies set out in the District Plan. Therefore, monitoring of the Site Allocations DPD will also build upon the monitoring framework established in the District Plan.

4.7 The monitoring schedule (**Appendix B**) sets out a range of indicators that assess the impact of policies in the Site Allocations DPD. It is important that the indicators chosen can be monitored in a robust and consistent way. The indicators are reported through the Council's monitoring information and will be made available as soon as possible. If it appears that policies are not being effective, or are no longer appropriate in the light of more recent national policies or local circumstances, then action will be taken to review the policy or policies concerned.

APPENDICES

Appendix A: Existing Employment Sites

Appendix B: Monitoring Framework

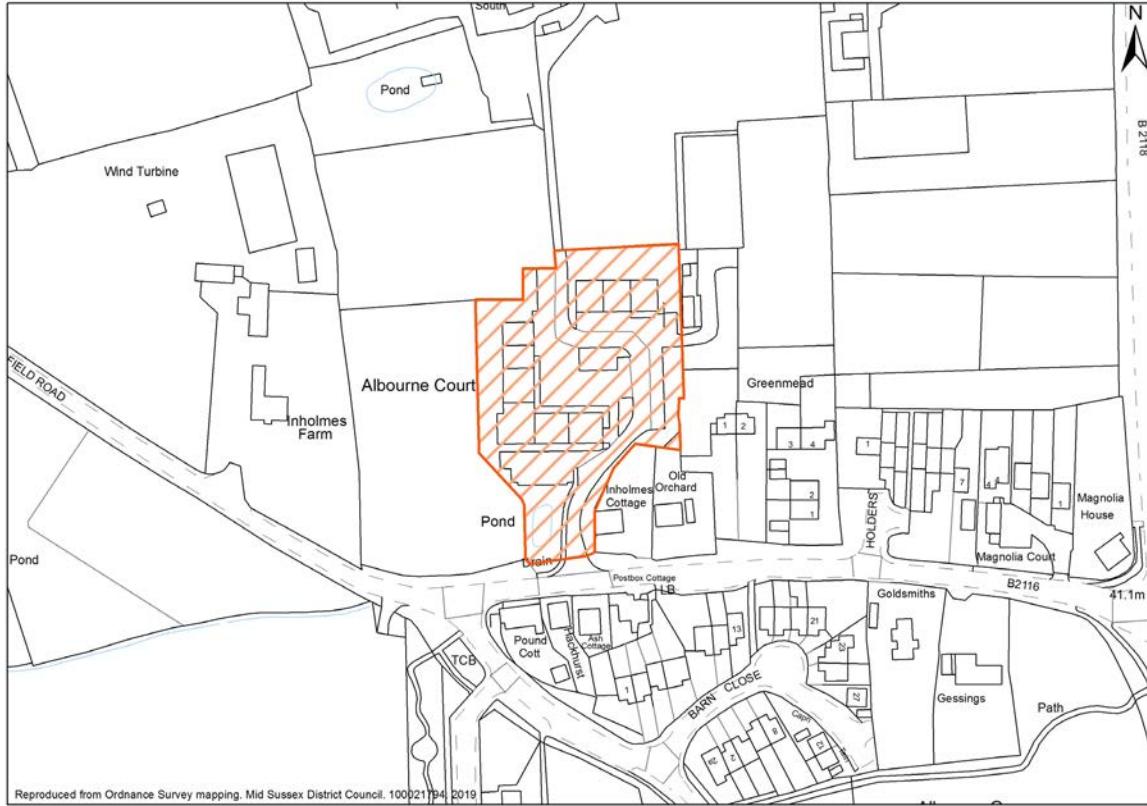
Appendix C: Housing Trajectory

Glossary

Appendix A: Existing Employment Sites

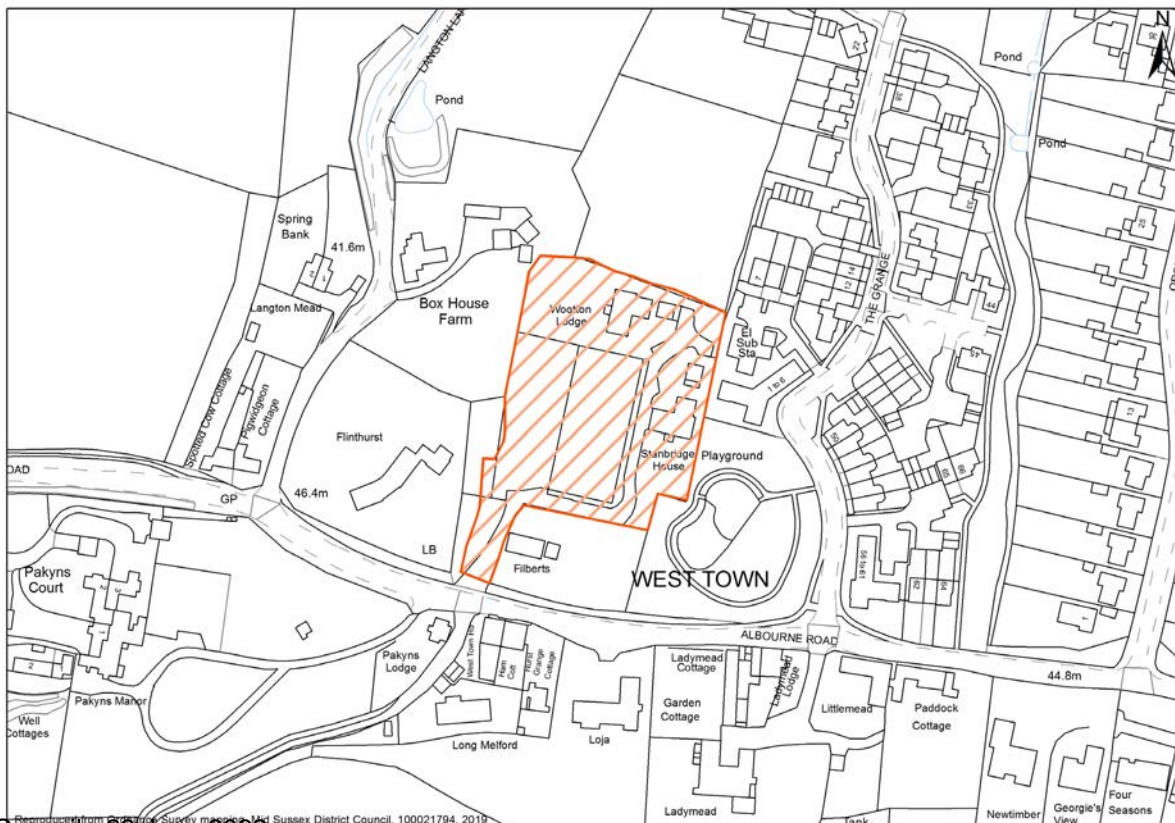
Albourne Court, Henfield Road, Albourne

SHELAA: 861 Settlement: Albourne Gross Site Area (ha): 0.6



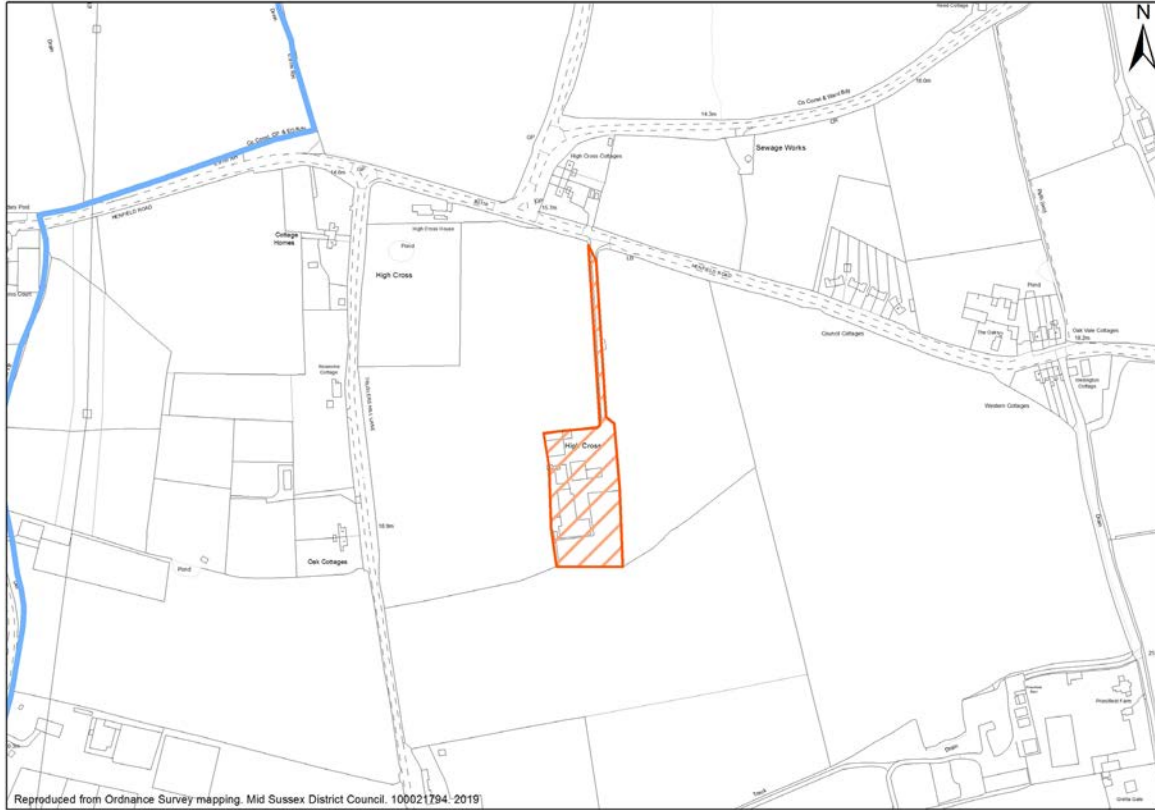
Box House Poultry Farm, Albourne Road

SHELAA: 859 Settlement: Albourne Gross Site Area (ha): 0.68



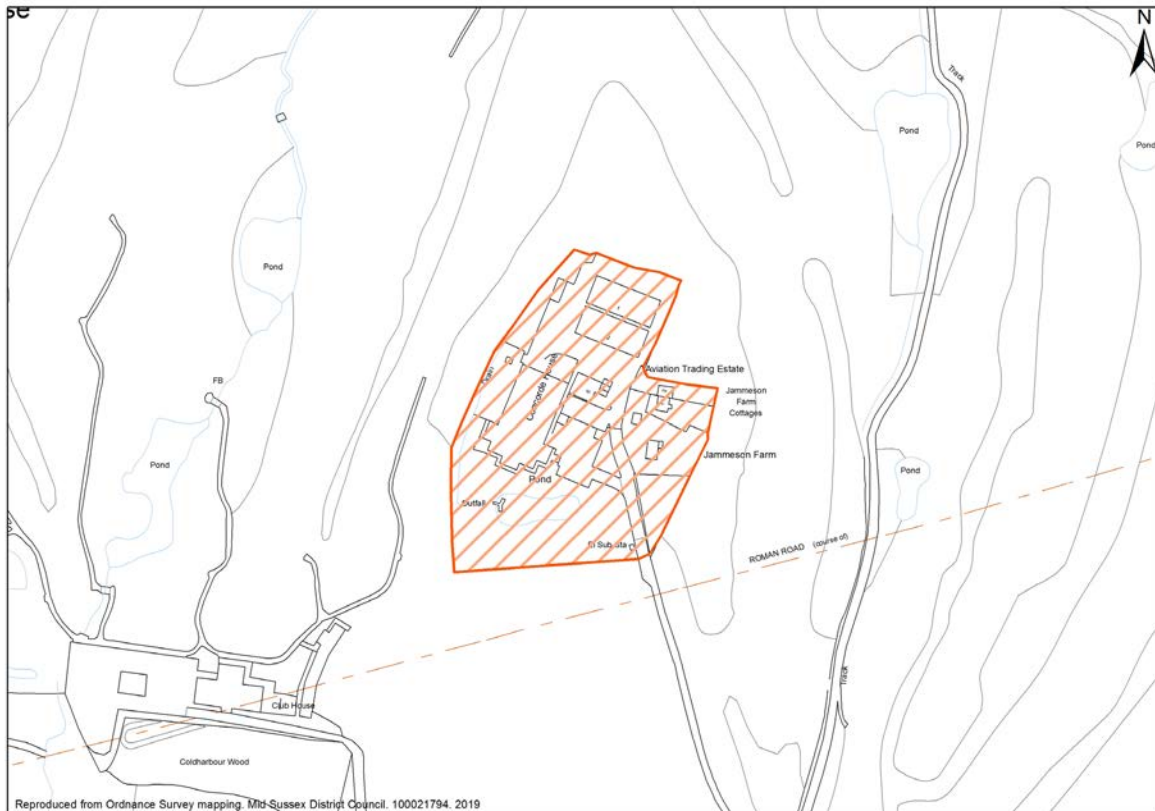
High Cross Farm, Henfield Road, Albourne

SHELAA: 860 Settlement: Albourne Gross Site Area (ha): 0.7



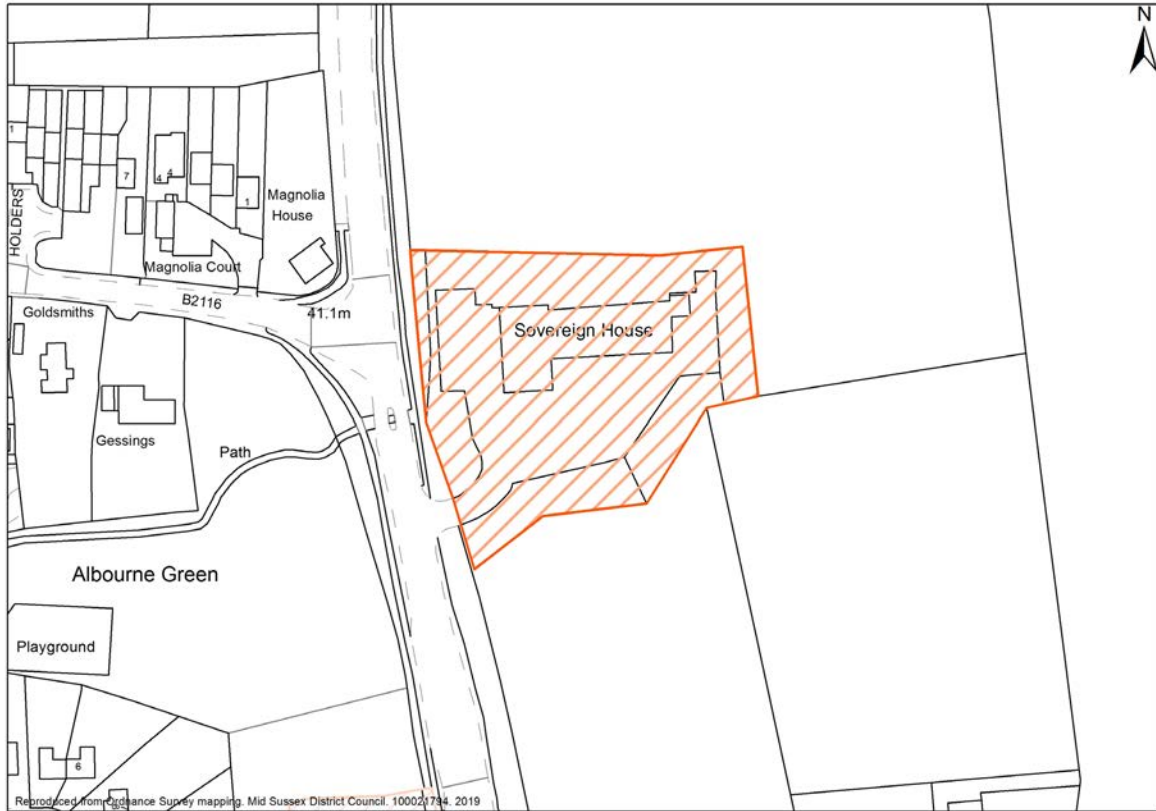
Jammeson's Farm, Muddleswood Road, Albourne

SHELAA: 941 Settlement: Albourne Gross Site Area (ha): 1.8



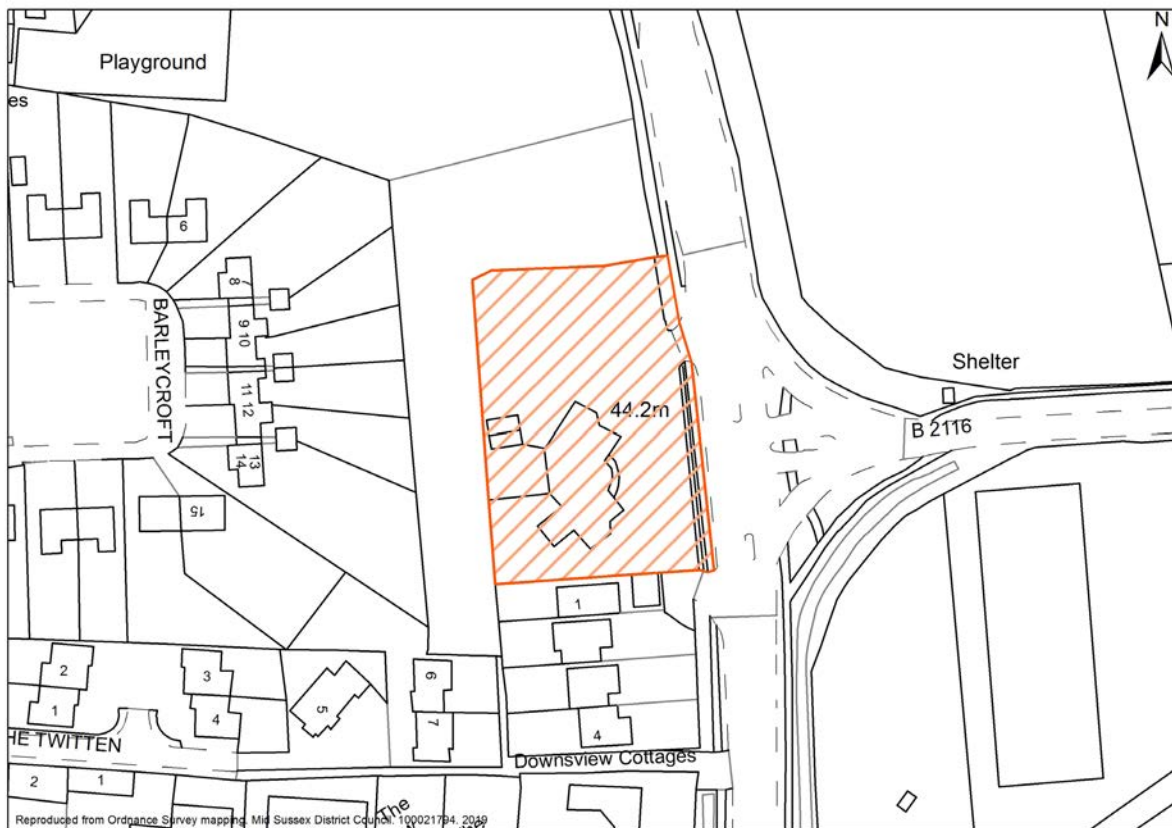
Sovereign House, London Road, Albourne

SHELAA: 942 Settlement: Albourne Gross Site Area (ha): 0.7



Softech House, London Road, Albourne

SHELAA: 943 Settlement: Albourne Gross Site Area (ha): 0.3



The Old Sawmill, Pickwell Lane, Ansty

SHELAA: 934

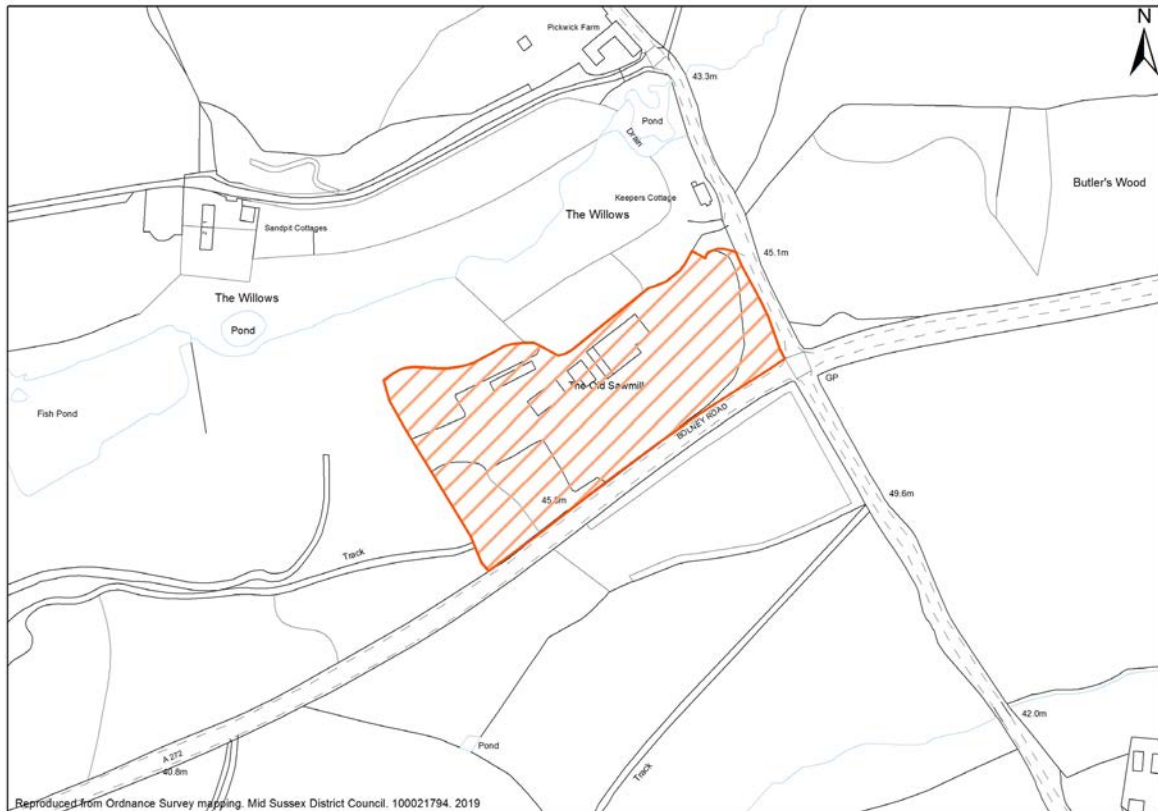
934

Settlement: Ansty

Ansty

Gross Site Area (ha): 1.5

1.5



Ivy Dene Industrial Estate, Ivy Dene Lane, Ashurst Wood

SHELAA: 182

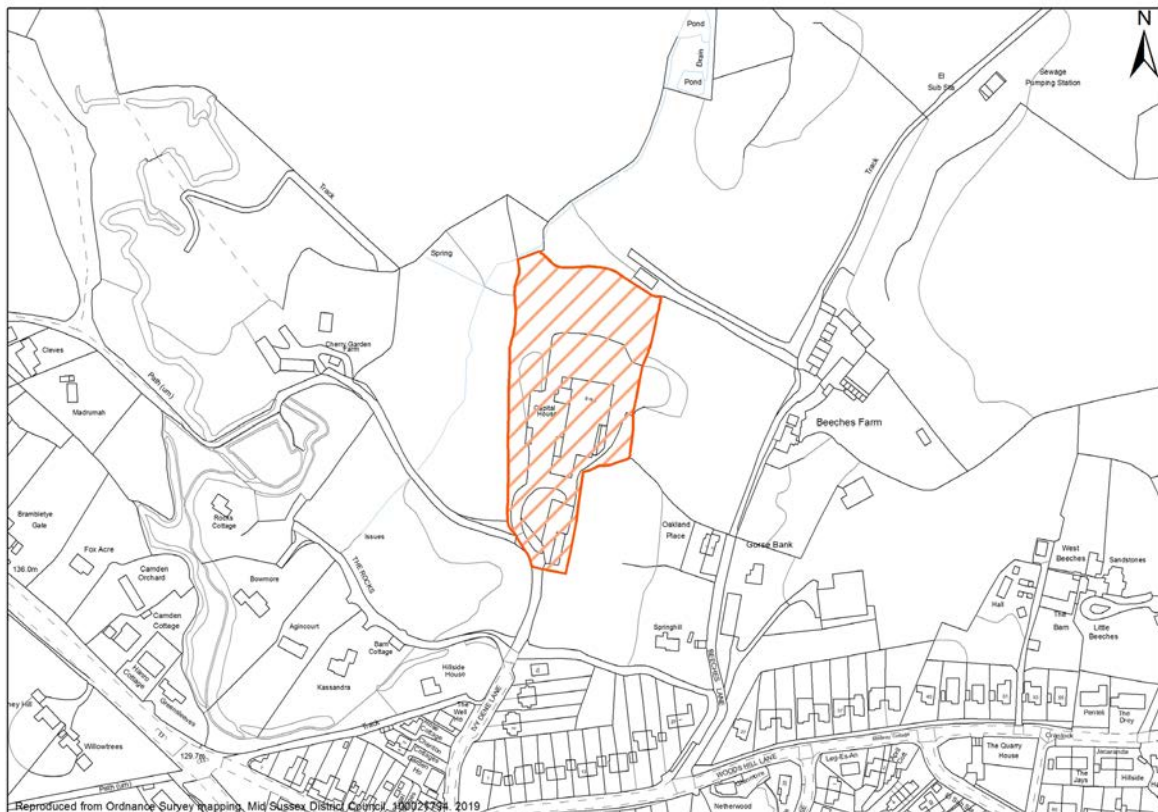
182

Settlement: Ashurst Wood

Ashurst Wood

Gross Site Area (ha): 1.1

1.1



Balcombe Saw Mills, Haywards Heath Road, Balcombe

SHELAA:

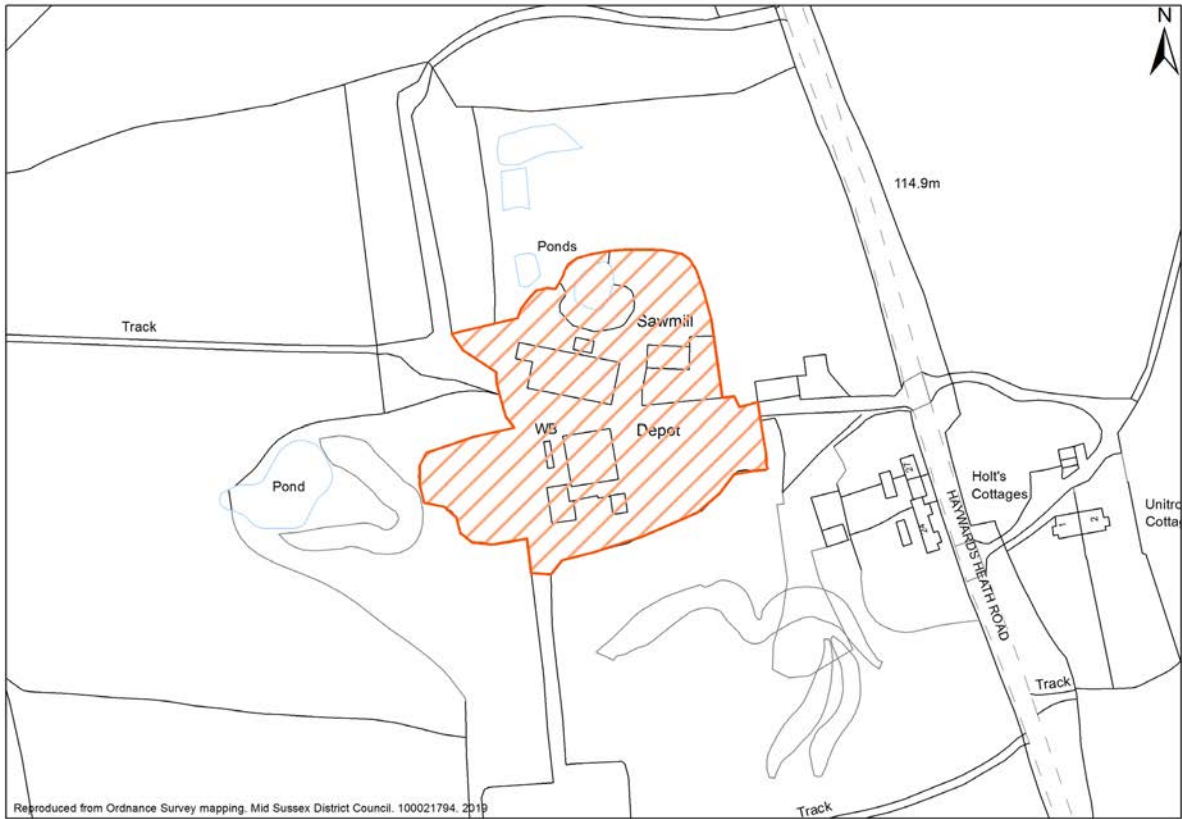
936

Settlement:

Balcombe

Gross Site Area (ha):

0.7



Glebe Farm, Haywards Heath Road, Balcombe

SHELAA:

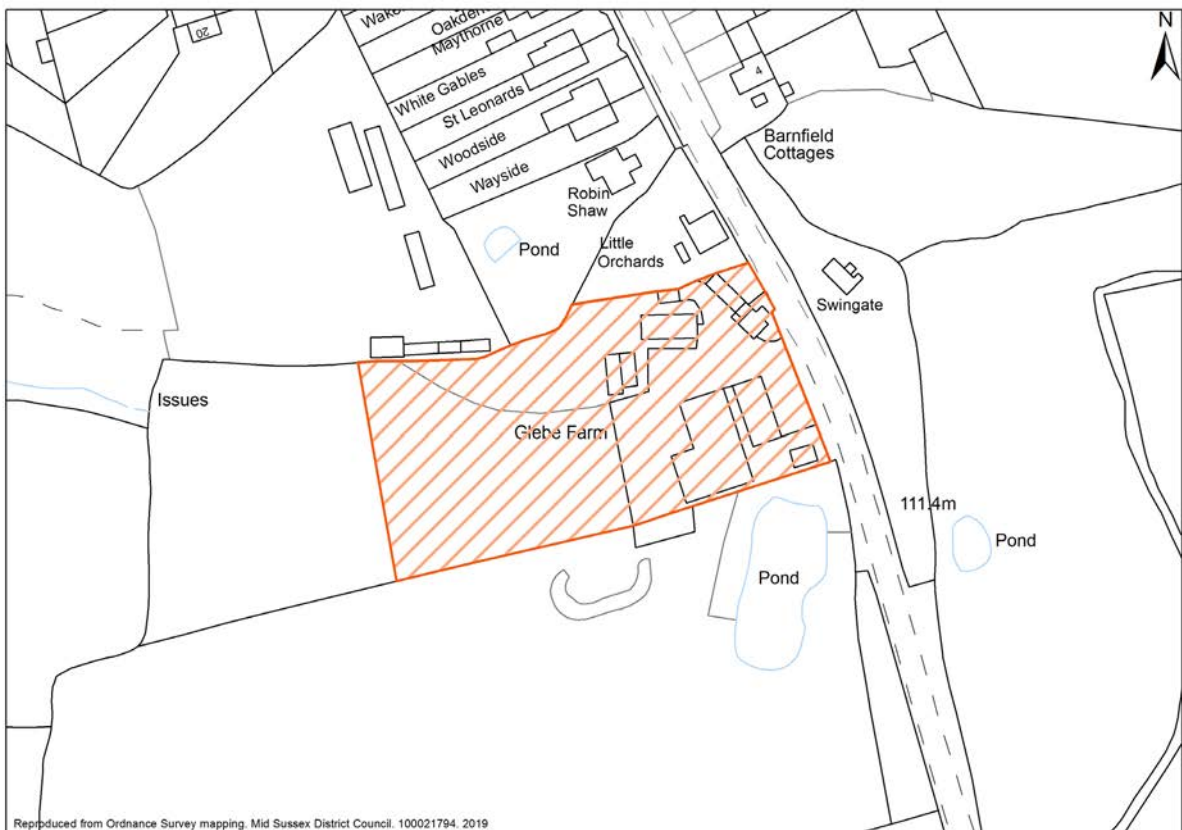
26

Settlement:

Balcombe

Gross Site Area (ha):

0.58



Ricebridge Works, Brighton Road, Bolney

SHELAA:

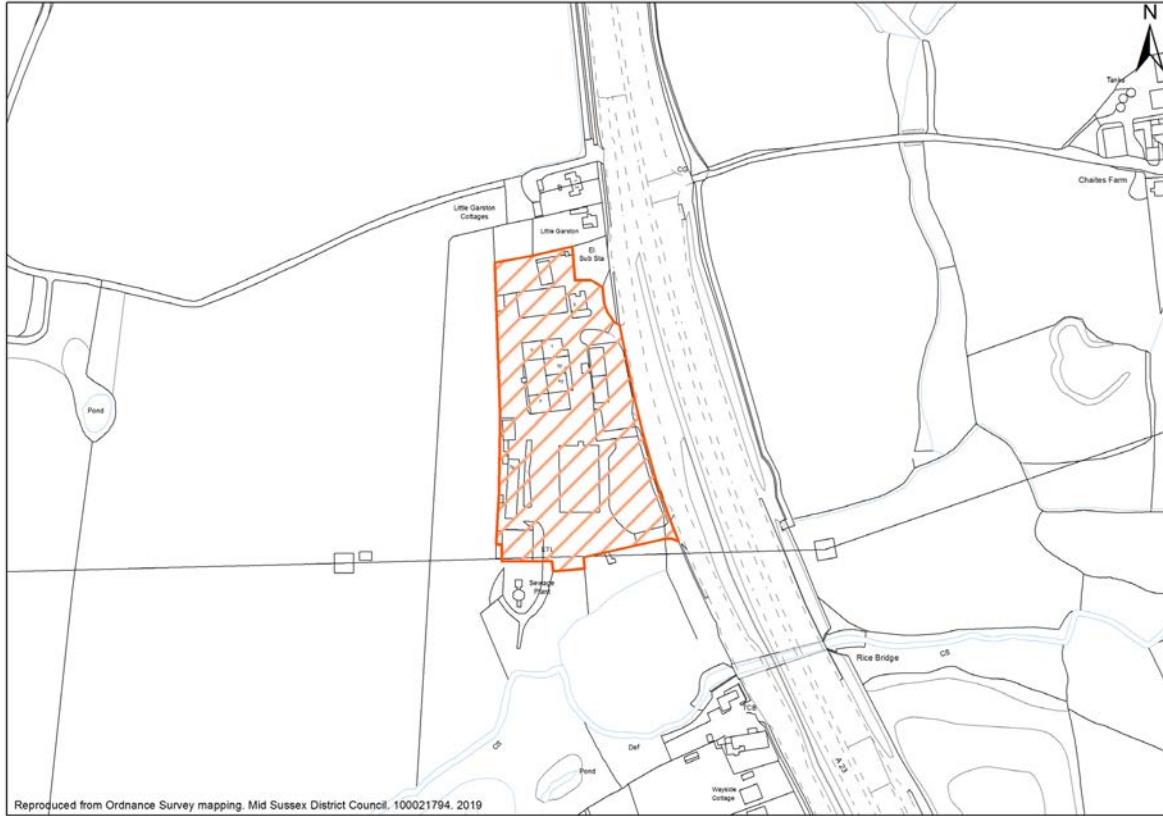
863

Settlement:

Bolney

Gross Site Area (ha):

1.7



Bolney Grange Business Park

SHELAA:

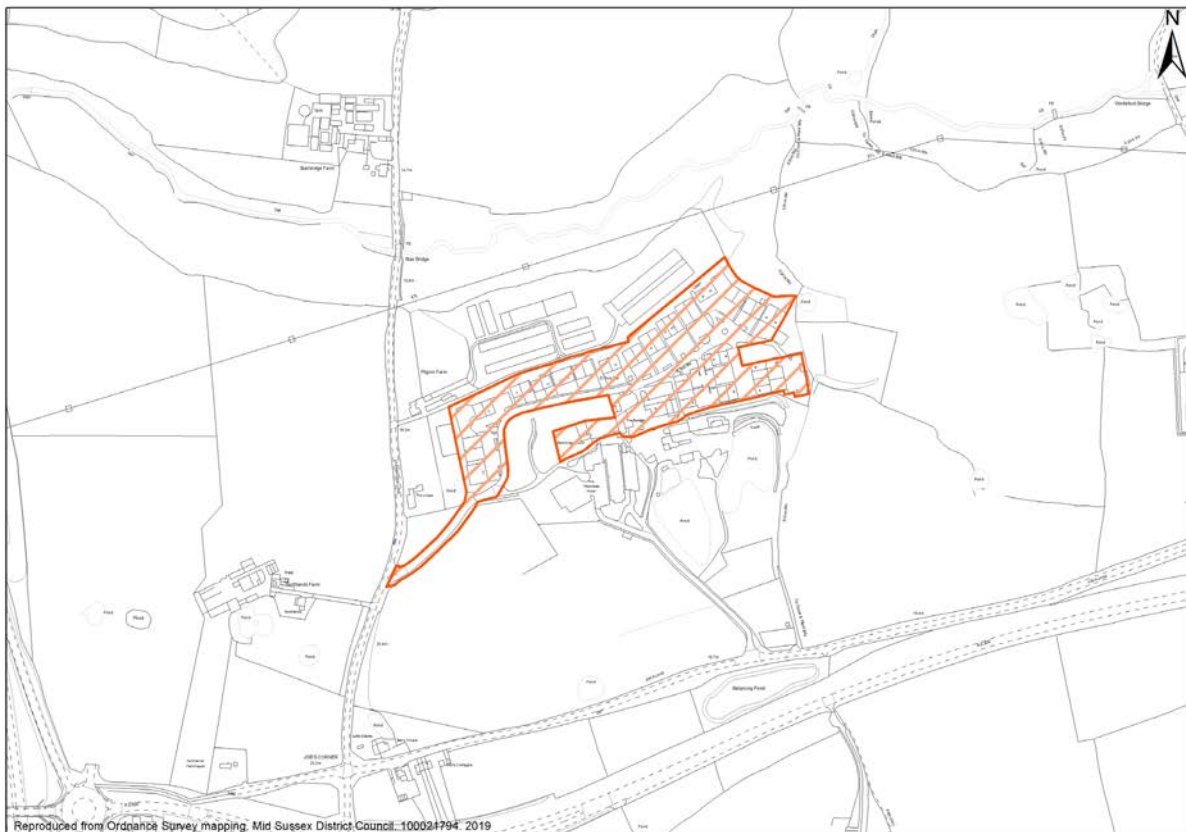
862

Settlement:

Bolney

Gross Site Area (ha):

4.1



Sheddingdean Business Centre, Marchants Way, Burgess Hill

SHELAA:

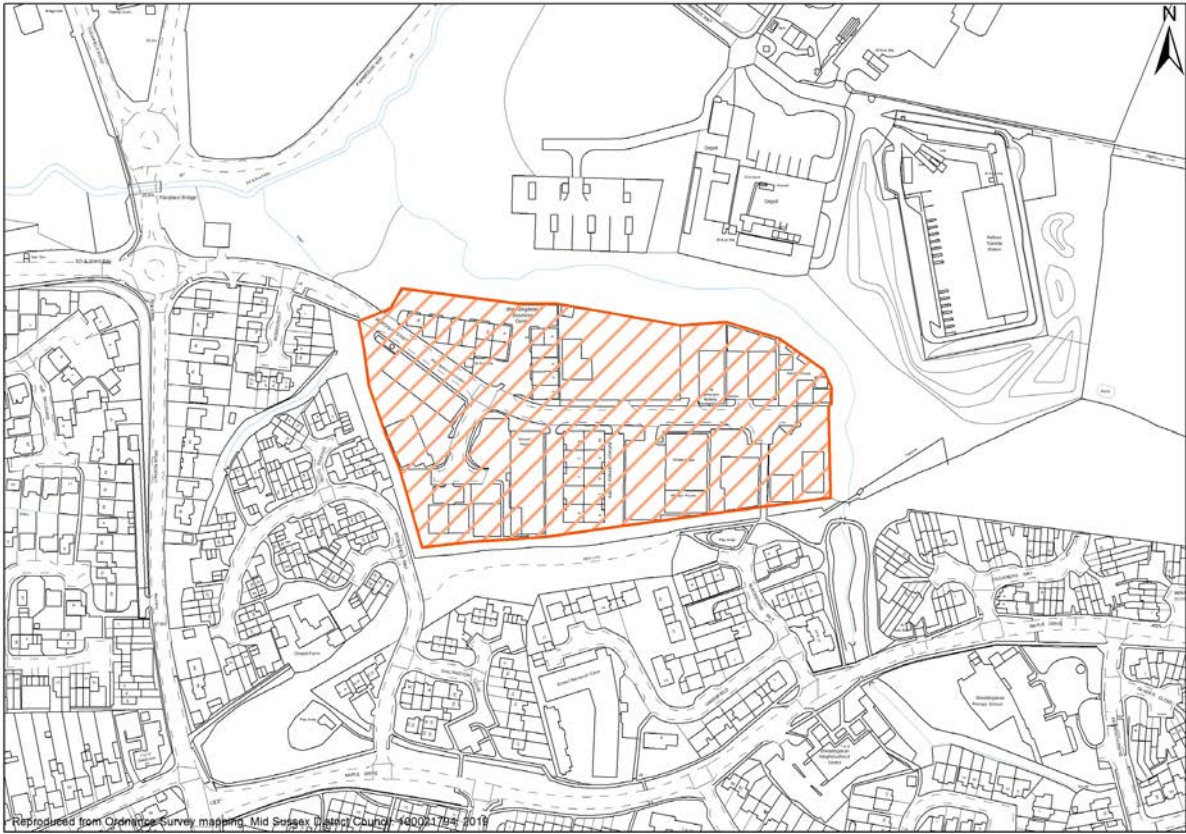
909

Settlement:

Burgess Hill

Gross Site Area (ha):

3.2



Moonhill Farm, Burgess Hill Road, Ansty

SHELAA:

950

Settlement:

Burgess Hill

Gross Site Area (ha):

1.46



Sussex House, Civic Way, Burgess Hill

SHELAA:

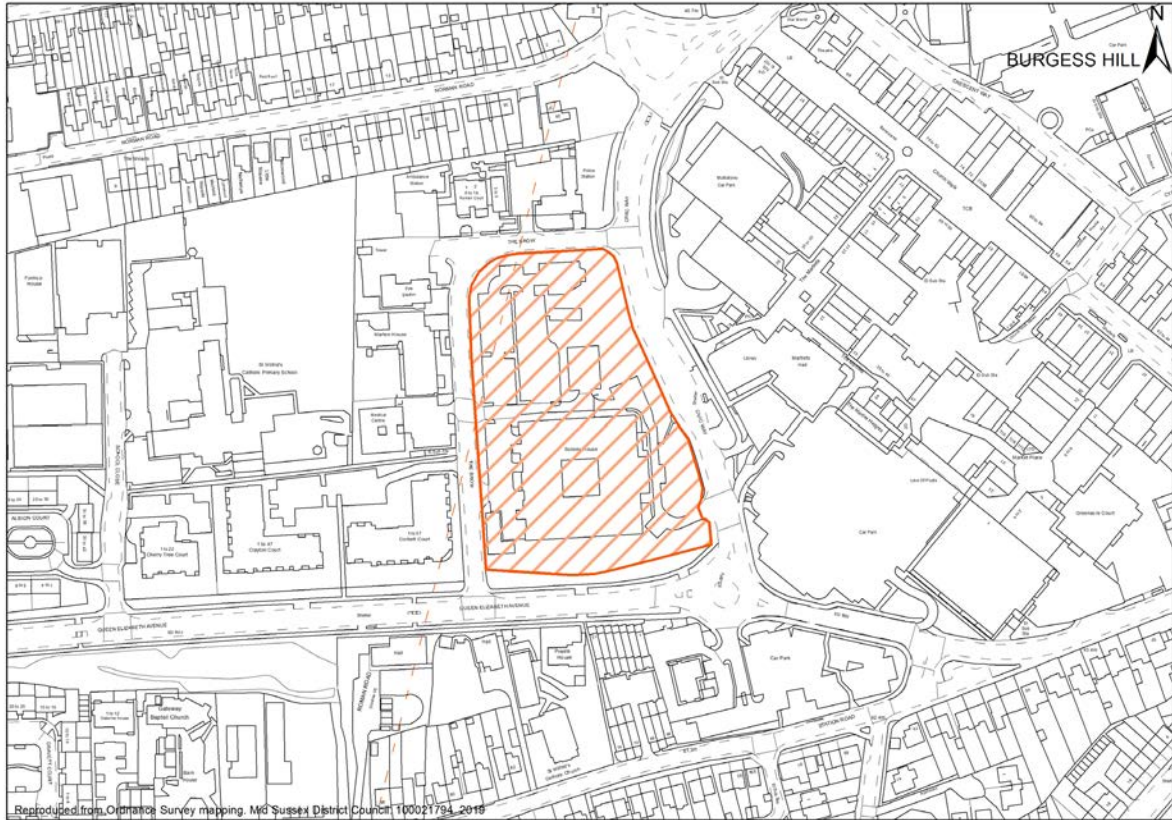
866

Settlement:

Burgess Hill

Gross Site Area (ha):

1.6



Victoria Business Park west, Edward Way/Innovation Drive, Burgess Hill

SHELAA:

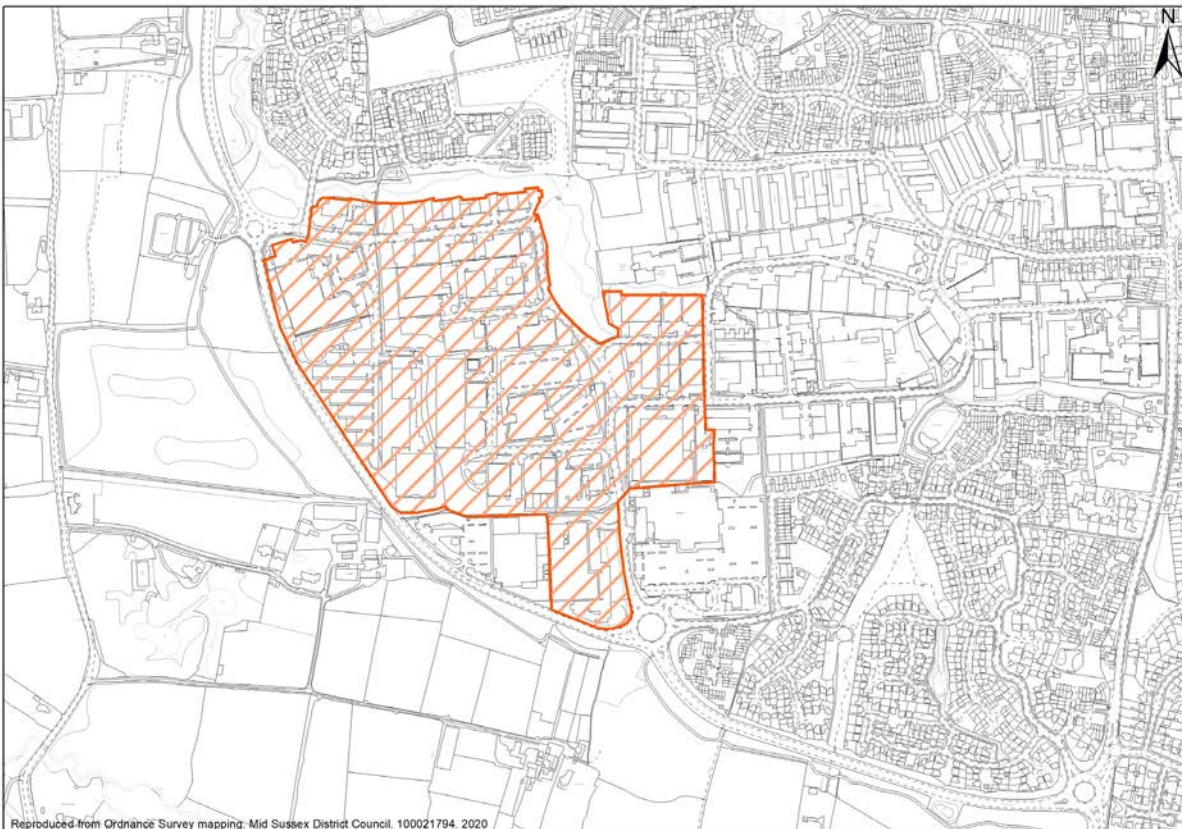
910

Settlement:

Burgess Hill

Gross Site Area (ha):

21.3



Farmers Stores, Gatehouse Lane, Burgess Hill

SHELAA: 951

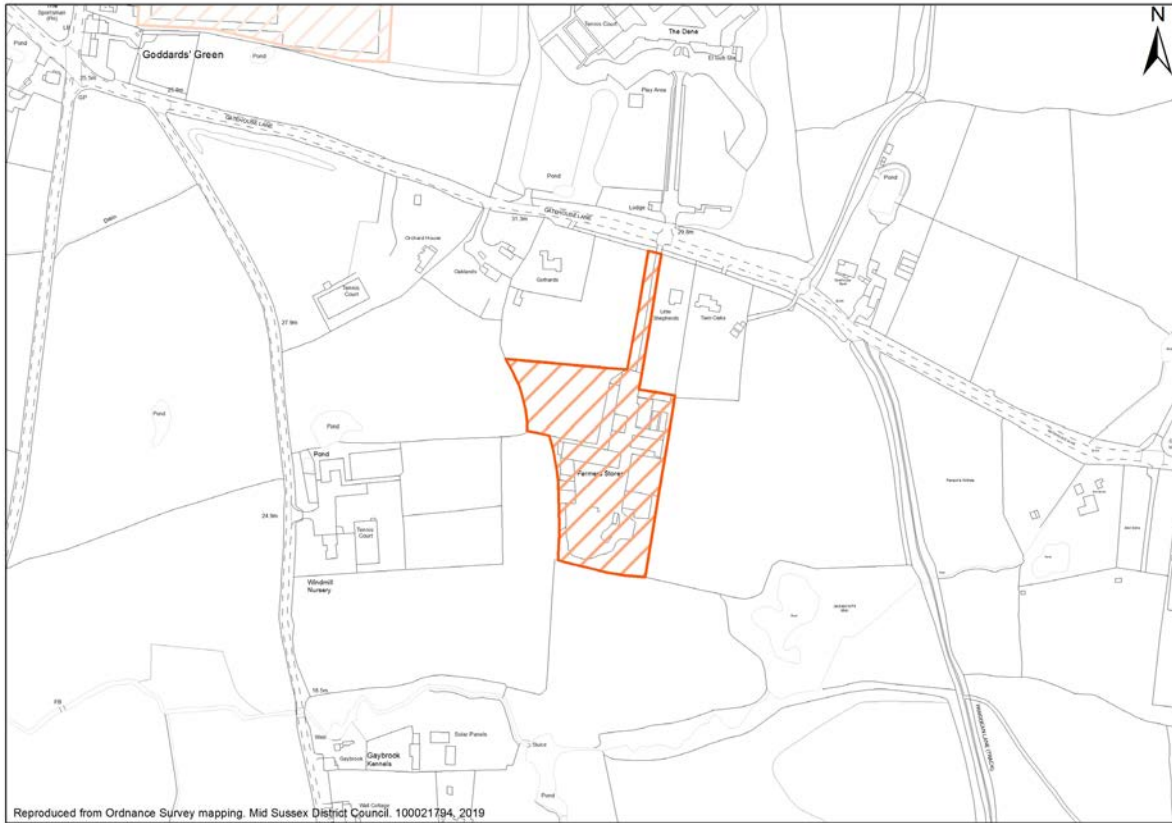
951

Settlement: Burgess Hill

Burgess Hill

Gross Site Area (ha): 1.04

1.04



Depot, Cuckfield Road, Goddards Green

SHELAA: 908

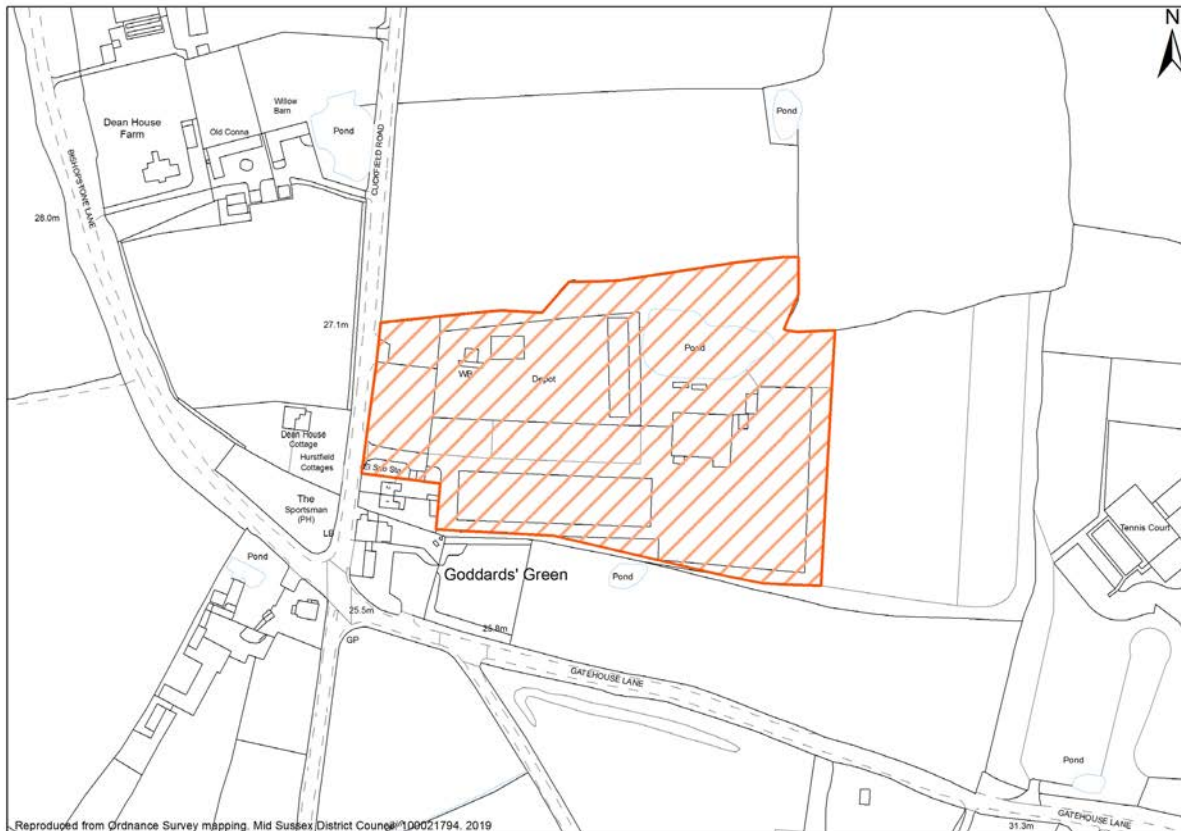
908

Settlement: Burgess Hill

Burgess Hill

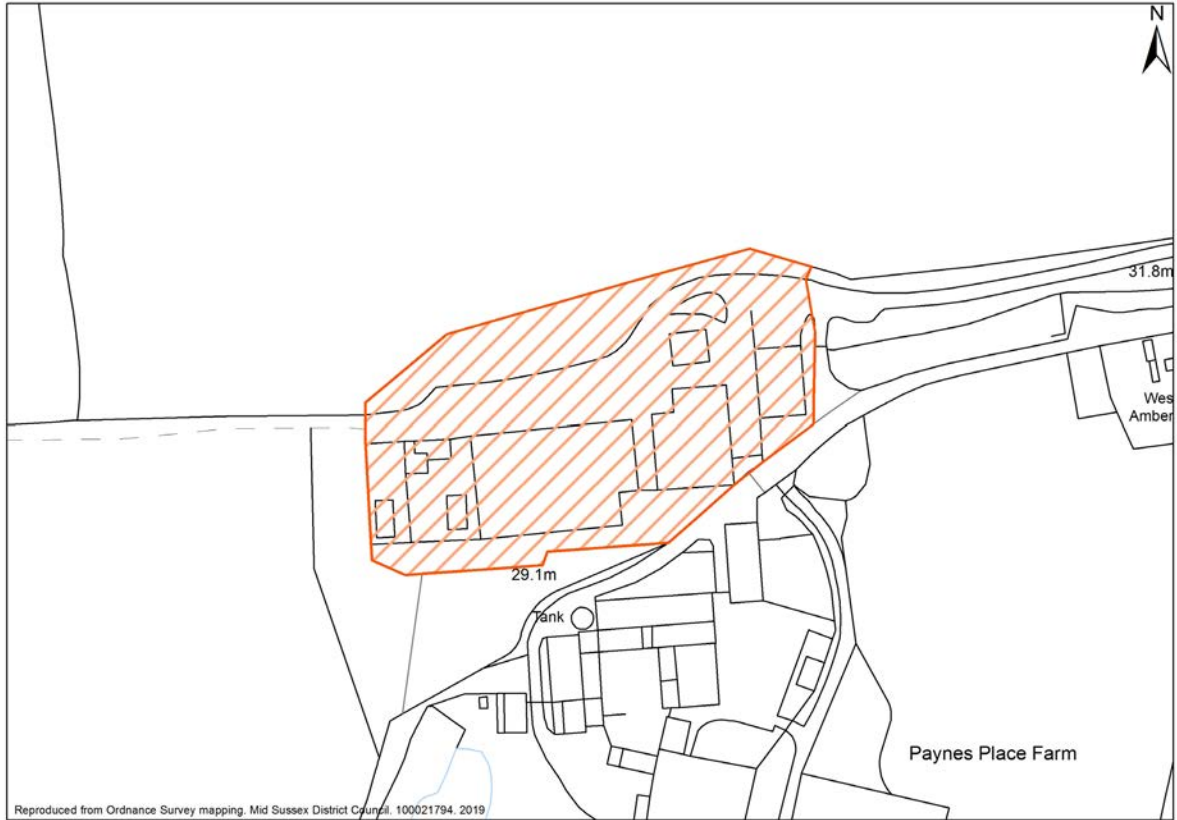
Gross Site Area (ha): 3

3



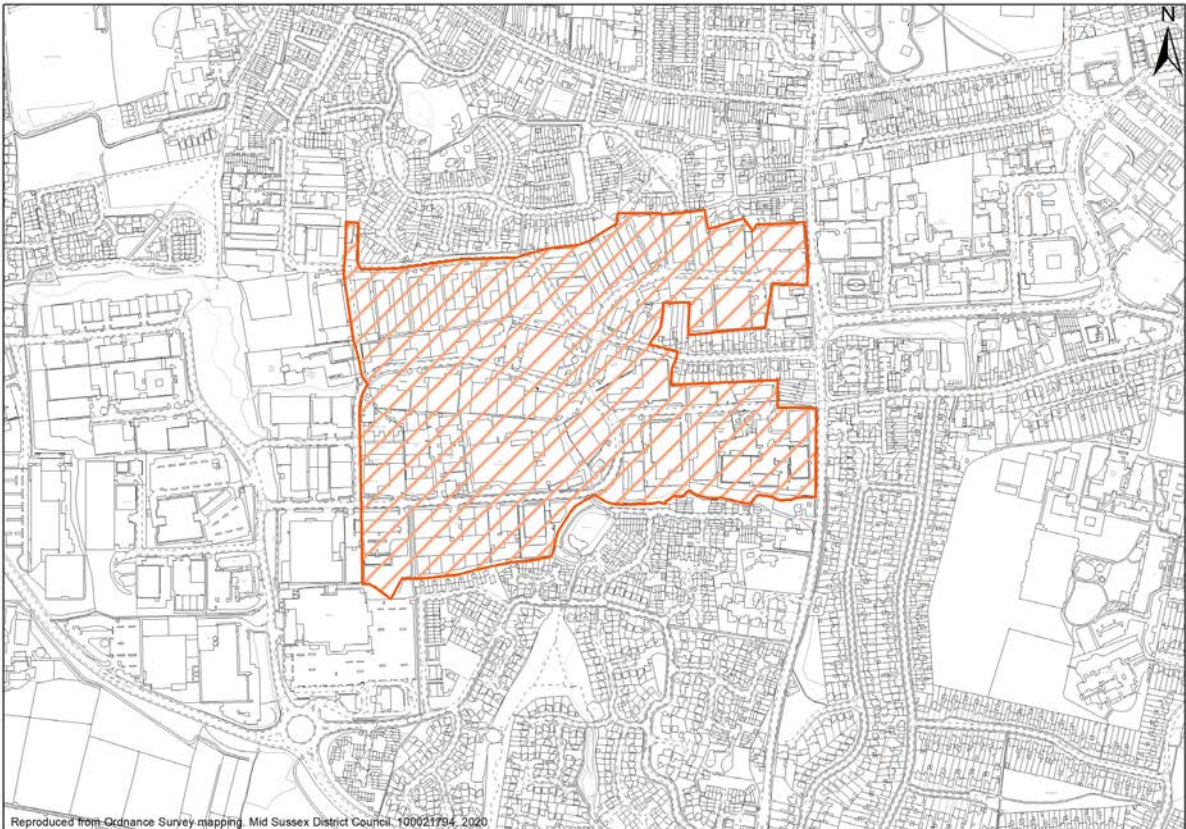
Paynes Place Farm, Burgess Hill

SHELAA: 933 Settlement: Burgess Hill Gross Site Area (ha): 0.8



Victoria Business Park East, Consort Way/Albert Drive, Burgess Hill

SHELAA: 245 Settlement: Burgess Hill Gross Site Area (ha): 24.4



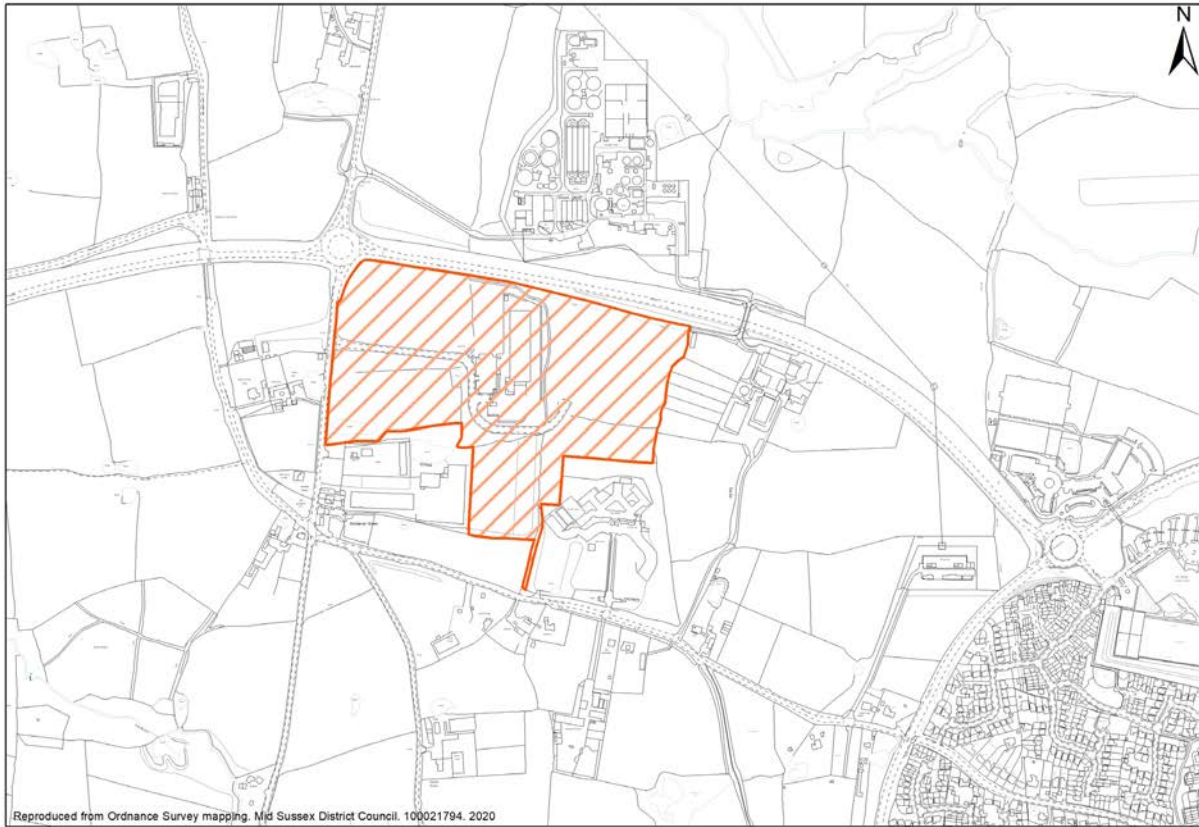
The Hub, Burgess Hill

SHELAA: 74

Settlement: Burgess Hill

Gross Site Area (ha):

14



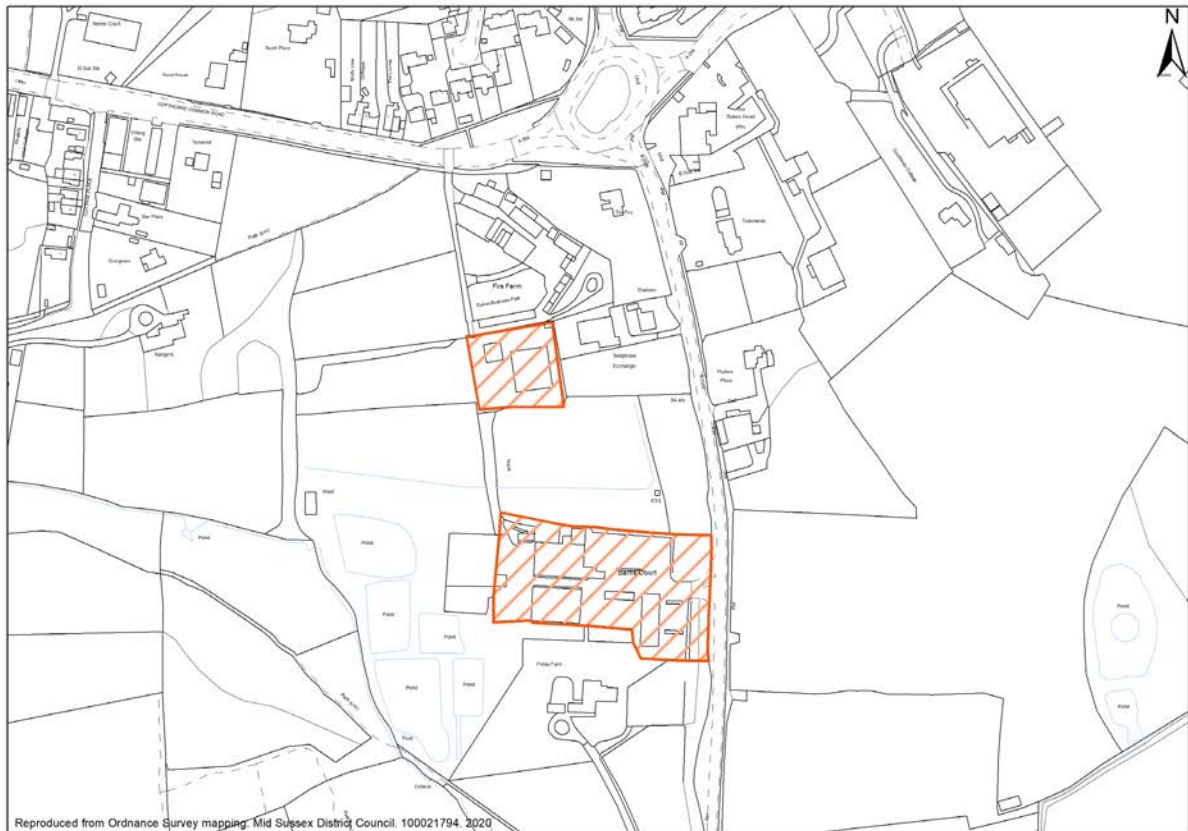
Barns Court and Firs Farm, Turners Hill Road, Copthorne

SHELAA: 914

Settlement: Copthorne

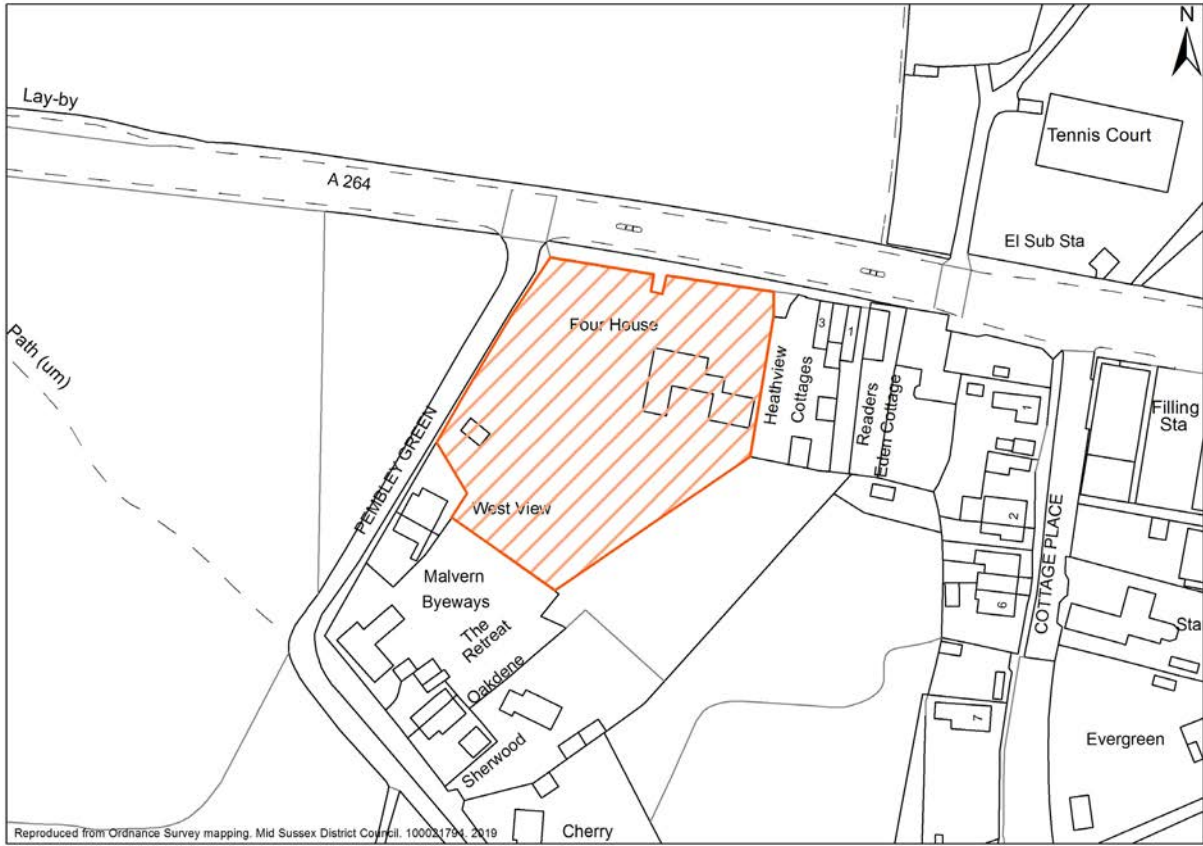
Gross Site Area (ha):

1.8



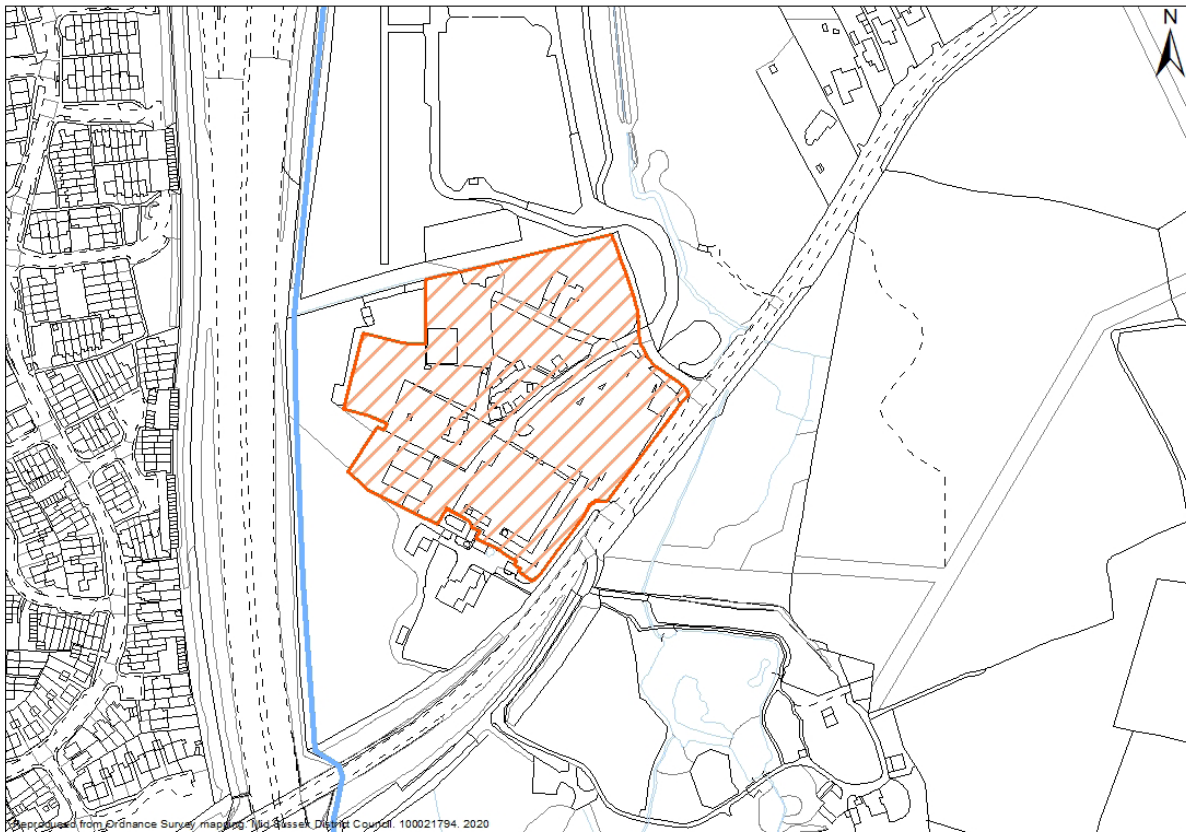
Mint House (Four House), Copthorne Common Road, Copthorne

SHELAA: 413 Settlement: Copthorne Gross Site Area (ha): 0.43



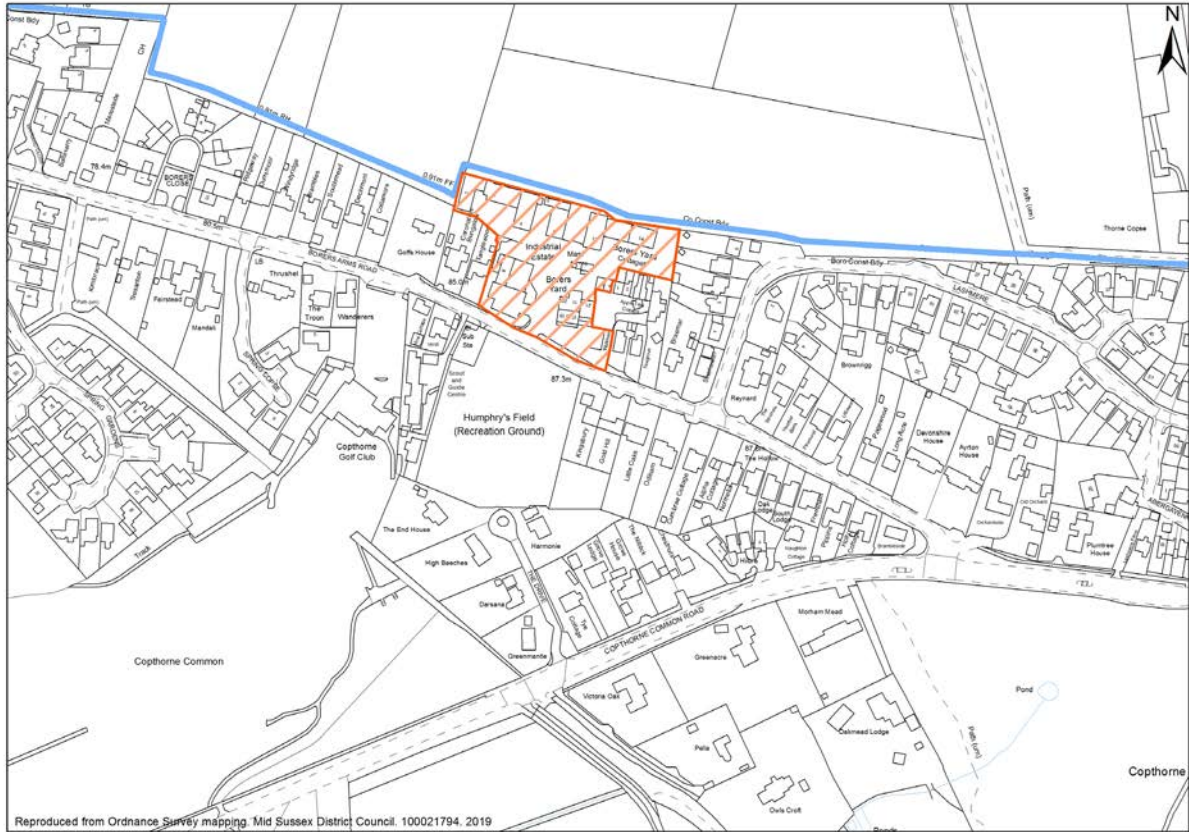
Crawley Garden Centre, Copthorne Road A2220

SHELAA: 604 Settlement: Copthorne Gross Site Area (ha): 2.5



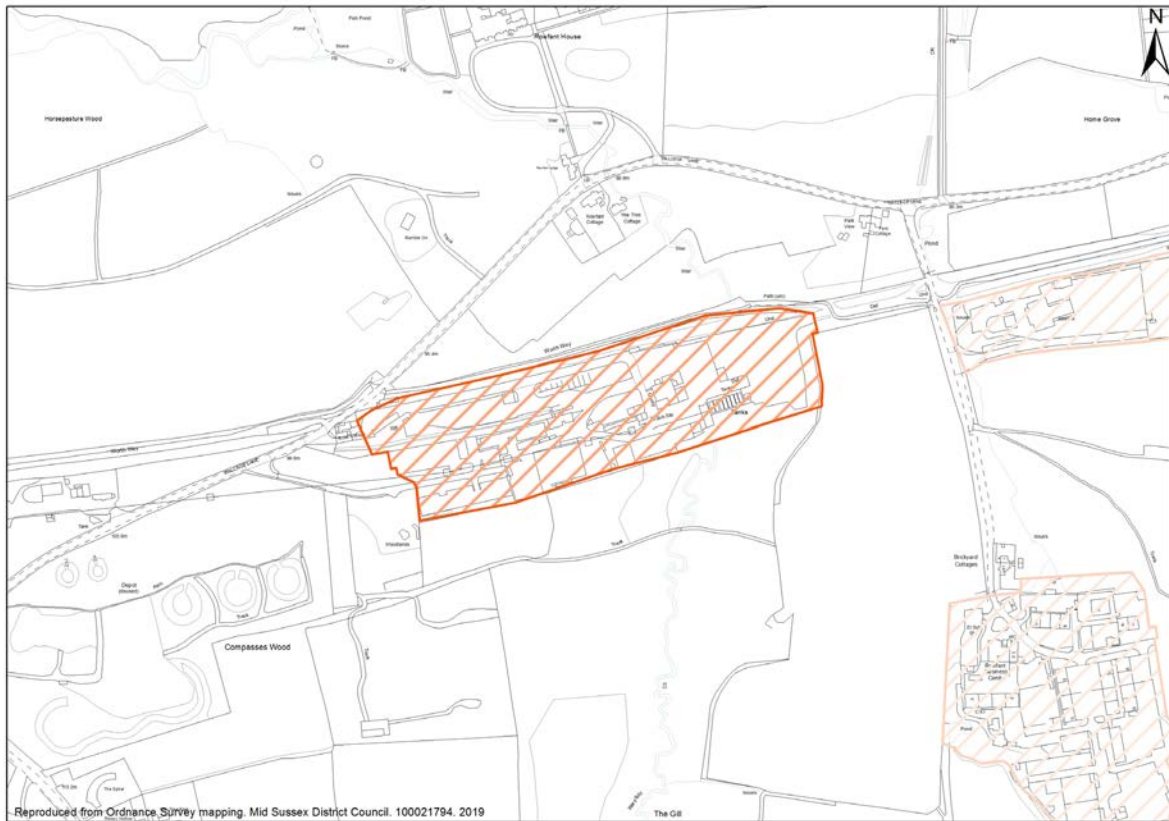
Borers Yard, Borers Arms Road, Cophorne

SHELAA: 890 Settlement: Cophorne Gross Site Area (ha): 0.80



Colas, Wallage Lane, Rowfant

SHELAA: 892 Settlement: Cophorne Gross Site Area (ha): 4.5



Acacia Grove, Copthorne Road, Copthorne

SHELAA:

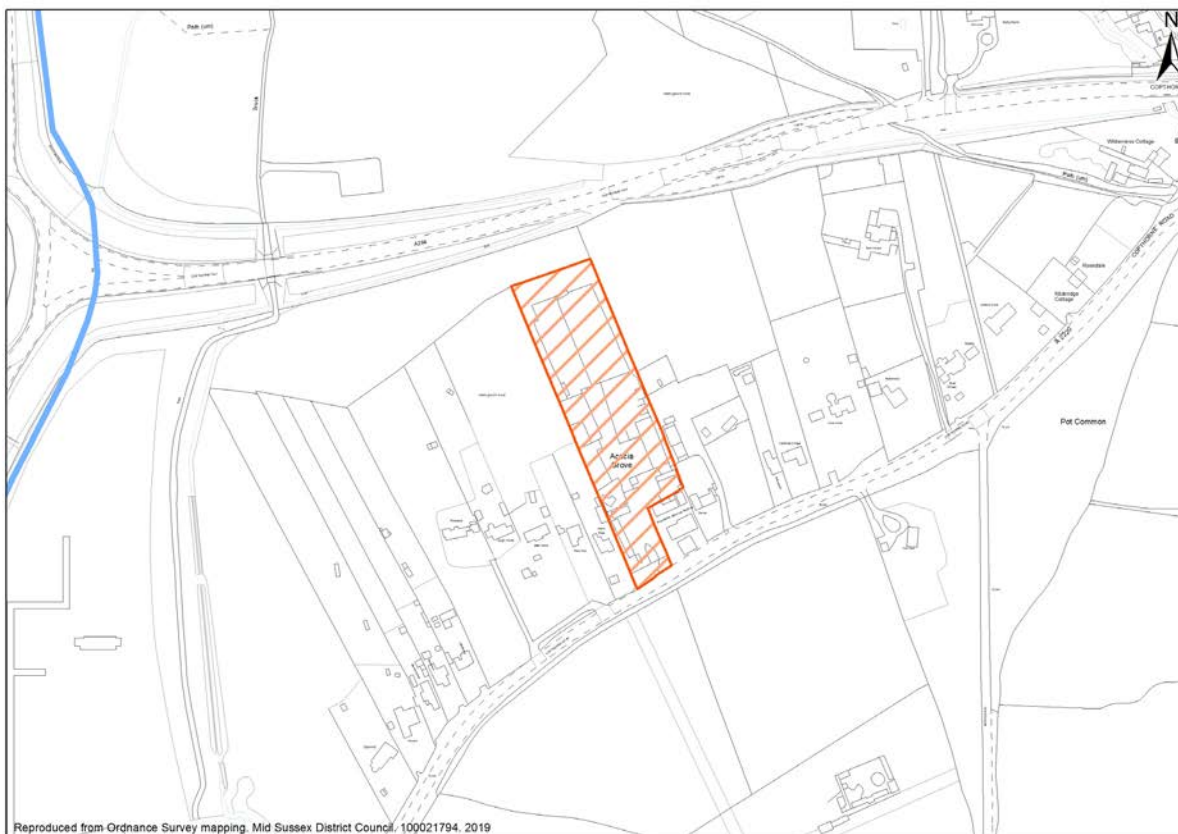
429

Settlement:

Crawley Down

Gross Site Area (ha):

1.34



Land at Silverwood, Snowhill, Crawley Down

SHELAA:

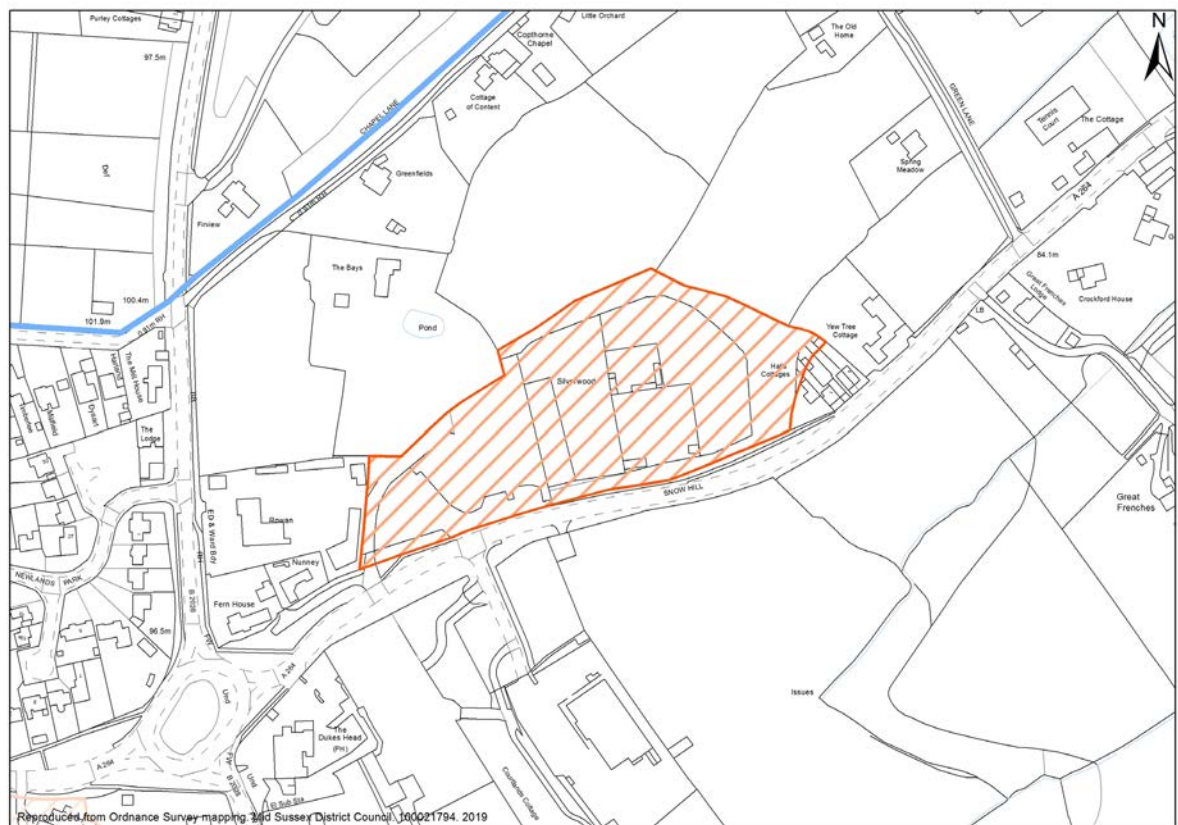
267

Settlement:

Crawley Down

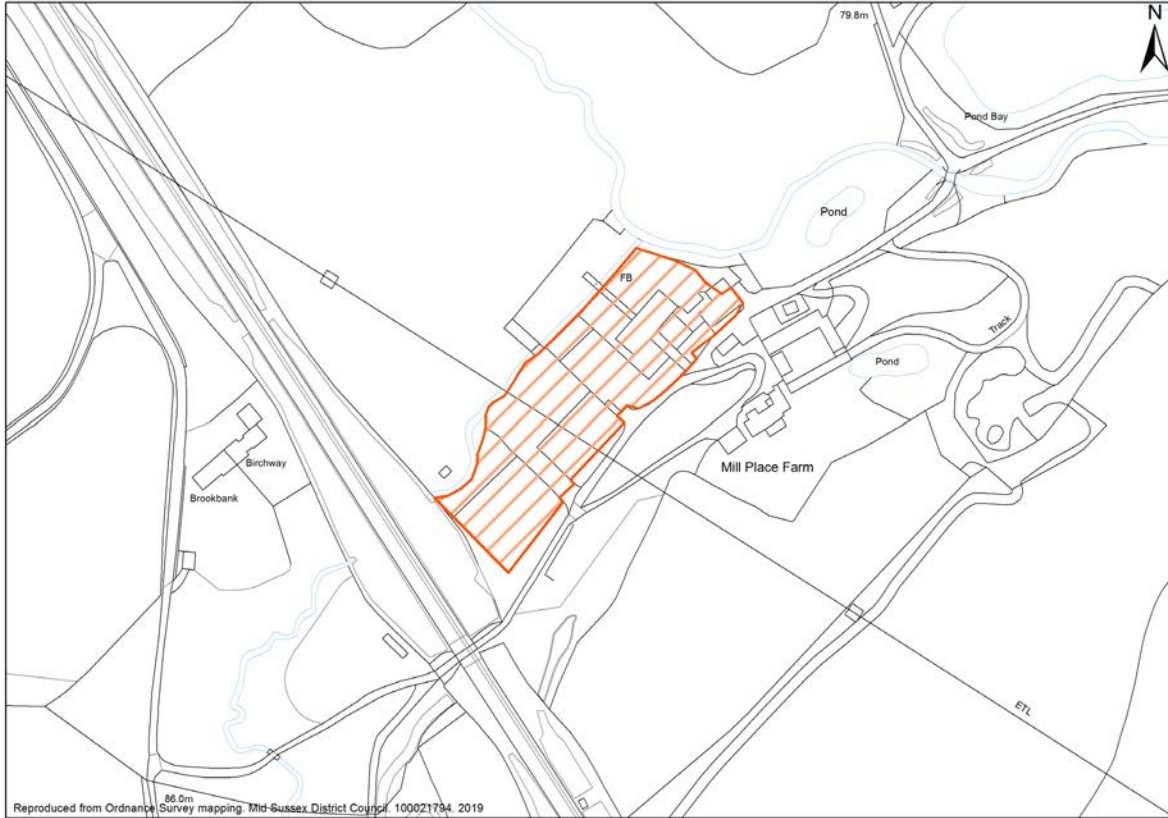
Gross Site Area (ha):

2.3



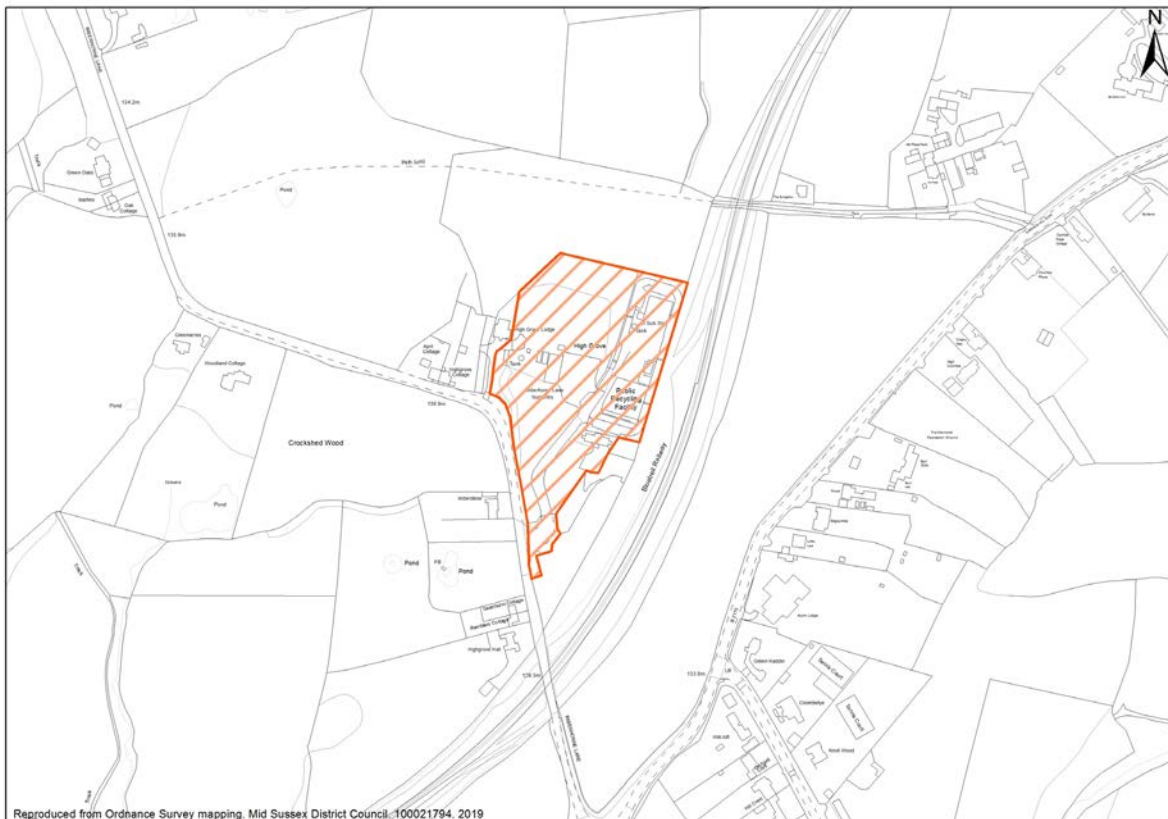
Mill Place Farm, Vowels Lane, East Grinstead

SHELAA: 874 Settlement: East Grinstead Gross Site Area (ha): 0.74



High Grove, Imberhorne Lane, East Grinstead

SHELAA: 867 Settlement: East Grinstead Gross Site Area (ha): 2.3



Felbridge Centre, Birches Industrial Estate, East Grinstead

SHELAA:

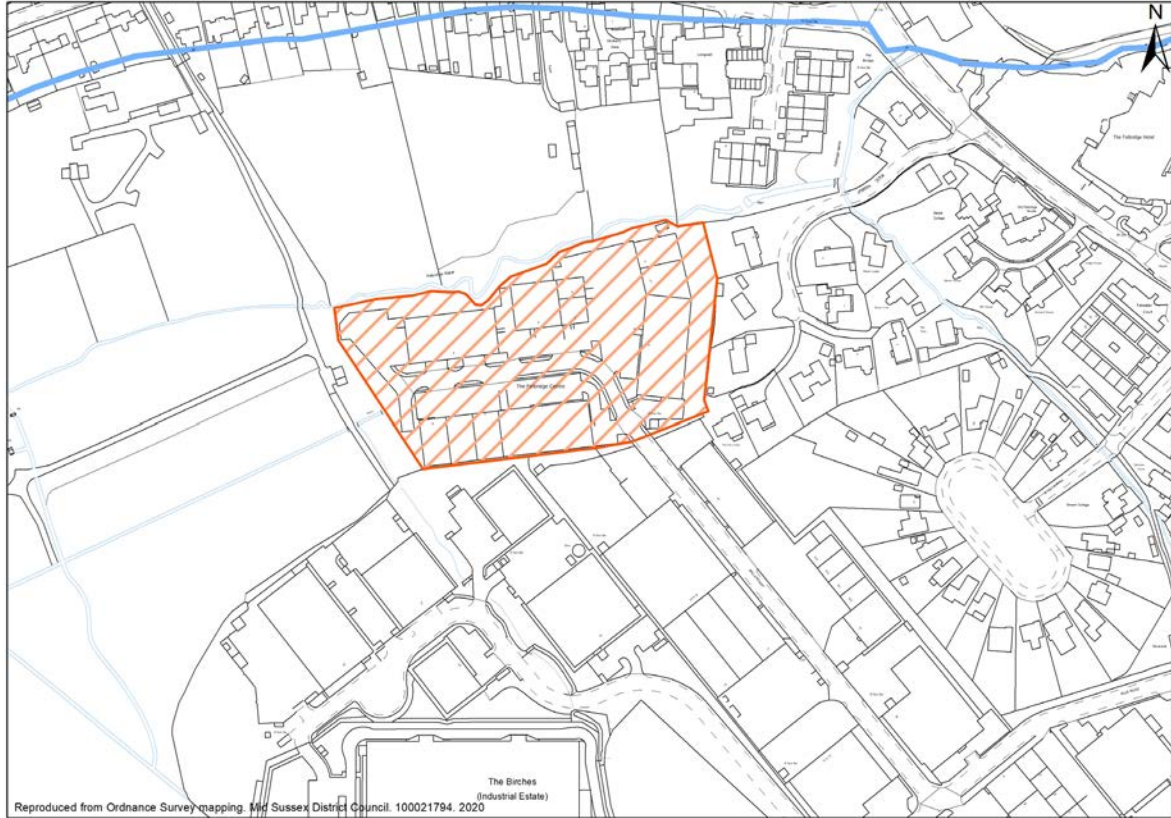
869

Settlement:

East Grinstead

Gross Site Area (ha):

2



Imberhorne Way, East Grinstead

SHELAA:

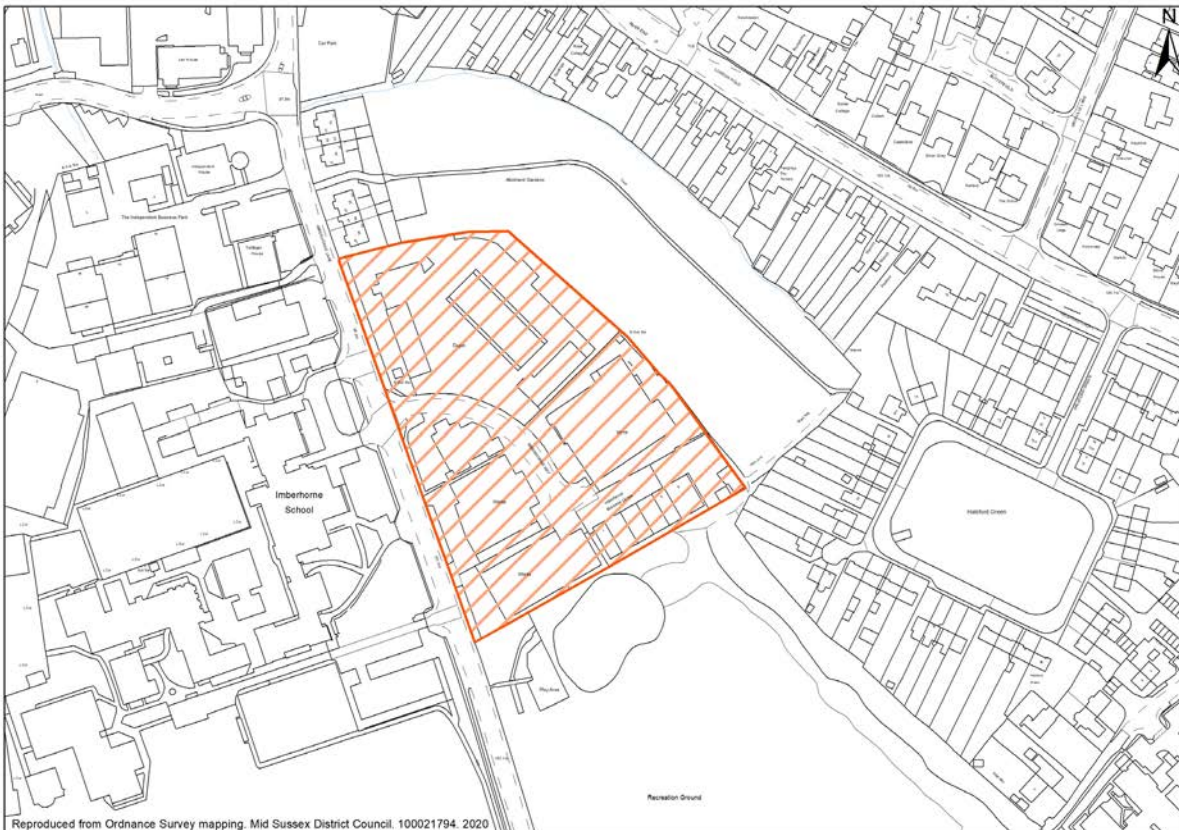
870

Settlement:

East Grinstead

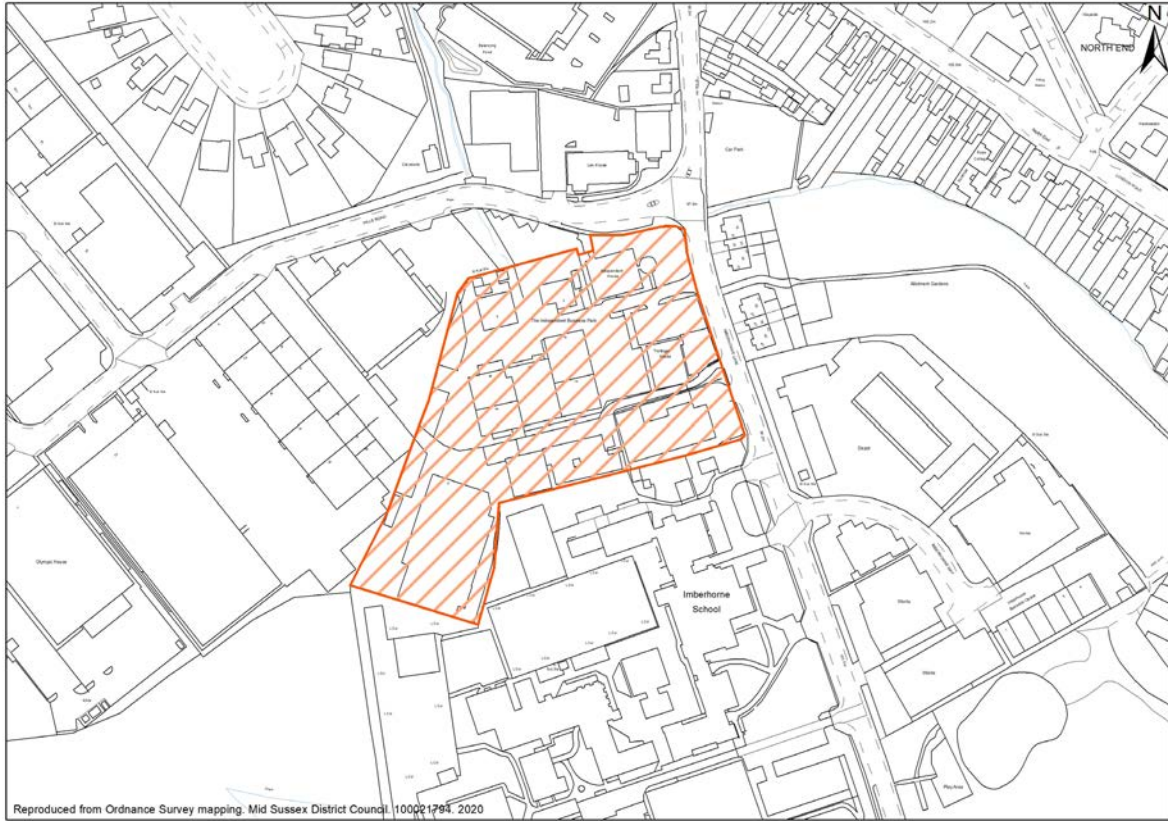
Gross Site Area (ha):

1.9



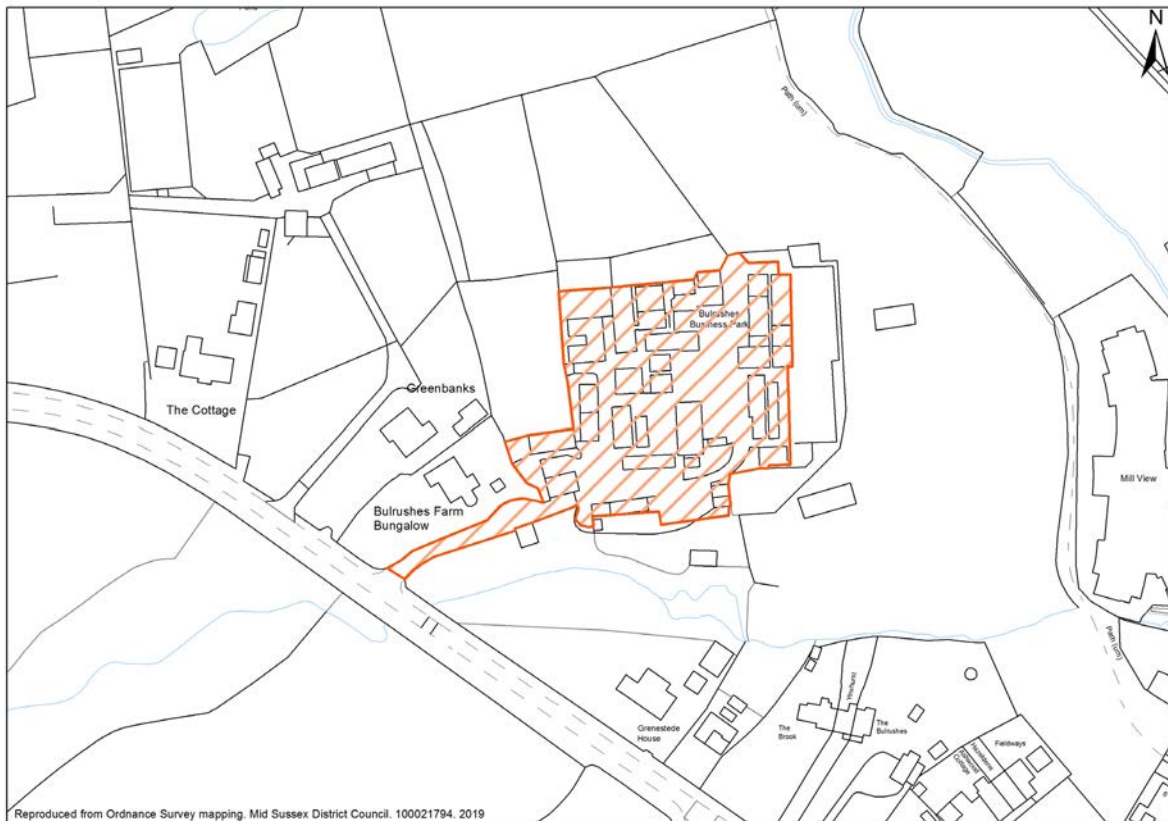
Independent Business Park, Imberhorne Lane, East Grinstead

SHELAA: 871 Settlement: East Grinstead Gross Site Area (ha): 1.7



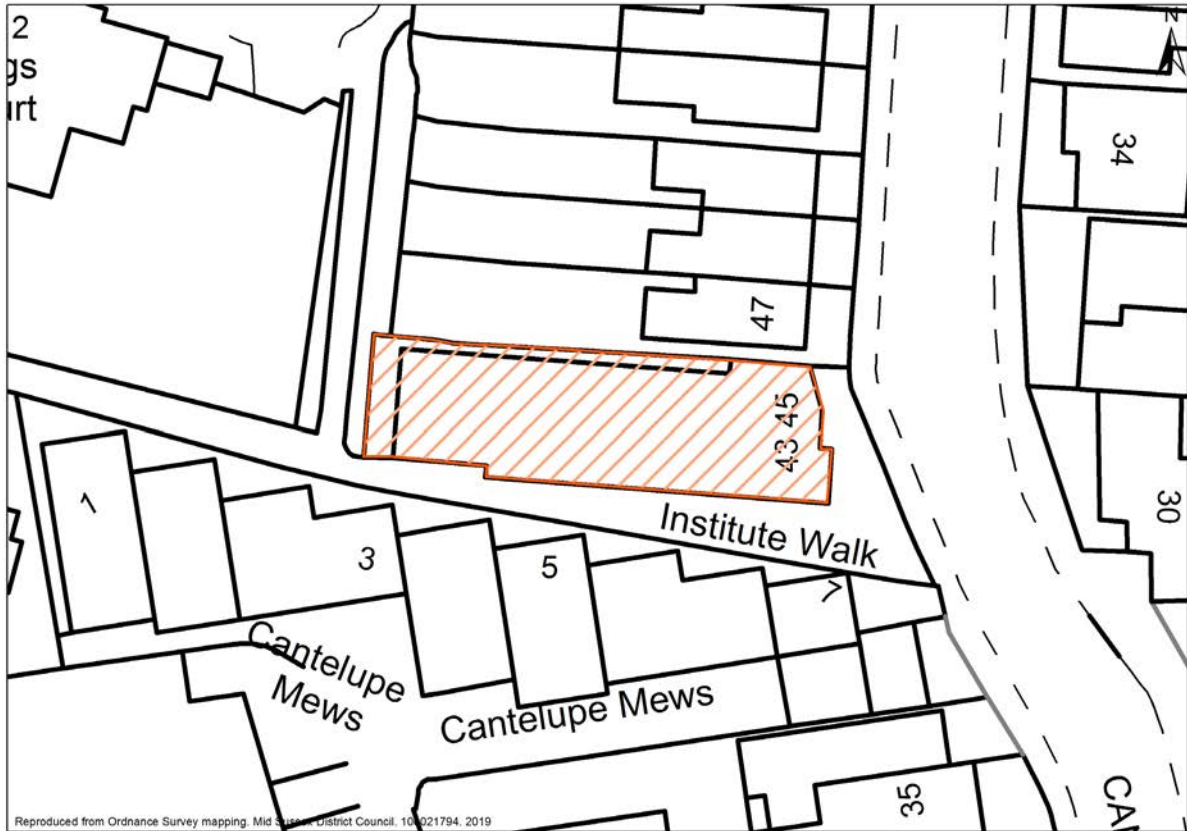
Bulrushes Business Park, Coombe Hill Road, East Grinstead

SHELAA: 873 Settlement: East Grinstead Gross Site Area (ha): 0.63



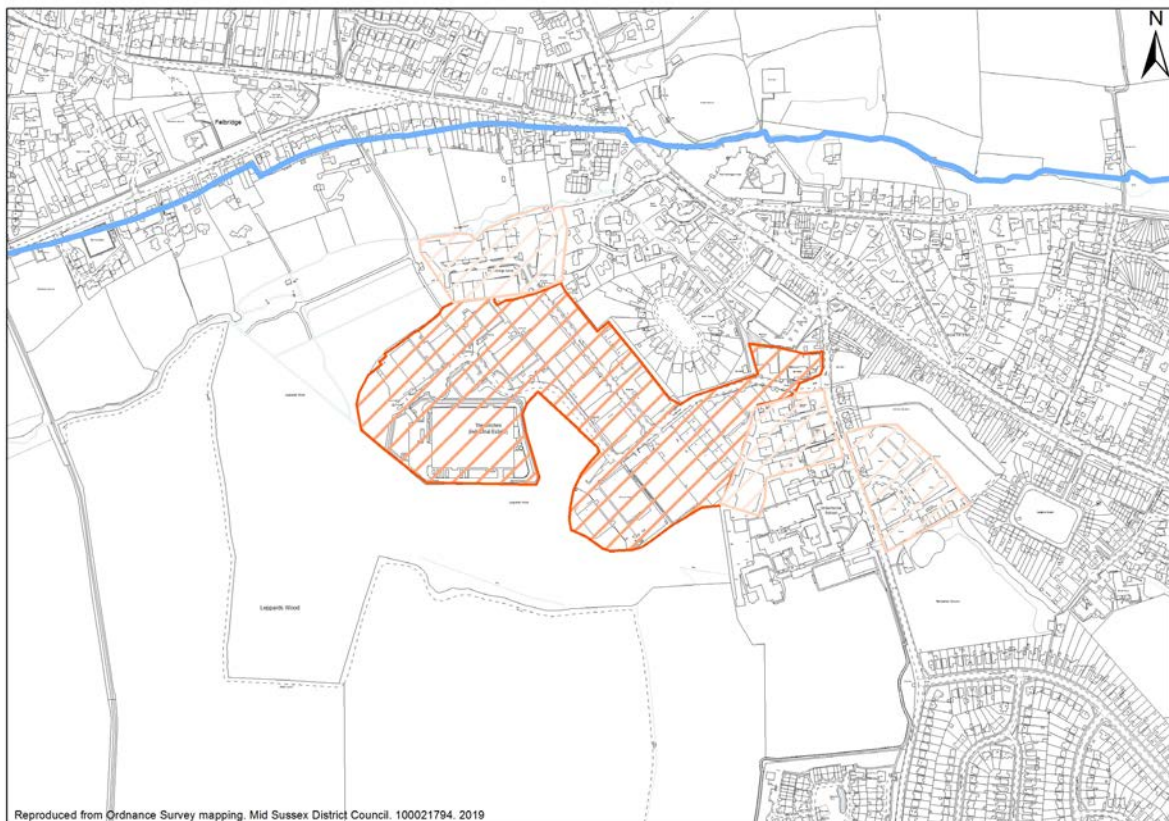
43-45 Cantelupe Road, East Grinstead

SHELAA: 414 Settlement: East Grinstead Gross Site Area (ha): 0.03



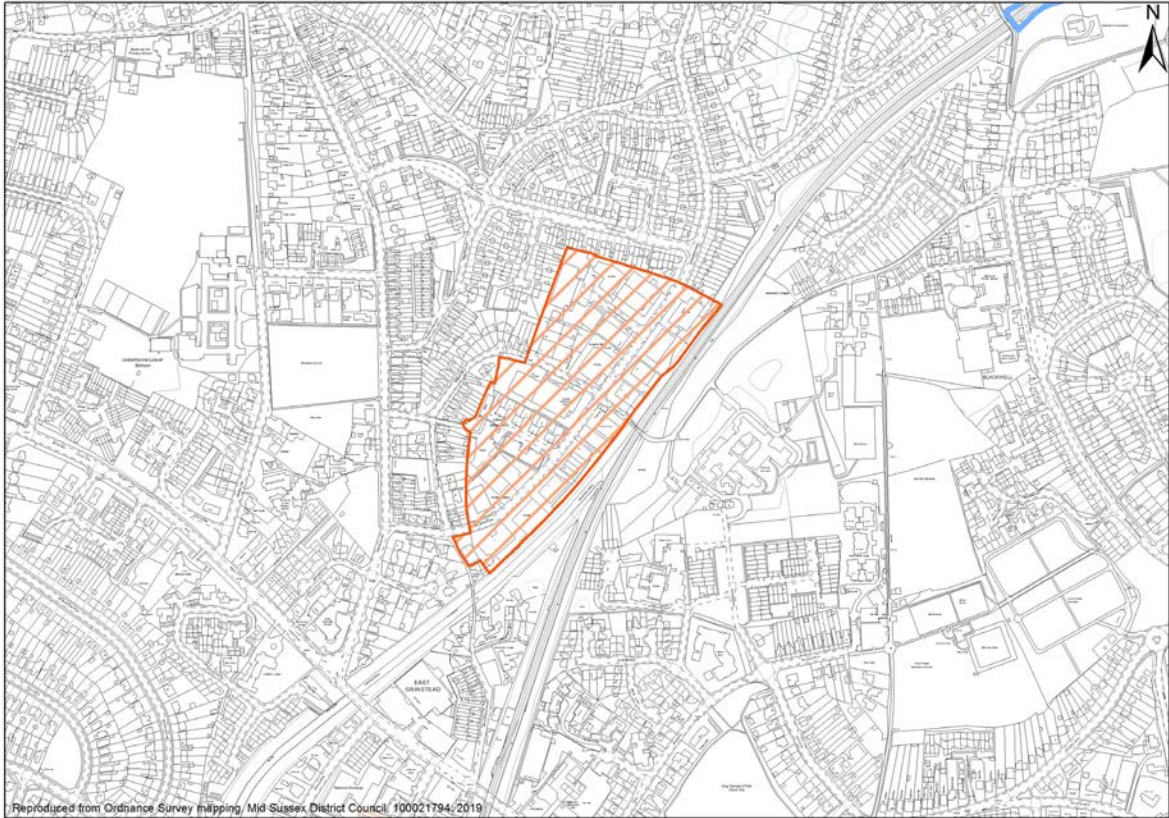
Birches Industrial Estate, East Grinstead

SHELAA: 868 Settlement: East Grinstead Gross Site Area (ha): 13.2



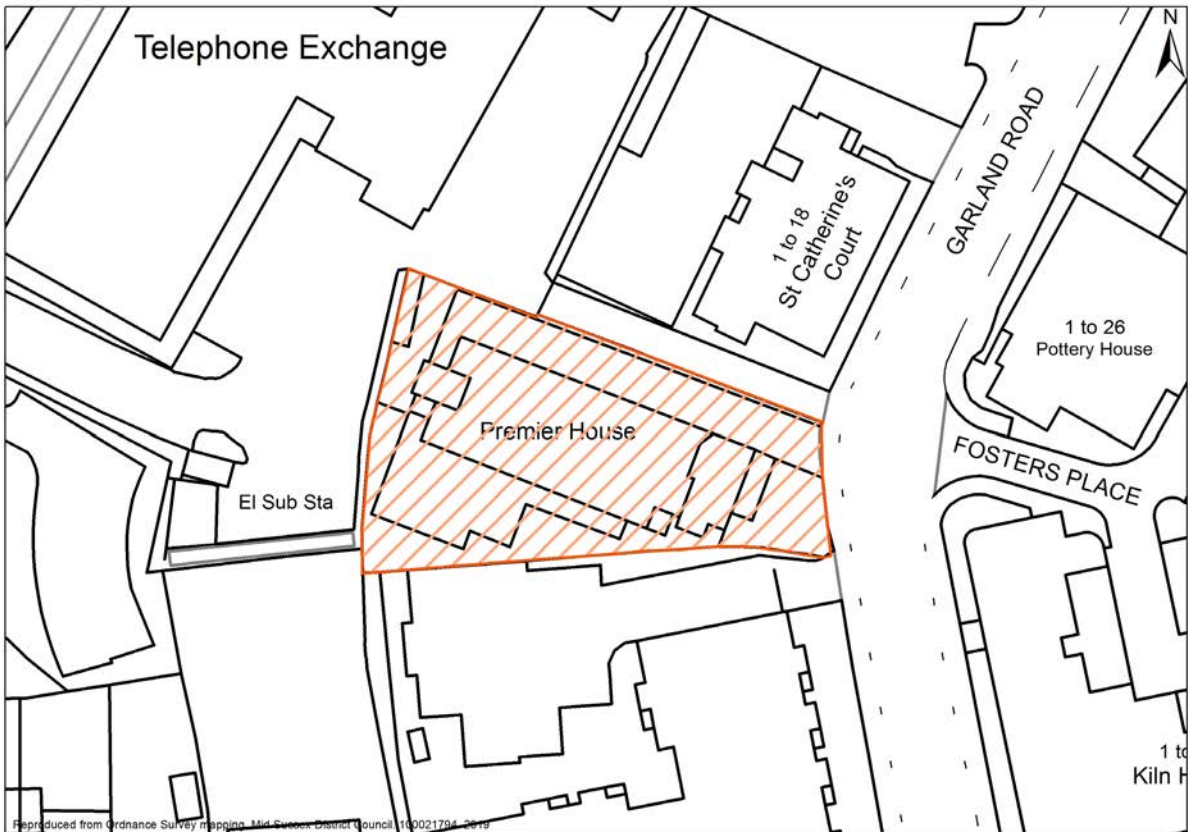
Charlwoods Industrial Estate, East Grinstead

SHELAA: 222 Settlement: East Grinstead Gross Site Area (ha): 5.7



Premier House, Garland Road, East Grinstead

SHELAA: 323 Settlement: East Grinstead Gross Site Area (ha): 0.12



Former Handcross Garden Centre, Handcross

SHELAA:

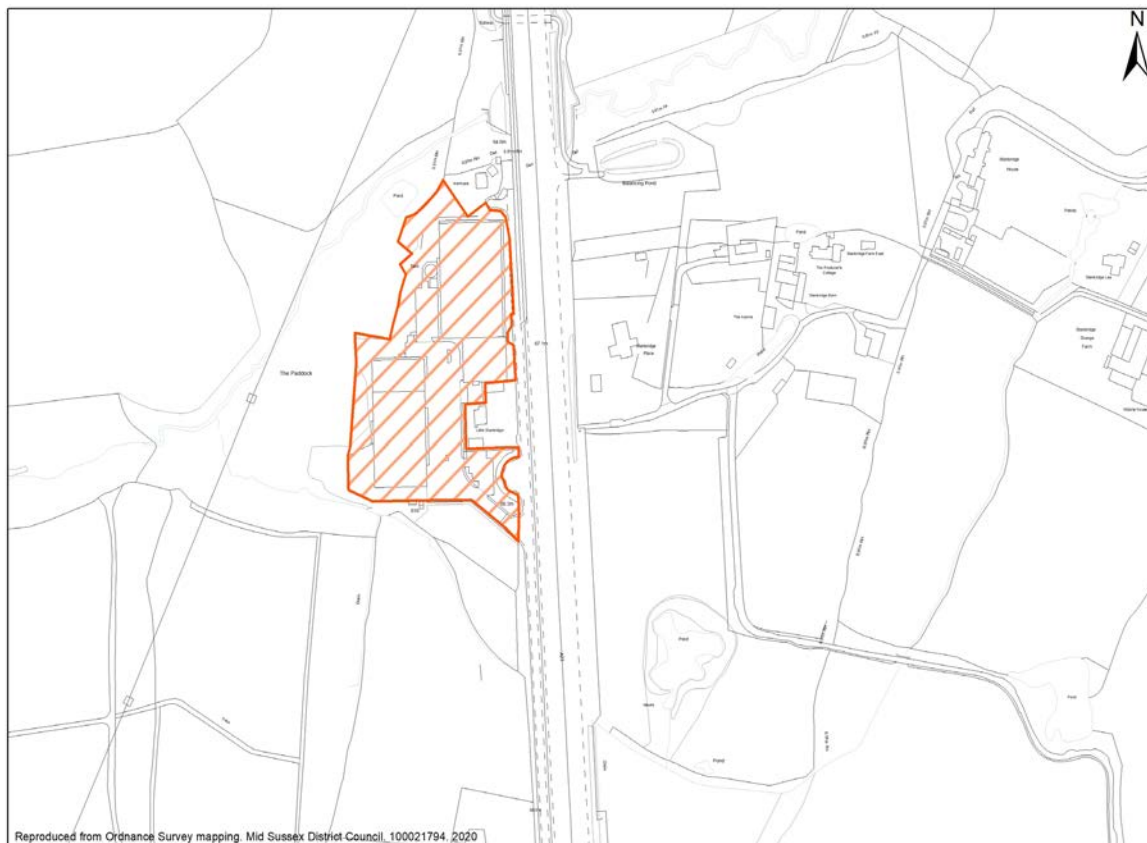
605

Settlement:

Handcross

Gross Site Area (ha):

2.6



Tates (South Downs Garden Centre), Brighton Road, Hassocks

SHELAA:

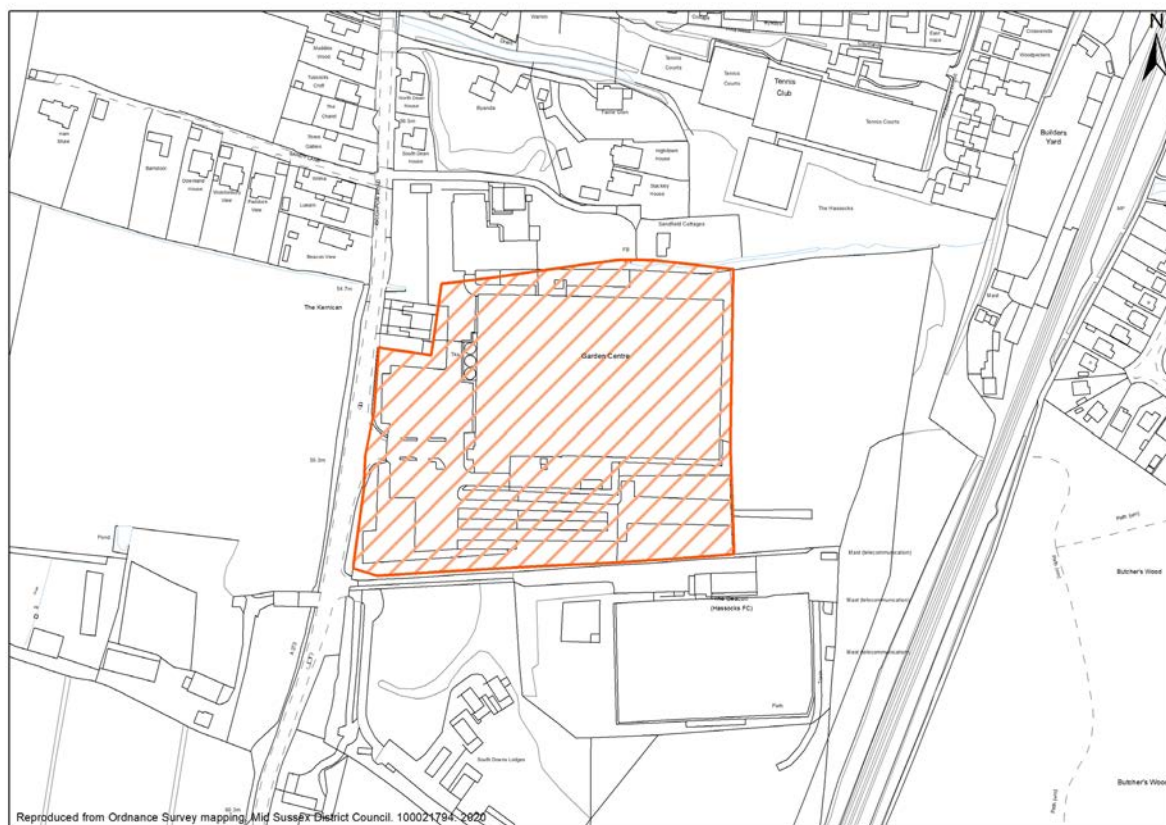
171

Settlement:

Hassocks

Gross Site Area (ha):

3.4



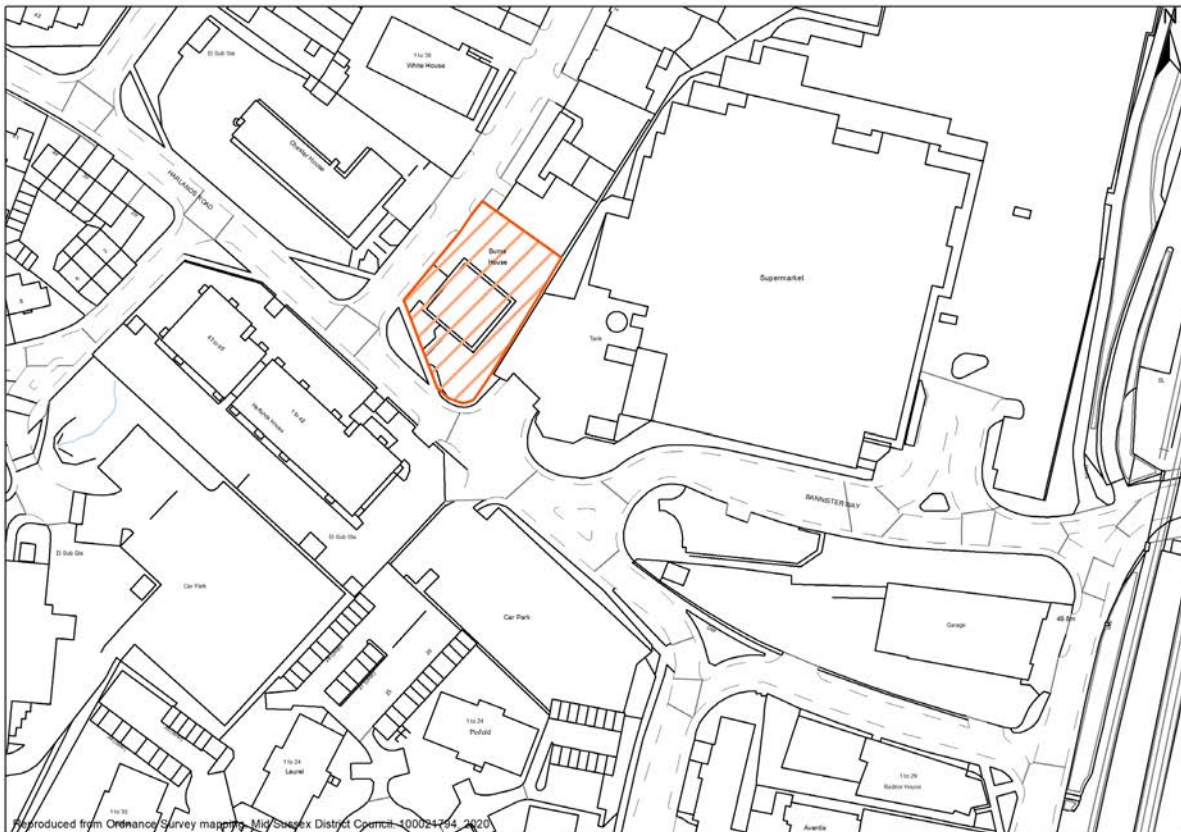
Concord House, Balcombe Road, Haywards Heath

SHELAA: 353 Settlement: Haywards Heath Gross Site Area (ha): 0.11



Burns House, Harlands Road, Haywards Heath

SHELAA: 708 Settlement: Haywards Heath Gross Site Area (ha): 0.13



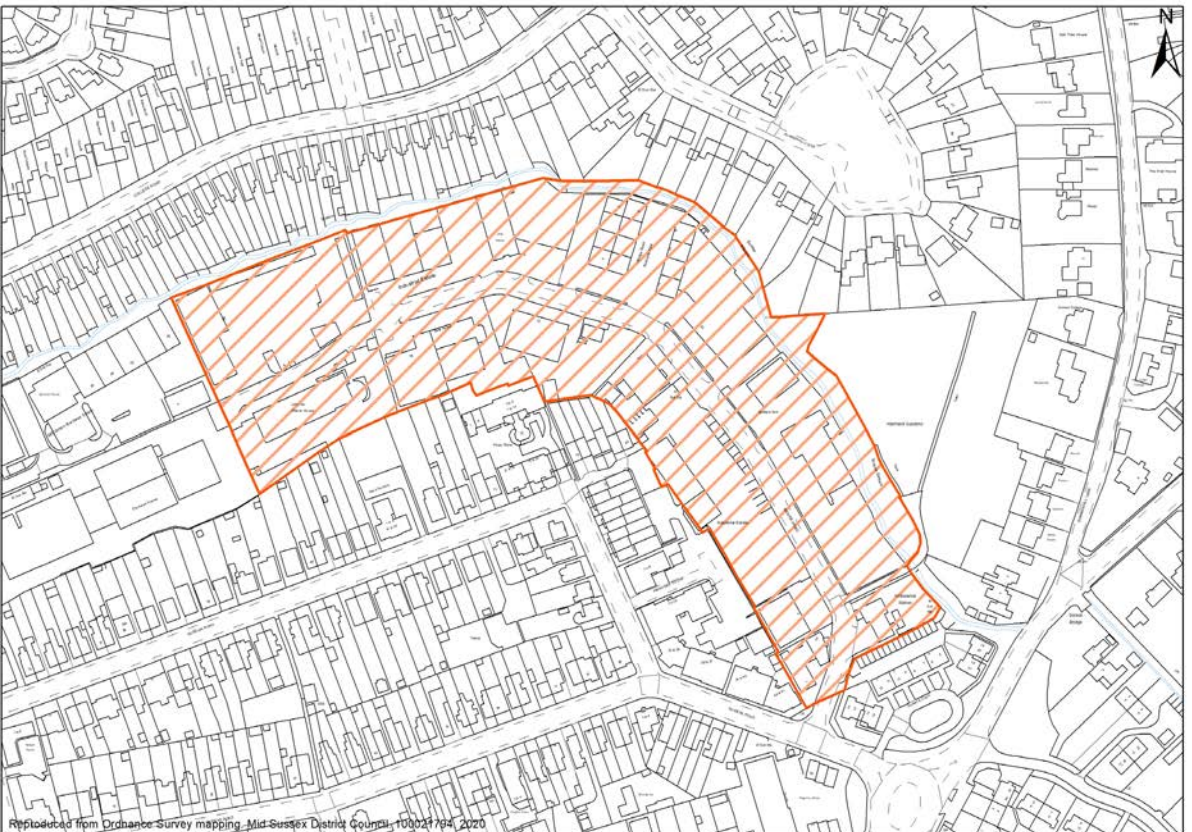
Mill Green Business Park, Haywards Heath

SHELAA: 938 Settlement: Haywards Heath Gross Site Area (ha): 1.5



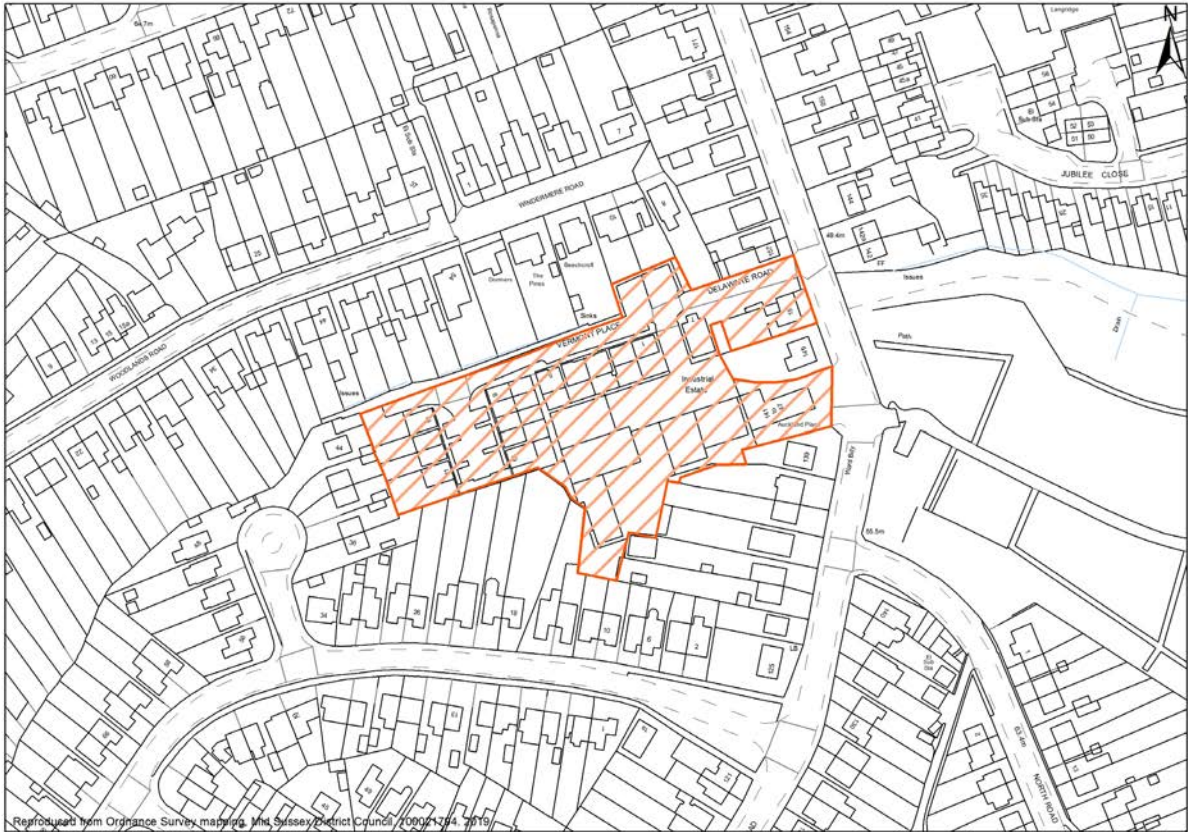
Bridge Road Industrial Estate, Haywards Heath

SHELAA: 935 Settlement: Haywards Heath Gross Site Area (ha): 3.98



Western Road Industrial Estate, Western Road, Haywards Heath

SHELAA: 877 Settlement: Haywards Heath Gross Site Area (ha): 0.8



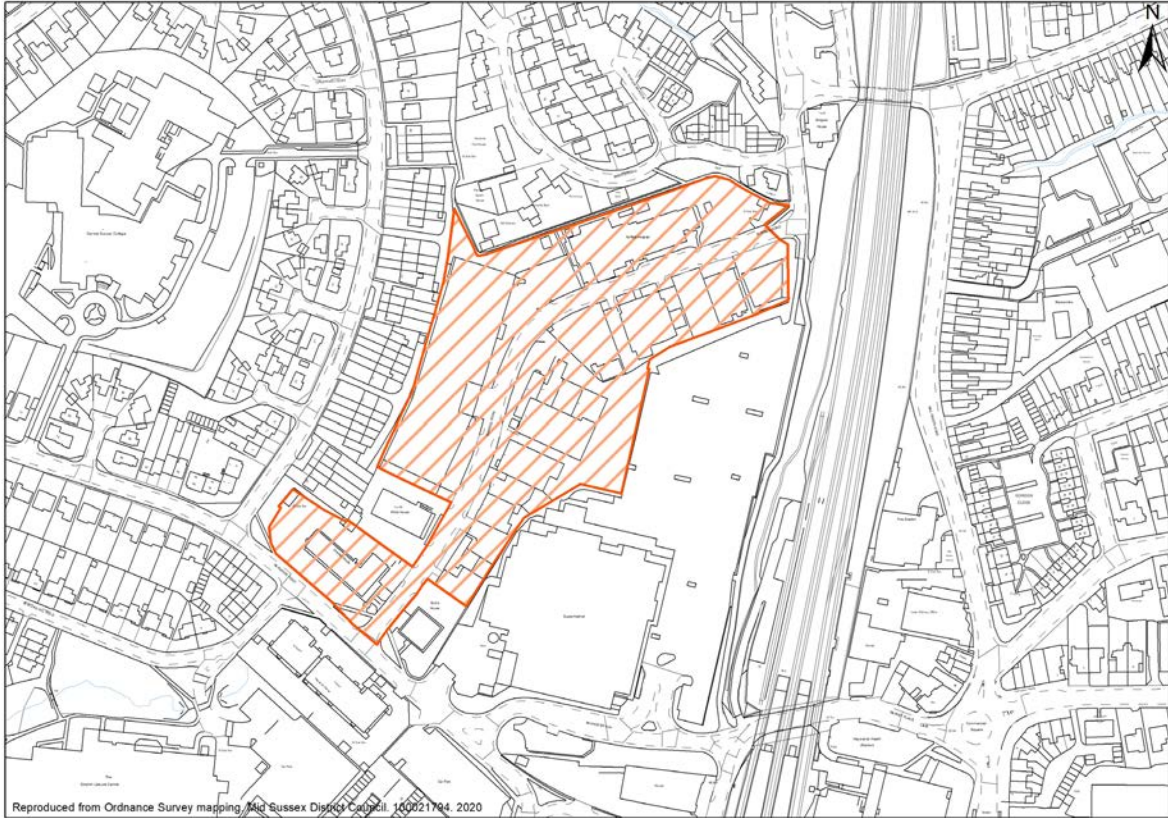
Perrymount Road, Haywards Heath

SHELAA: 876 Settlement: Haywards Heath Gross Site Area (ha): 1.9



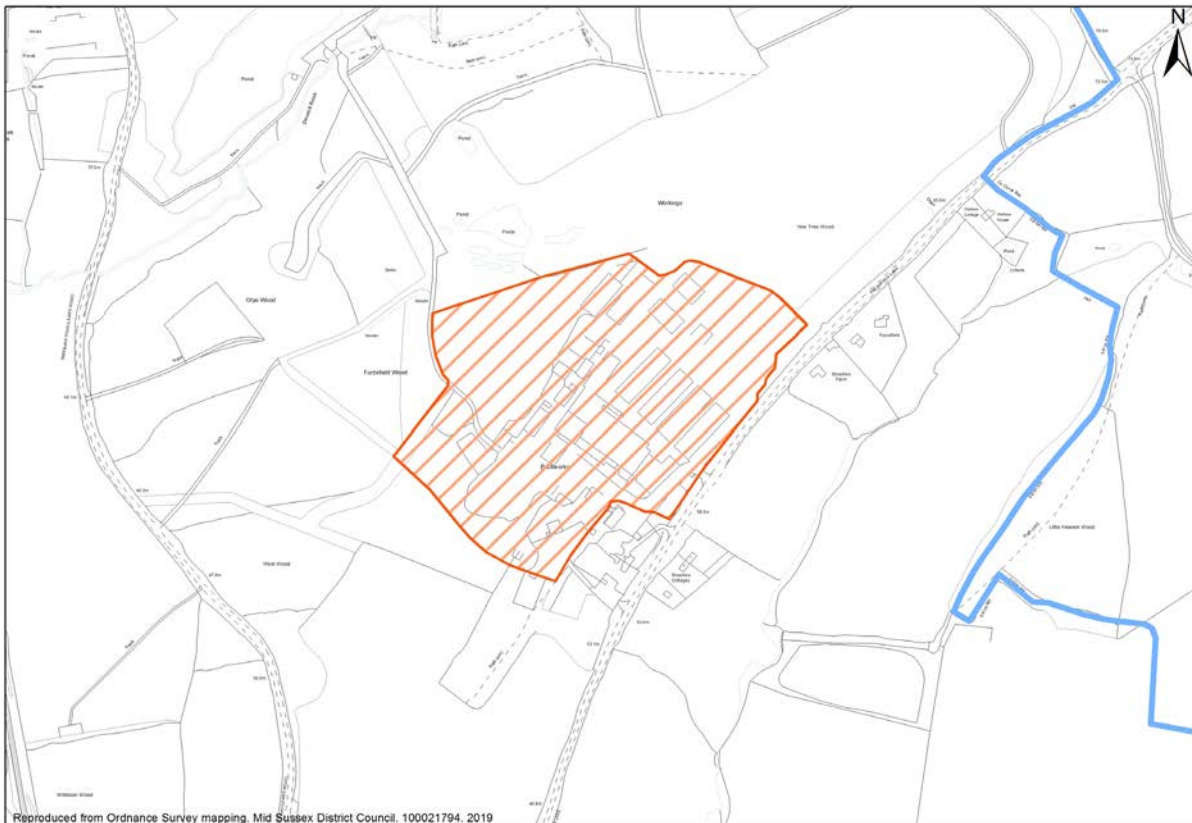
Burrell Road Industrial Estate, Haywards Heath

SHELAA: 875 Settlement: Haywards Heath Gross Site Area (ha): 3.2



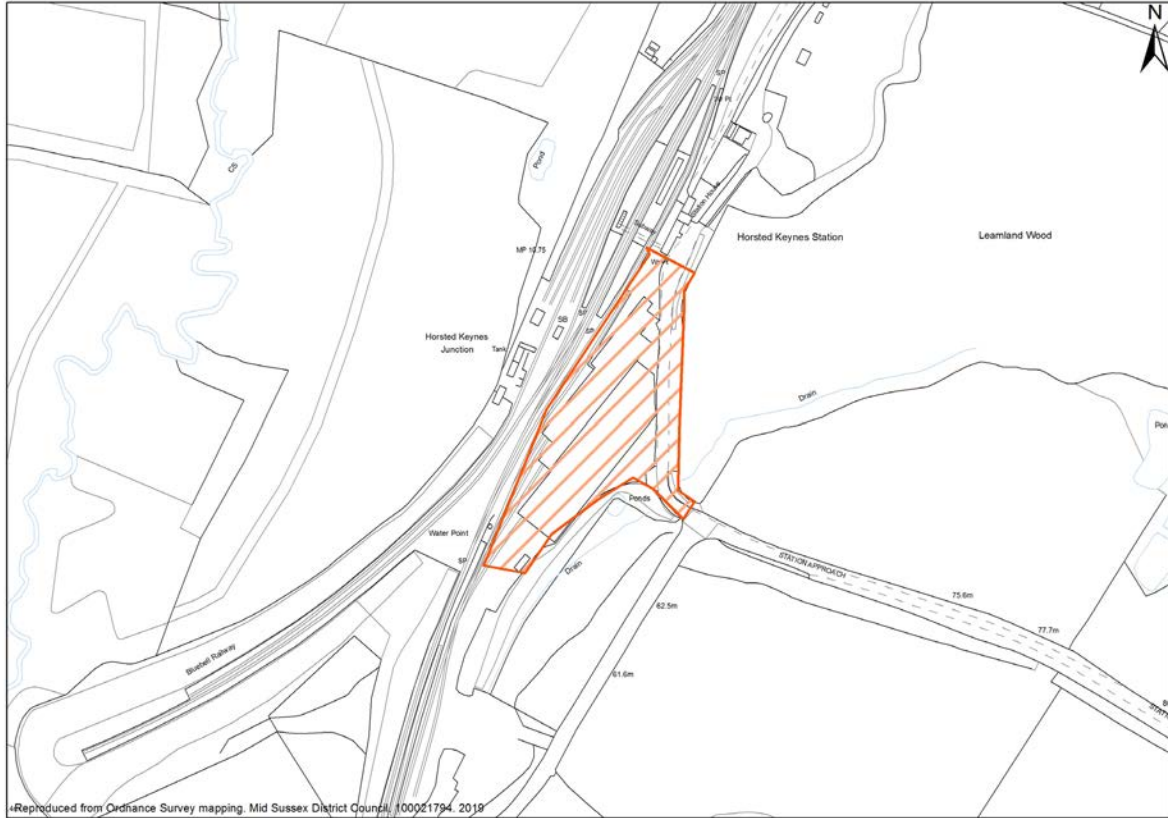
Freshfield Lane Brickworks, Freshfield Lane, Danehill

SHELAA: 878 Settlement: Horsted Keynes Gross Site Area (ha): 8.18



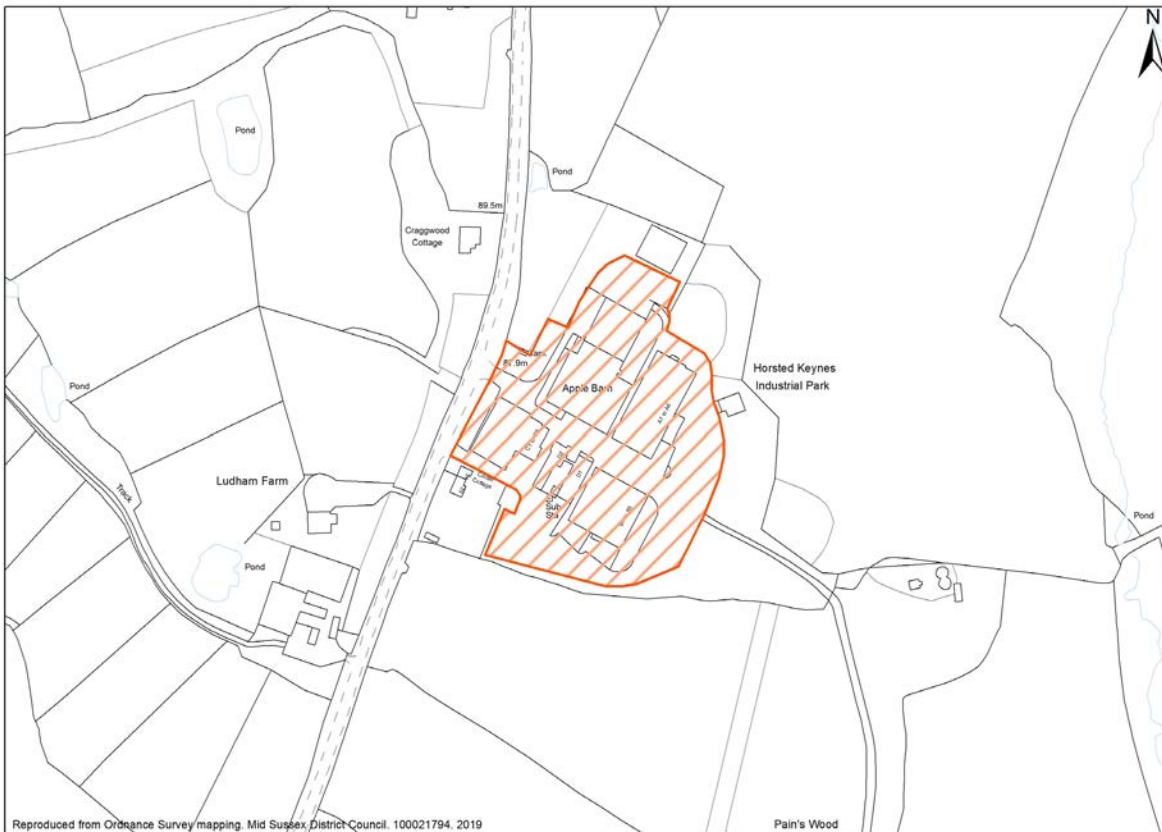
Horsted Keynes Station, Station Approach, Horsted Keynes

SHELAA: 880 Settlement: Horsted Keynes Gross Site Area (ha): 1.02



Horsted Keynes Industrial Park, Horsted Keynes

SHELAA: 879 Settlement: Horsted Keynes Gross Site Area (ha): 1.5



Danworth Farm, Cuckfield Road, Hurstpierpoint

SHELAA: 937 Settlement: Hurstpierpoint Gross Site Area (ha): 1.59



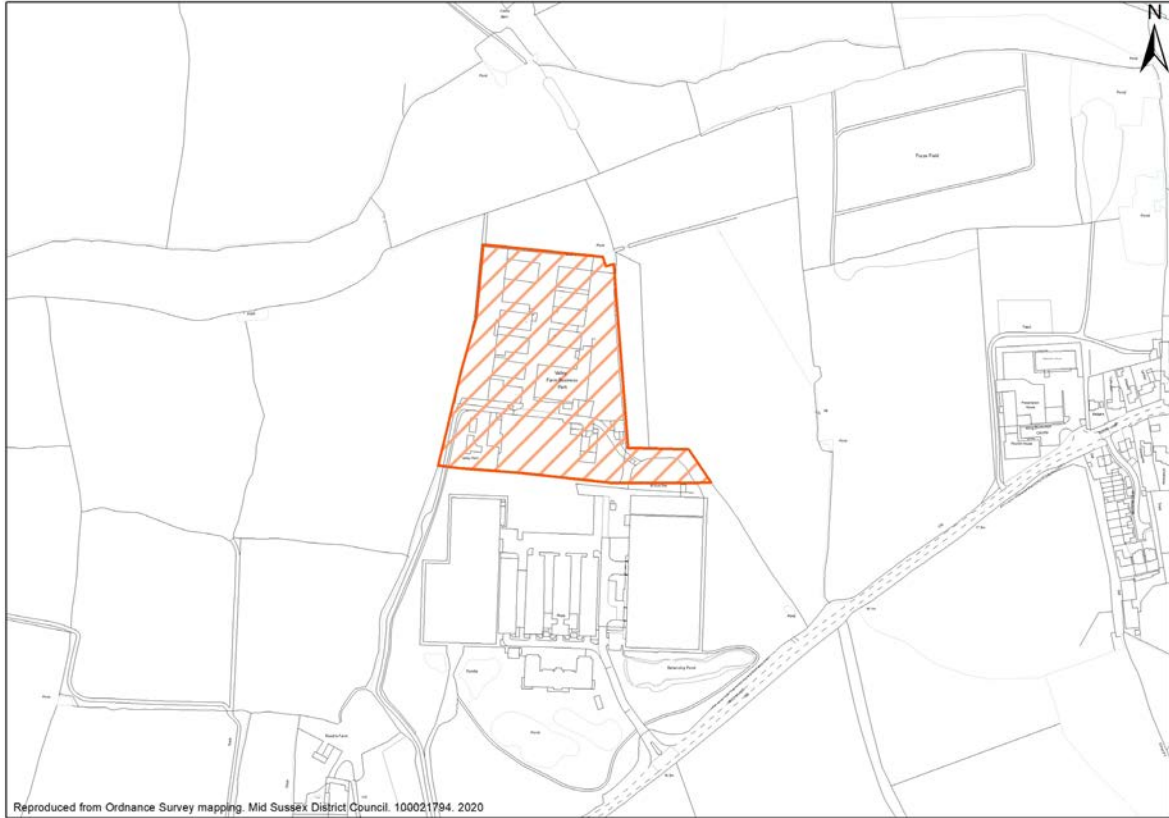
Kings Business Centre, Reeds Lane, Sayers Common

SHELAA: 669 Settlement: Hurstpierpoint & Sayers Common Gross Site Area (ha): 0.8



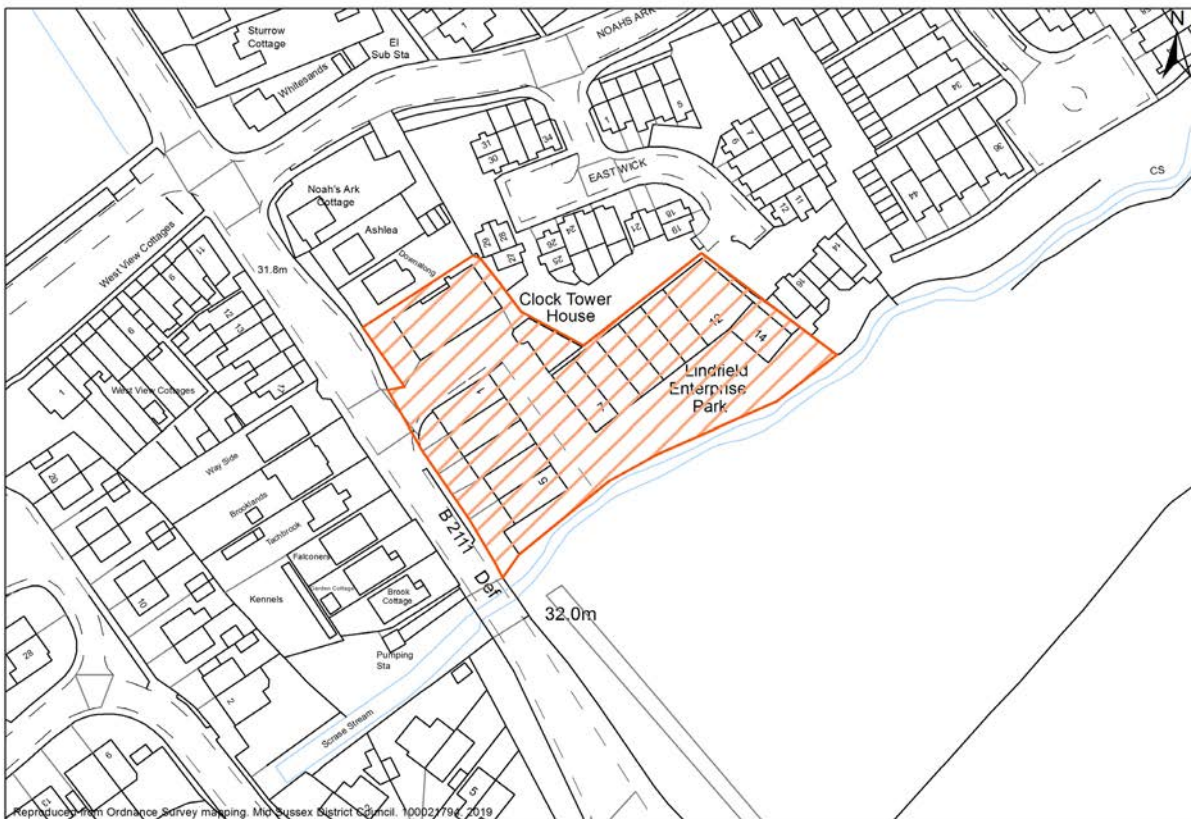
Valley Farm Business Park, Reeds Lane, Sayers Common

SHELAA: 883 Settlement: Hurstpierpoint & Sayers Common Gross Site Area (ha): 3.14



Lindfield Enterprise Park, Lewes Road, Lindfield

SHELAA: 884 Settlement: Lindfield Gross Site Area (ha): 0.4



Old Brighton Road South, Pease Pottage

SHELAA:

648

Settlement:

Pease Pottage

Gross Site Area (ha):

0.46



Land Off Brighton Road (Parking/Recycling Zone), Pease Pottage

SHELAA:

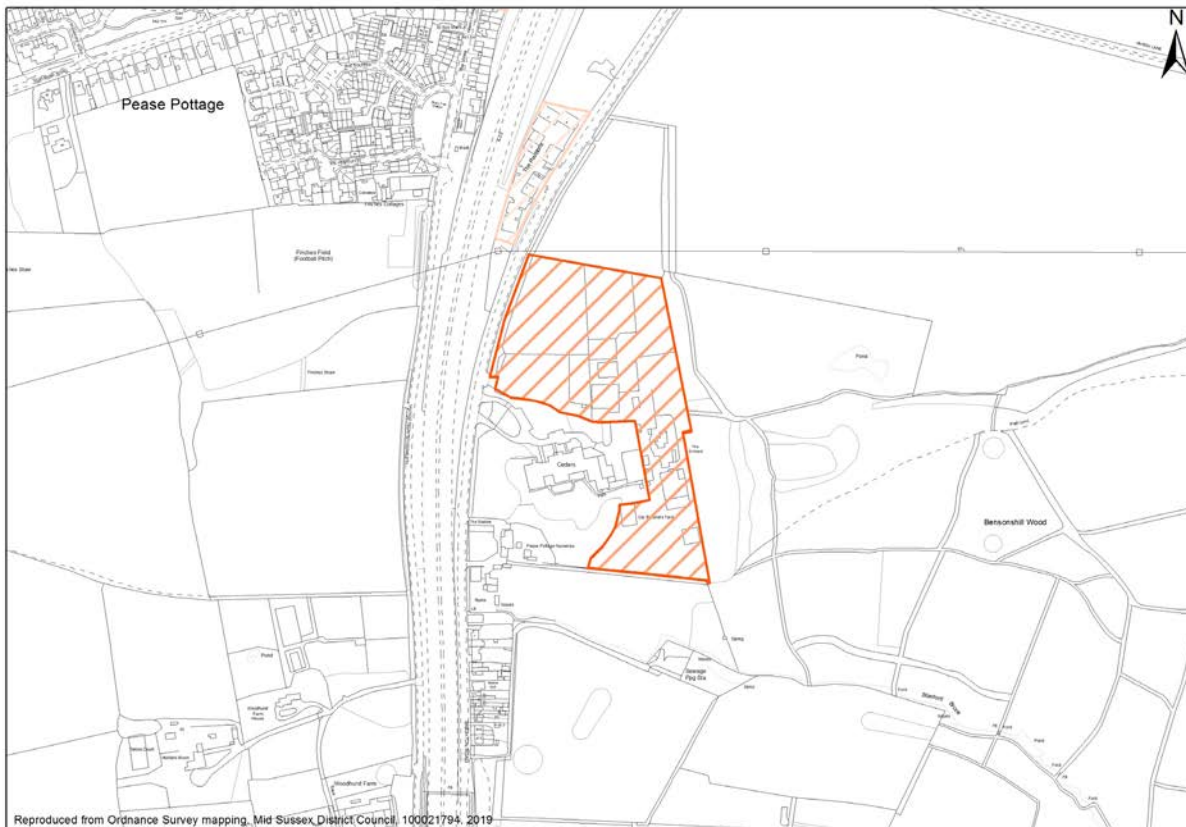
885

Settlement:

Pease Pottage

Gross Site Area (ha):

3.75



Avtrade Global, Reeds Lane

SHELAA:

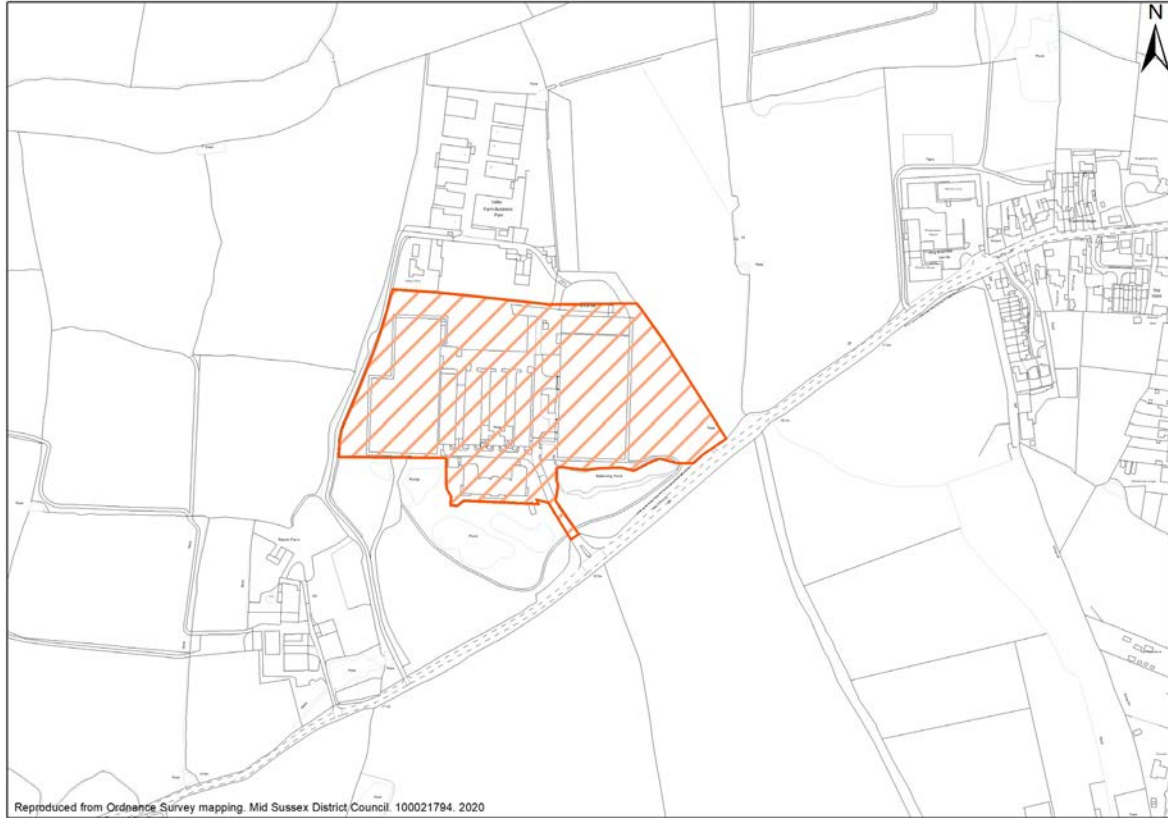
882

Settlement:

Sayers Common

Gross Site Area (ha):

4.03



Friday Ad, London Road, Sayers Common

SHELAA:

944

Settlement:

Sayers Common

Gross Site Area (ha):

1.36



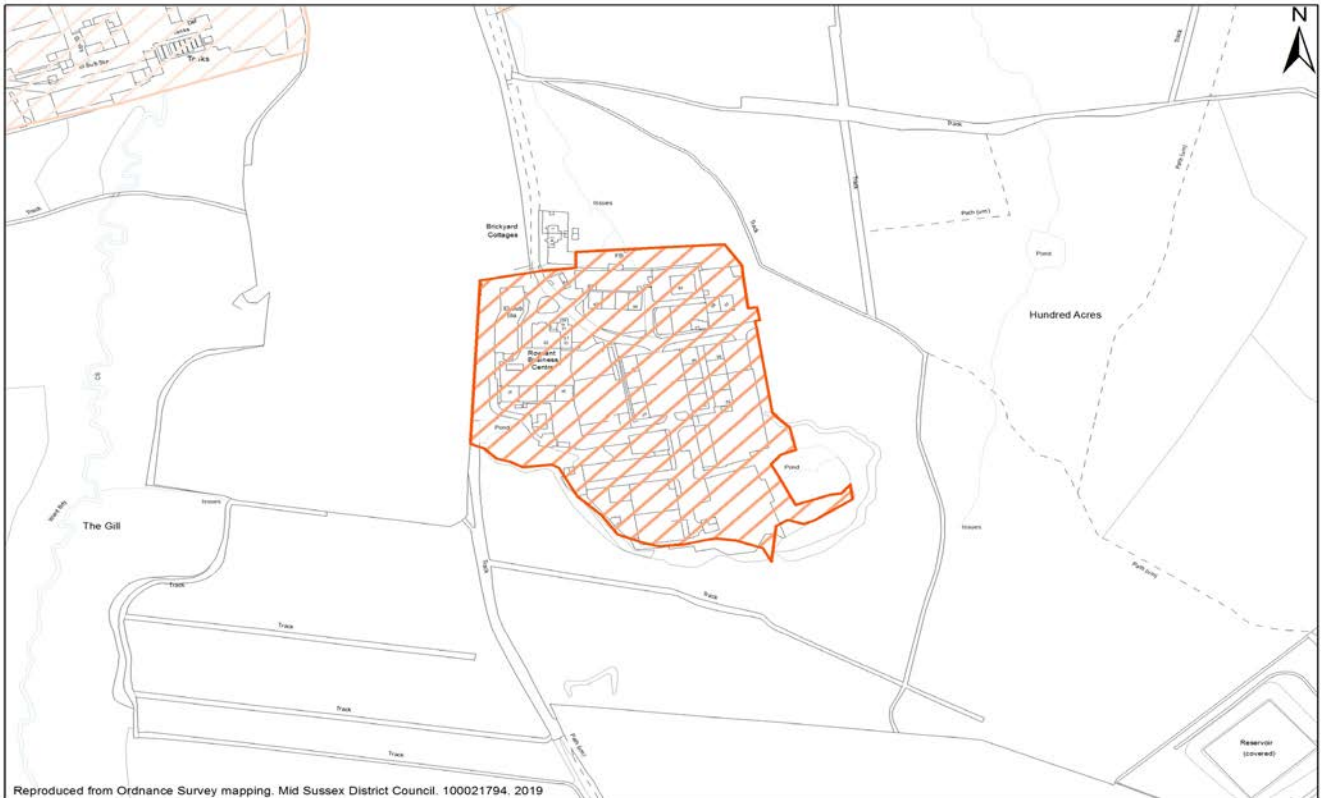
The Pavillions, Brighton Road, Pease Pottage

SHELAA: 887 Settlement: Slaughtam Gross Site Area (ha): 0.56



Rowfant Business Centre, Wallage Lane, Rowfant

SHELAA: 891 Settlement: Turners Hill Gross Site Area (ha): 4.15



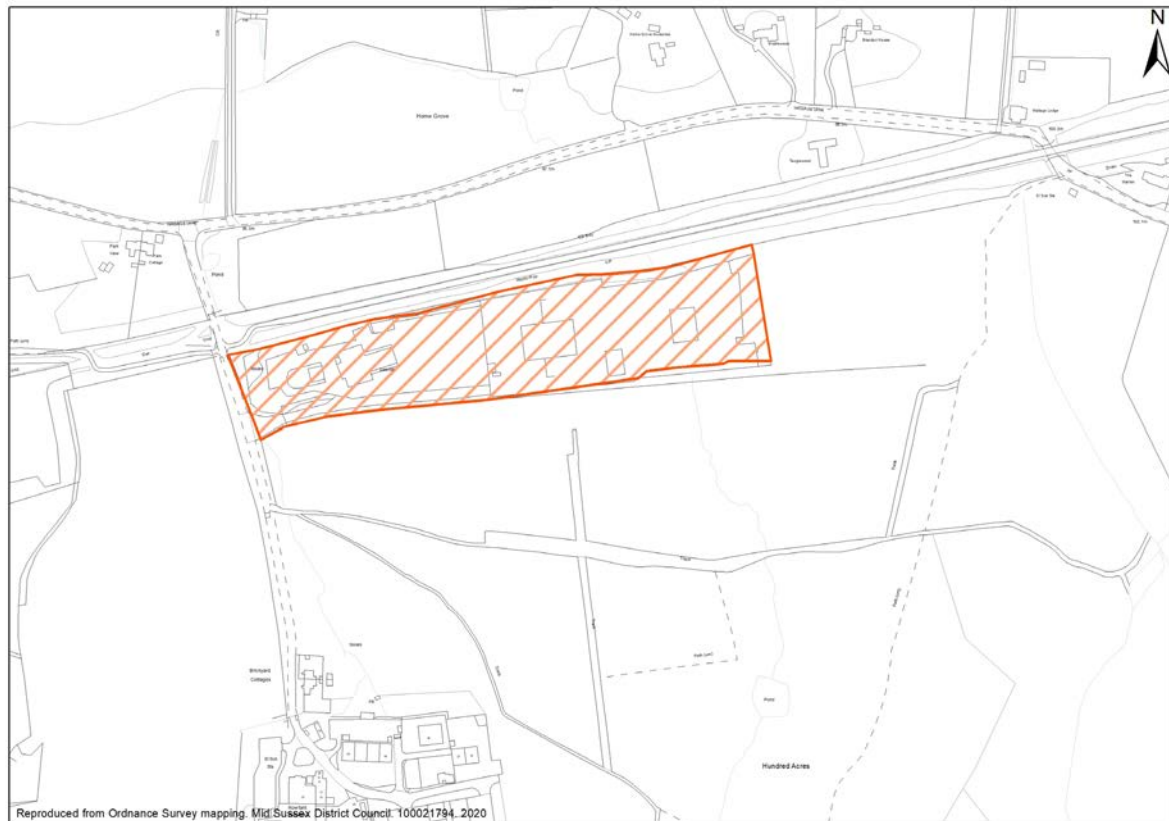
Millwood Farm, East Street, Turners Hill

SHELAA: 927 Settlement: Turners Hill Gross Site Area (ha): 0.7



Rowfant Sawmills, Wallage Lane, Crawley Down

SHELAA: 606 Settlement: Turners Hill Gross Site Area (ha): 2.8



Land at Face Lift, London Road, Hickstead

SHELAA:

889

Settlement:

Twineham

Gross Site Area (ha):

0.9



Winterpick Business Park, Hurstpierpoint Road, Henfield

SHELAA:

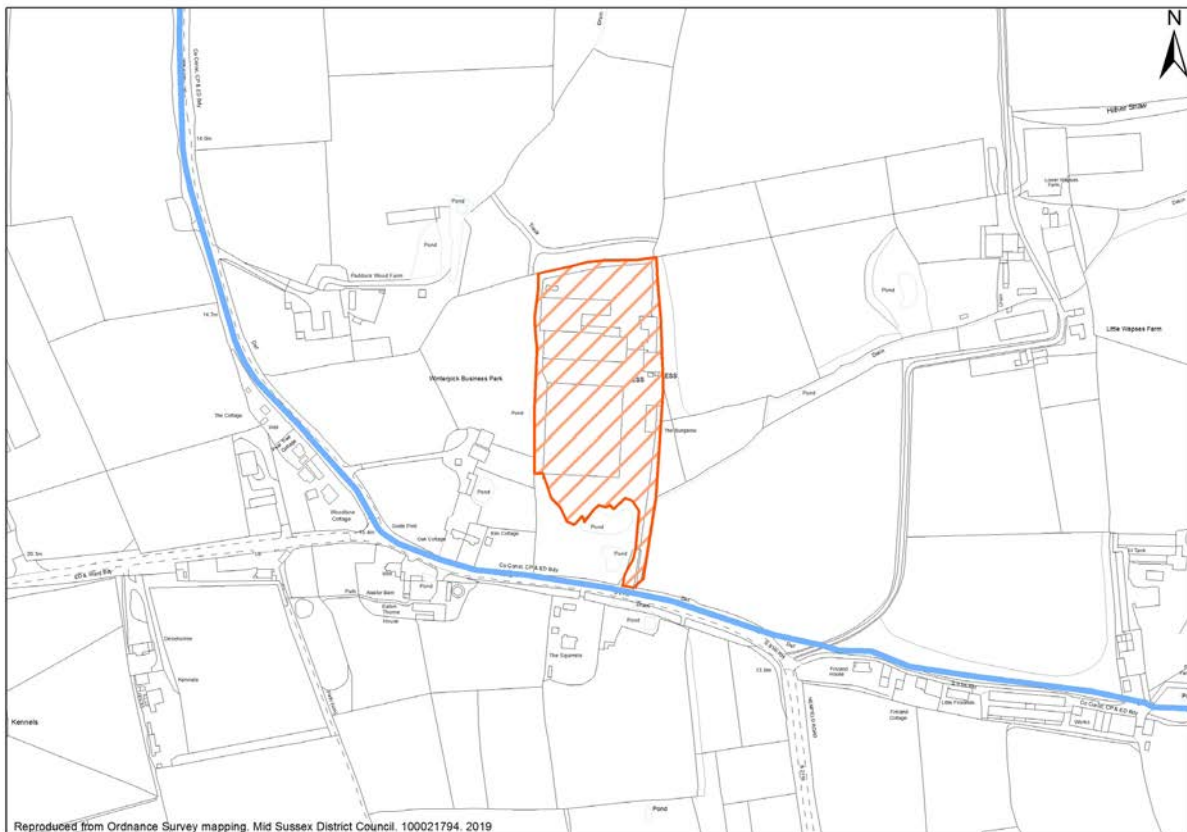
881

Settlement:

Twineham

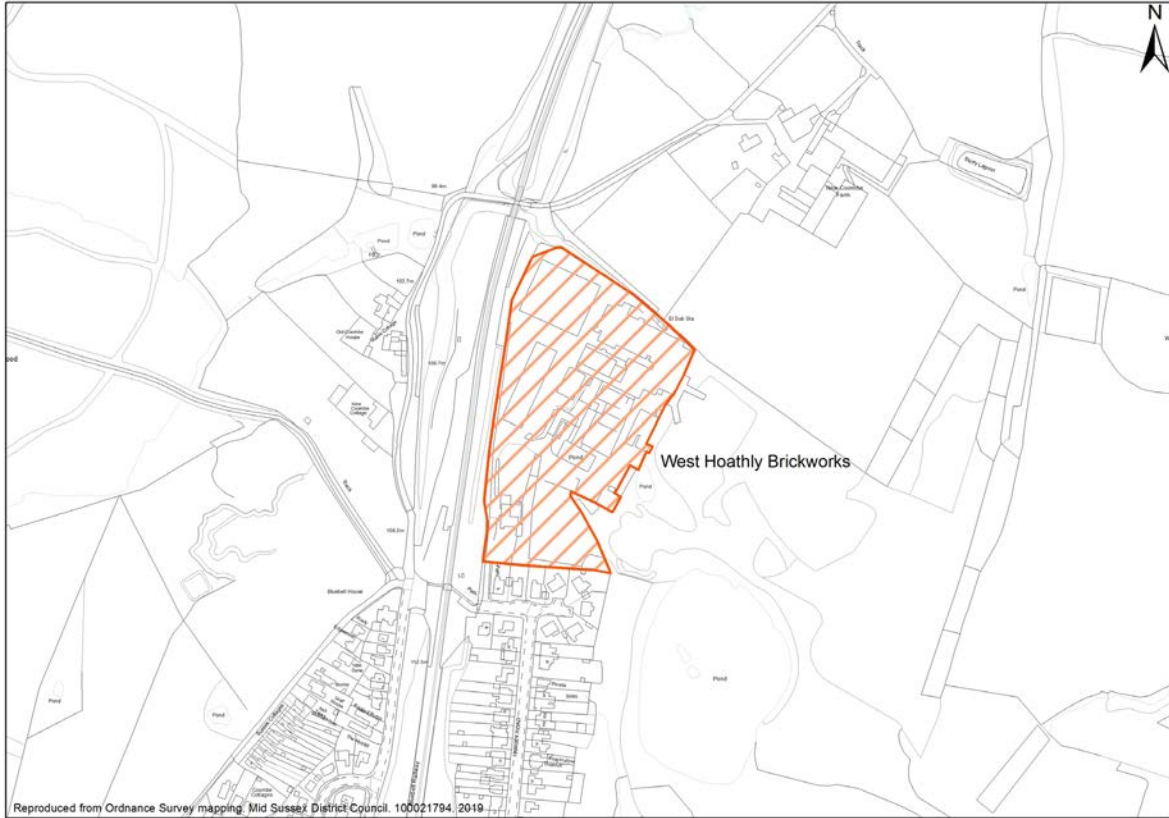
Gross Site Area (ha):

2.5



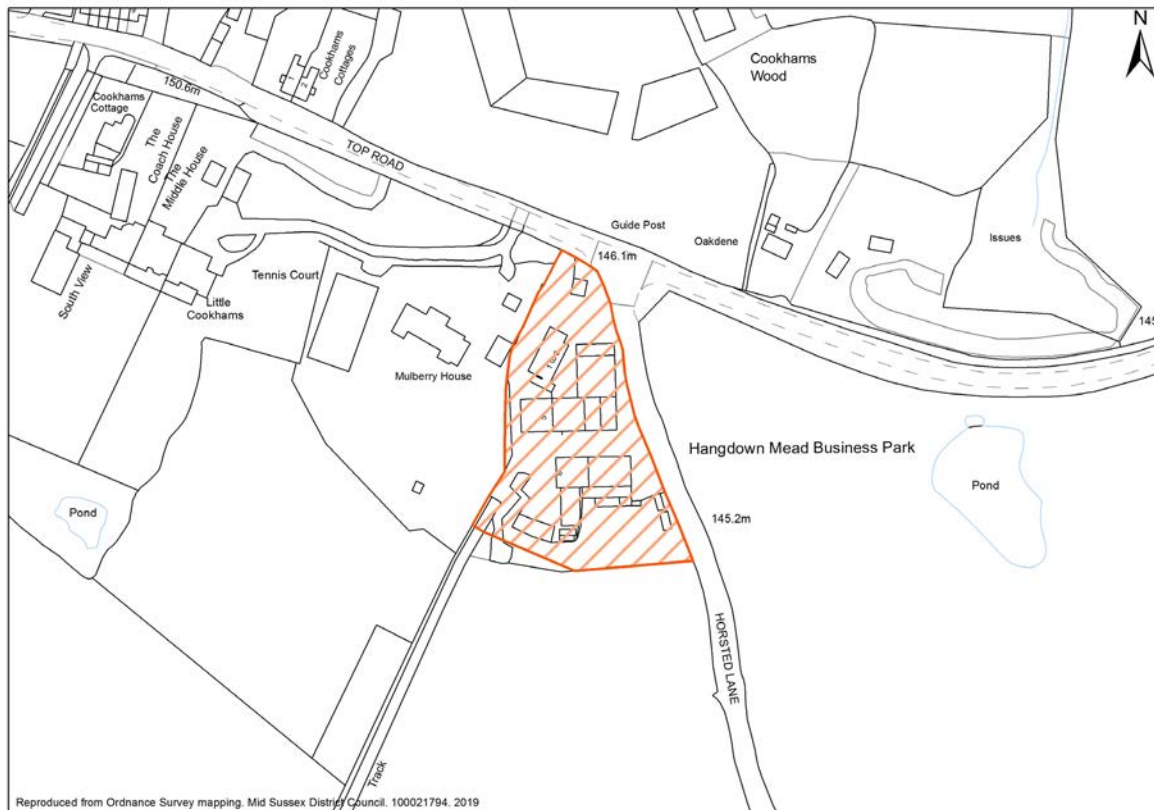
Ibstock Brickworks, Sharpthorne

SHELAA: 386 Settlement: West Hoathly Gross Site Area (ha): 3.136



Hangdown Mead Business Park, Top Road, Sharpthorne

SHELAA: 928 Settlement: West Hoathly Gross Site Area (ha): 0.53



Appendix B: Monitoring Framework

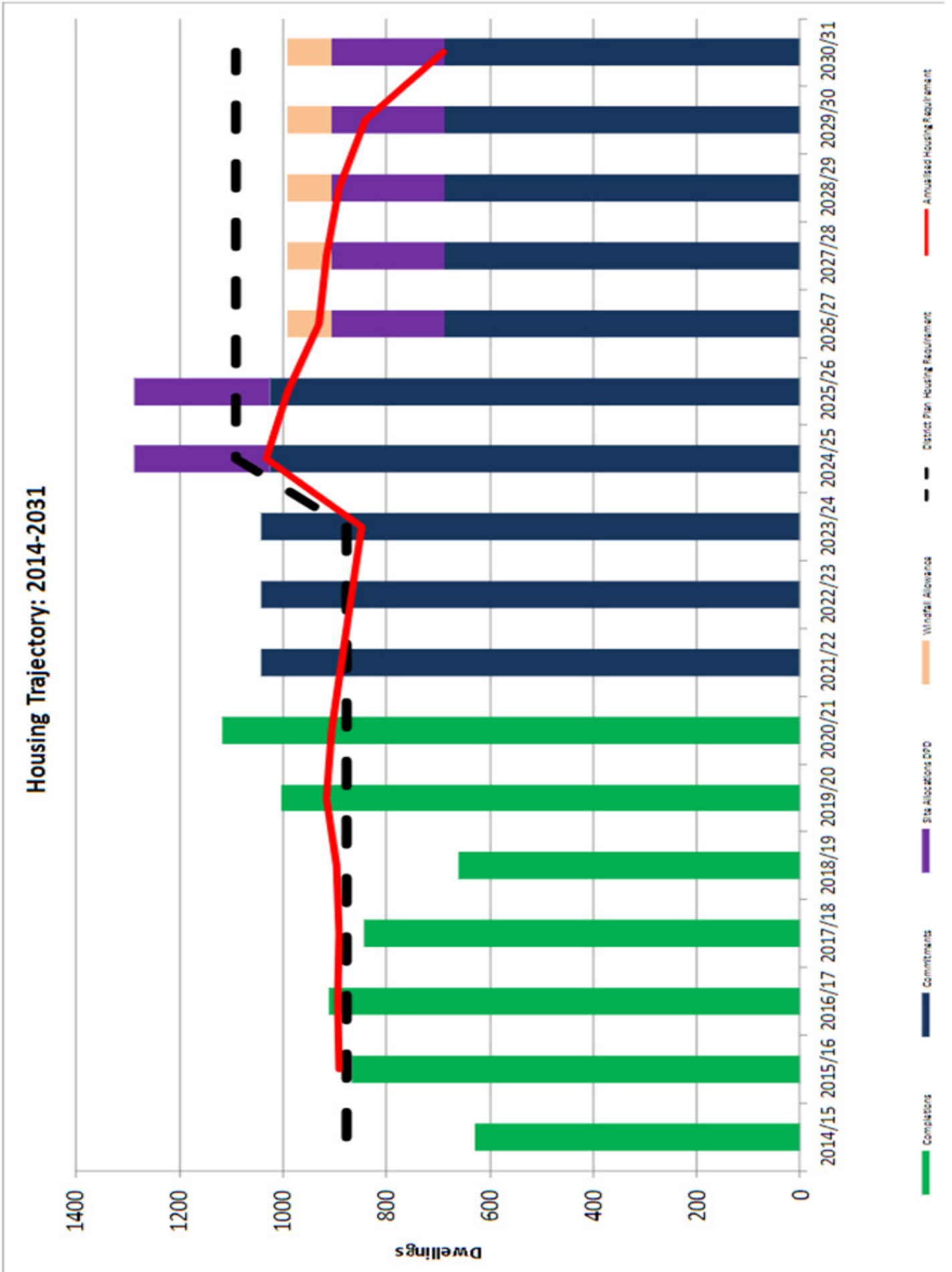
Monitoring Schedule

Policy	District Plan Objective	Indicator	Target	Implementation	Source
SA 1: Sustainable Economic Development – Additional Site Allocations	7,8	Amount of employment land available on additional employment site allocations	Delivery to support sustainable economic development	Developers Local Authority	MSDC Monitoring
SA 2 – SA 8: Employment Site Allocations					
SA 9: Science and Technology Park	7,8	Amount of employment land available by use class	Delivery of employment against the agreed phasing strategy, including use class mix	Developers Local Authority	MSDC Monitoring
SA 10: Housing	All	Net number of housing commitments by parish	Commitments in line with identified residual housing need	Developers, Local Authority, Highway authority, public agencies, utility companies and service providers	MSDC Monitoring
SA 11: Additional Housing Allocations	All	Net number of housing completions on additional housing allocations	Delivery to maintain identified requirement for five year housing land supply	Developers, Local Authority, Highway authority, public agencies, utility companies and service providers	MSDC Monitoring
SA 12 – 33: Housing Site Allocations		Completed infrastructure projects on additional housing allocations	Meet the infrastructure requirements set out in Infrastructure Delivery Plan (IDP)		

Policy	District Plan Objective	Indicator	Target	Implementation	Source
SA 34: Existing Employment Sites	7,8	Amount of employment land available on existing employment sites	Maximise to support sustainable economic development	Developers Local Authority	MSDC Monitoring
SA 35: Safeguarding of Land for Strategic Highway Improvements	6	Status of safeguarded land identified in policy	Continued safeguarding of land identified in policy if necessary	Highway Authority Local Authority	MSDC Monitoring
		Progress of transport schemes identified in policy	Delivery of transport schemes identified in policy		
SA 36: Wivelsfield Railway Station	6	Status of safeguarded land identified in policy	Continued safeguarding of land identified in policy if necessary	Highway Authority Local Authority	MSDC Monitoring
		Progress of expansion and upgrade of Wivelsfield railway station	Delivery of expansion and upgrade of Wivelsfield railway station		
SA 37: Burgess Hill/ Haywards Heath Multifunctional Network	6	Status of safeguarded land identified in policy	Continued safeguarding of land identified in policy	Highway Authority Local Authority	MSDC Monitoring
		Progress of strategic multifunctional network identified in policy	Delivery of a dedicated strategic multifunctional network identified in policy		

Policy	District Plan Objective	Indicator	Target	Implementation	Source
SA 38: Air Quality	2,3	Number of Air Quality Managements Areas (AQMAs) within the District	Minimise poor air quality in the District	Highway Authority Local Authority	MSDC Monitoring
		Number of applications refused as contrary to advice given by Environmental Protection Officer	Minimise poor air quality in the District		
SA 39: Specialist Accommodation for Older People and Care Homes	All	Net number of completions in Use Class C2	Maximise	Developers Local Authority	MSDC Monitoring
SA GEN: General Principles for Site Allocations	The Council has identified some of the additional information it intends to record if it is available.				
To include: SA 2-SA 28: Employment Site Allocations SA 9: Science and Technology Park SA 12-SA 33: Housing Site Allocations	1, 3, 5	Percentage biodiversity net gain secured as demonstrated by the Biodiversity Metric	Maximise, but a minimum 10% biodiversity net gain	Developers	MSDC Monitoring Biodiversity Gain Plan
		Number and type of biodiversity units lost or gained	Maximise the biodiversity units gained		
		Location of secured biodiversity net gain (on-site or off-site)	Secure relevant and meaningful biodiversity net gain linked to wider nature recovery		

Appendix C: Housing Trajectory (as at 1st April 2021 updated for Main Modifications)



Glossary

Adopted Policies Map – This shows the sites identified for development and areas where particular policies apply. It will be updated as each part of the Development Plan is adopted.

Ancient Woodland – Areas that have had continuous woodland cover since 1600.

Area of Outstanding Natural Beauty (AONB) – Areas designated to conserve and enhance natural beauty, wildlife and cultural heritage; and to meet the need for quiet enjoyment of the countryside and have regard for the interests of those who live and work within them. For example, the High Weald AONB.

Commitments – Sites already in the planning process which have planning permission for residential development or are allocated in the Development Plan.

Development Plan – Is defined in section 38 of the Planning and Compulsory Purchase Act 2004 (as amended), and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the Development Plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Development Plan Document (DPD) – These contain the detailed policies and proposals of the Development Plan and are subject to a rigorous statutory process, including community involvement. They are required to carry out a Sustainability Appraisal and are subject to independent examination and Council agreement before adoption. These documents include the District Plan and the Site Allocations DPD.

District Plan – The Mid Sussex District Plan 2014-2031 is the Local Plan for Mid Sussex, setting out the spatial strategy and strategic policies for the district to deliver sustainable development.

Economic viability – The financial feasibility of development.

Evidence base – The evidence that any Development Plan Document is based on. It is made up of the views of stakeholders and background research about the area.

Green infrastructure – A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Habitats Regulations Assessment (HRA) – An assessment of the potential effects of planning policies on European nature conservation sites.

Infrastructure – Includes roads and other transport facilities; flood defences; schools and other educational facilities; medical facilities; sporting and recreational facilities; and open spaces.

Infrastructure Delivery Plan (IDP) – Identifies infrastructure needed to support new homes and businesses over the Plan period.

Local Development Scheme (LDS) – A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). This document sets out the timetable for the preparation of Development Plan Documents which, when prepared, will comprise part of the Development Plan.

Local Economic Partnership (LEP) – Private/public sector partnerships that have a clear remit to drive sustainable private sector led growth. Mid Sussex is within the Coast to Capital LEP.

Local Nature Reserve (LNR) – Designated by the local authority and managed for either nature conservation or to provide recreational opportunities to communities.

Local Plan - A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community.

Monitoring Report – To support the Development Plan, the annual monitoring report assesses the implementation of the local development scheme and the extent to which policies in Development Plan Documents are being successfully implemented.

National Planning Policy Framework (NPPF) (2019) – The revised National Planning Policy Framework was updated on 19 February 2019 and sets out the government’s planning policies for England and how these are expected to be applied.

Neighbourhood Plans – A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood Development Plan in the Planning and Compulsory Purchase Act 2004.

Objectively Assessed Need (OAN) – The total amount of housing that would be needed to meet, as a minimum, expected levels of growth in population over the plan period.

Planning Practice Guidance – A web-based resource containing categorised planning guidance to accompany national planning policy.

Section 106 Agreement – A binding agreement between the Council and a developer on the occasion of granting a planning permission, regarding matters linked to the proposed development. Used to secure matters necessary to render planning applications acceptable by offsetting the costs of the external effects of development e.g. on local schools, which could not be secured through the imposition of planning conditions.

Section 278 Agreement – A binding agreement between the County Council and a developer used to secure necessary highway improvements to make development acceptable in planning terms.

Sites of Nature Conservation Importance (SNCI) – Locally important sites of nature conservation adopted by local authorities for planning purposes and identified in the local Development Plan.

Sites of Special Scientific Interest (SSSI) – Areas identified by Natural England as being of special interest for their flora, fauna, or geological or physiographical features.

Special Area of Conservation (SAC) – Areas given special protection under the European Union’s Habitats Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010.

Special Protection Area (SPA) – Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive.

Statement of Community Involvement (SCI) – A document which sets out how the Council will engage communities on the preliminary stages of plan-making.

Strategic Access Management and Monitoring (SAMM) – A strategy setting out the measures that provide part of the mitigation for new residential development within 7km of the Ashdown Forest SPA. These measures focus on protecting the SPA from new recreational pressures through managing access (visitor) behaviour and monitoring both birds and visitors.

Strategic Flood Risk Assessment (SFRA) – An assessment by the District Council to inform the Local Development Framework of fluvial, surface water, groundwater, infrastructure and reservoir flood risks.

Suitable Alternative Natural Greenspace (SANG) – Green space that is of a quality and type suitable to be used as mitigation for the potential impact of development near the Ashdown Forest Special Protection Area.

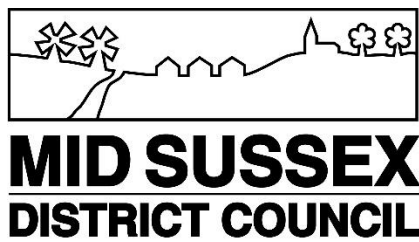
Supplementary Planning Documents (SPD) – These give further explanation and detail to policies in the Development Plan. They are subject to a statutory process including community involvement and sometimes a Sustainability Appraisal. SPDs are not subject to independent examination, but require Council agreement before adoption.

Sustainability Appraisal – Sustainability Appraisal (incorporating Strategic Environmental Assessment (SEA)) is a tool for appraising policies to ensure that they reflect sustainable development objectives (i.e. social, economic and environmental factors). It is required under the Planning and Compulsory Purchase Act to be carried out on all Development Plan Documents and Supplementary Planning Documents.

Sustainable Development – At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Drainage Systems (SuDS) – These are drainage systems designed to manage surface water and groundwater to sustainably reduce the potential impact of new and existing developments.

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Site Allocation Development Plan Document 2022

Adoption Statement

Planning and Compulsory Purchase Act 2004 (as amended)

The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Notice is given that in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Planning and Compulsory Purchase Act, this Adoption Statement hereby gives notice that on **29th June 2022**, Mid Sussex District Council adopted the Site Allocations Development Plan Document (the 'Sites DPD').

The Mid Sussex District Plan 2014-2031, adopted in March 2018, sets out a commitment for the Council to prepare a Site Allocations Development Plan Document (the 'Sites DPD') to ensure that housing and employment needs for the district are met in full.

The Site Allocations DPD has been subject to examination by an independent Inspector appointed by the Secretary of State. The Inspector's report on the Examination of the Sites DPD was received on 30th May 2022. The Inspector's report confirmed that, subject to incorporating a number of Main Modifications, the Plan is legally compliant, sound and capable of adoption. The Adopted Plan incorporates the Main Modifications recommended by the Inspector as set out in the Appendix to the Report on the Examination of the Site Allocations Development Plan Document.

Any person aggrieved by the adoption of the Site Allocations Development Plan Document may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004.

Any challenge pursuant to Section 113 must be made on the grounds that:

- (a) the document is not within the appropriate power and/or
- (b) a procedural requirement has not been complied with.

Any such application should be made promptly and, in any event, no later than the end of the six week period starting from the date on which the Plan was adopted.

Location of Documents for Inspection

In accordance with the Regulations the following documents have been made available to view:

- 1) The Site Allocations Development Plan Document;
- 2) This adoption statement; and
- 3) The Sustainability Appraisal Report document

They are available to view online at www.midsussex.gov.uk/SitesDPD

They are also available to view at the following deposit points. Note that, due to potential coronavirus restrictions, please check opening hours before commencing your journey.

Mid Sussex District Council Offices, Oaklands, Oaklands Road, Haywards Heath, RH16 1SS between 8.45am and 5.15pm Monday to Thursday and 8.45am and 4.15pm on Friday.

Libraries in Mid Sussex

Burgess Hill Library, 15-19 The Martlets, Burgess Hill, RH15 9NN (01444 255452) between 9.30am and 5.30pm on Monday to Friday and 10am and 4pm on Saturday.

East Grinstead Library, 32-40 West Street, East Grinstead, RH19 4SR (01342 332900) between 9.30am and 6pm on Monday to Friday, and 9.30am and 5pm on Saturday.

Hassocks Library, 9 Ewart Close, Hassocks, BN6 8FJ (01273 842779) between 9am and 1pm on Monday, Tuesday, Wednesday, Saturdays and from 1pm - 5pm on Thursdays to Friday.

Haywards Heath Library, 34 Boltro Road, Haywards Heath, RH16 1BN (01444 255444) between 9.30am and 6pm on Monday to Friday and 9.30am - 5pm on Saturday.

Hurstpierpoint Library, Trinity Road, Hurstpierpoint, Hassocks, BN6 9UY, (01273 832609) between 9am and 1pm on Monday, Tuesday, Wednesday and Saturday, and 1pm and 5pm on Thursday and Friday.

Help Points in Mid Sussex

Burgess Hill Help Point, Burgess Hill Town Council Offices, 96 Church Walk, Burgess Hill, West Sussex, RH15 9AS, (01444 247726) between 9am and 5pm Monday, Tuesday, Thursday and Wednesday 10am – 5pm and on Friday 9am to 4.30pm and on Saturday the Help Point is opened by Councillors from 10am – 12noon to discuss local issues (please note the normal Help Point services are not available on a Saturday).

Haywards Heath Help Point, Oaklands, Oaklands Road, Haywards Heath, West Sussex RH16 1SS, (01444 458166) between 8.45am and 5.15pm Monday to Thursday and 8.45am and 4.15pm on Friday.

For all enquiries, please contact the Planning Policy and Economic Development team at planningpolicy@midsussex.gov.uk or by telephone (01444) 477053.

REPRESENTATIVES ON OUTSIDE BODIES

REPORT OF: Tom Clark, Head of Regulatory Services and Monitoring Officer
 Contact Officer: Alexander Austin, Democratic Services Officer
 Email: alexander.austin@midsussex.gov.uk Tel: 01444 477062
 Wards Affected: All
 Key Decision: No
 Report to: Council
 29 June 2022

Purpose of Report

- To set out the Council's nominations for representatives to outside bodies for 2022/23.

Recommendations

- Council is recommended to approve the nominations to outside bodies listed in paragraph 4 of this report.**

Background

- There are a number of organisations where the Council is represented by Members and to which appointments are made annually. All Members have previously been asked to advise their Group Leader of those organisations for which they wish to be nominated.
- Following the annual review of the Council's appointments to Outside Bodies, this report seeks approval to appoint Members to vacancies. Nominations are listed below:

Organisation	Proposed Member (s) for 2022/23 Column 1	Proposed Member (s) for 2022/23 Column 2
Action in Rural Sussex	John Belsey	
Adastra Hall Management Committee	Alexander Sparasci	
Age UK	Norman Webster, Portfolio Holder	
Armed Forces Community Covenant Champion	Linda Stockwell	
Beech Hurst Steering Group (2 places)	Ruth de Mierre Sandy Ellis	
Bolnore Village Community Partnership	Anne Boutrup	

Organisation	Proposed Member (s) for 2022/23 Column 1	Proposed Member (s) for 2022/23 Column 2
Burgess Hill Business Parks Association	Stephen Hillier, Portfolio Holder	
Clarion Housing Regional Scrutiny Board in Mid Sussex	Rachel Cromie, Portfolio Holder	
Coast to Capital Joint Committee	Jonathan Ash-Edwards, Leader	
Court of the University of Sussex (meeting as the 'Sussex Annual Forum')	Margaret Belsey, Chairman	
Crawley Down Community Centre Association	Roger Webb	
District Councils' Network	Jonathan Ash-Edwards, Leader	
East Grinstead Business Association	Stephen Hillier, Portfolio Holder	
Friends of Ashenground and Bolnore Woods Steering Committee	Sandy Ellis	
Friends of Burgess Hill Green Circle Network (2 places)	Anne Eves Robert Eggleston	
Gatwick Airport Consultative Committee	Stephen Hillier	
	Nominated substitute: Jim Knight	Ian Gibson
Greater Brighton Economic Board	Jonathan Ash-Edwards, Leader	
	Nominated substitute – John Belsey	

Organisation	Proposed Member (s) for 2022/23	Proposed Member (s) for 2022/23
	Column 1	Column 2
Greater Brighton Economic Board – Call In Panel	Jim, Knight Chair of Scrutiny Committee for Leader, Finance & Performance	
Haywards Heath Business Association	Stephen Hillier, Portfolio Holder	
James Bradford Almshouses, Haywards Heath – Board of Trustees	Ruth de Mierre	
Jack and Jill Society for the Preservation of Jill Mill	Colin Trumble	
LGA General Assembly	Jonathan Ash- Edwards, Leader	
Local Strategic Partnerships	Jonathan Ash- Edwards, Leader	
Mid Sussex Voluntary Action	Rachel Cromie, Portfolio Holder	
PATROL (Parking and Traffic Regulations Outside London)	Ruth De Mierre, Portfolio Holder	
Sussex Police and Crime Panel	Norman Webster, Portfolio Holder	
	Nominated substitute – John Belsey	
Sidney West Centre – Board of Trustees (2 places)	Matthew Cornish Janice Henwood	
South Downs National Park Authority	Gary Marsh	
South of England Agricultural Society	Bruce Forbes	

Organisation	Proposed Member (s) for 2022/23	Proposed Member (s) for 2022/23
	Column 1	Column 2
South East England Councils	Jonathan Ash-Edwards, Leader	
St Francis Social and Sports Club Community Interest Company	Mike Pulfer	
The High Weald Joint Advisory Committee	Pete Bradbury	
Turners Hill Parish Council Ark Executive Committee	Phillip Coote	
West Sussex Branch of the Local Government Association/ Joint Leaders' Group	Jonathan Ash-Edwards, Leader	
WSCC Health and Adult Social Care Select Committee	Adam Peacock	
West Sussex Health and Wellbeing Board	Norman Webster, Portfolio Holder	
West Sussex Joint Scrutiny Steering Group	Jim Knight, Chair of Scrutiny Committee for Leader, Finance & Performance	

Policy Context

5. This report contributes towards the Council's corporate priorities of Sustainable Economic Growth and Strong and Resilient Communities, as set out in the Council's Corporate Plan.

Financial and Risk Management Implications

6. None.

Equality and Customer Service Implications

7. None.

Other Material Implications

8. None.

Sustainability Implications

9. None

Background Papers

10. None.

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ADOPTION OF MODERN SLAVERY AND HUMAN TRAFFICKING TRANSPARENCY STATEMENT

REPORT OF: HEAD OF CORPORATE RESOURCES
Contact Officers: Mandy Cunningham, Community Safety & Safeguarding Manager
Wards Affected: All
Key Decision: Yes
Report to: Council

June 2022

Purpose of Report

1. To adopt the Modern Slavery and Human Trafficking Transparency statement for 2022/23.

Summary

2. To comply with the forthcoming changes to the Modern Slavery Act, the Council will be required to produce an annual modern slavery and human trafficking transparency statement to ensure that steps are taken to eradicate modern slavery in our work, including our supply chains. This has been reviewed and supported by the Scrutiny Committee for Community, Customer Service and Service Delivery who have recommended it to Council for adoption.

Recommendations

Council is recommended to adopt the attached draft Modern Slavery and Human Trafficking Transparency Statement for 2022/2023;

Background

3. The Transparency in Supply Chains Provision (s.54) of the 2015 Modern Slavery Act requires commercial organisations with an annual turnover of £36m or more to report annually on their actions to identify, prevent and mitigate modern slavery in their supply chains.
4. Local Authorities are not currently legally obliged to publish statements to comply with this provision, although in September 2020, the UK Government announced new measures to strengthen the transparency provisions of the Act. This includes the requirement for public sector organisations with a budget of £36m and above to produce annual transparency statements and report on steps taken to prevent modern slavery in their own business and supply chains.
5. The Modern Slavery (Amendment) Bill is currently in progress and as part of best practice, many public sector organisations are in the process of preparing and uploading approved statements on the public national registry.
6. In October 2020, The Council undertook a pledge to do everything in its power to become a slavery free community. Our pledge includes the removal of slave-based labour from our supply chains.

7. Over the past few months, the Council has been working closely with the Shared Procurement Service on a draft statement for 2022/23 and was produced in accordance with Home Office and LGA guidance. The final version has been cleared with Legal services.

Policy Context

8. The proposal supports the Council's corporate priorities of supporting Strong and Resilient Communities and Effective and Responsive Services.

Other Options Considered

9. This will be a statutory requirement in due course. Although we are not yet legally required to do this, it is considered to be best practice to take action now to eradicate modern slavery within our supply chains and it is in accordance with our Modern Slavery Pledge.

Financial Implications

10. Minimal. Some increased workloads for staff working in procurement and community safety but most of this will be led through the shared procurement service in Horsham.

Risk Management Implications

11. Implementation may marginally increase the workloads of some staff, particularly those who procure services. However, they will be supported by the shared procurement service and if mitigation is considered at the outset, this should eliminate issues further down the line.
12. There will be a training need for some staff – appropriate training will be identified and offered to any staff who require it. The Community Safety Team work closely with modern slavery professionals and can arrange this if needed.

Equality and Customer Service Implications

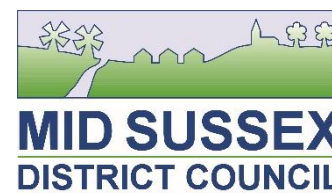
13. This proposal will affect people of all ages including service users and employees of the council and service users and employees of any commissioned services as well as the wider community. There are no identified negative impacts on people with protected characteristics and this duty will help to identify and help those who are more vulnerable and may be victims because of a protected characteristic. An equality impact assessment is attached.

Sustainability Implications

14. The proposal directly contributes to the UN's sustainable development goal of promoting sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. It specifically contributes towards target 8.7 to eradicate forced labour and end modern slavery and human trafficking.

Background Papers

- Draft Modern Slavery and Human Trafficking Statement 2022/23. Attached as Appendix A
- Equality Impact Assessment Attached as Appendix B.



Modern Slavery and Human Trafficking Transparency Statement

Introduction

Modern slavery is a global problem and international crime, affecting millions of people worldwide, including many victims within the UK. Men, women and children of all ages and backgrounds can fall victim to human trafficking. Victims can be controlled by force, threats, coercion, abduction, fraud and deception.

Mid Sussex District Council provides a wide range of services alongside partners, to the local community. We are making a clear commitment to tackle modern slavery by signing up to this Modern Slavery and Human Trafficking Transparency Statement.

The Modern Slavery Act 2015 places specific responsibilities on organisations to ensure slavery and human trafficking does not exist within its supply chain or in any part of its own business. The term 'modern slavery' captures a whole range of exploitation which includes:

- **Sexual exploitation:** this includes sexual abuse, forced prostitution and the abuse of children, in order to produce child abuse images or videos
- **Domestic servitude:** this involves victims being forced to work in usually private households, performing domestic chores and childcare duties
- **Forced labour:** this can happen in various industries, including construction, manufacturing, laying driveways, hospitality, food packaging, agriculture, maritime and beauty (nail bars)
- **Bonded labour:** this includes descendant slavery when people give themselves into slavery as security against a loan or when they inherit a debt from a relative
- **Criminal exploitation:** this can be understood as the exploitation of a person to commit a crime, such as pick-pocketing, shoplifting, cannabis cultivation, drug trafficking and other similar activities that are subject to penalties and imply financial gain for the trafficker

Other forms of exploitation include organ removal, forced begging fraud, forced marriage and illegal adoption.

Our responsibilities

The abuse of human rights in our supply chains through modern slavery is gaining greater awareness. The Council has a responsibility to prevent slavery and human trafficking within our supply chain and in any part of the organisation. It expects the same high standards from all of our contractors, suppliers and other business partners.

This Statement sets out the Council's actions and commitments to understand all potential modern slavery risks related to our activities and to put in place steps to combat and prevent acts of slavery and human trafficking within our business and supply chains. It applies to everyone working for the Council or on our behalf in any capacity. The Council's Senior Management Team has overall responsibility for ensuring this Statement complies with our legal and ethical obligations, and that all those under the Council's control comply with it.

The Council has signed up to the Modern Slavery Pledge and will adhere to its principles.

The Council's commitment to addressing the issue of modern slavery in its business and supply chains will be communicated to all suppliers, contractors and business partners at the outset of its business relationship with them and reinforced as appropriate thereafter.

Our Policies

The Council has a range of policies which reflect the commitment to acting ethically and with integrity to prevent modern slavery in its operations. The following policies are considered to be key in meeting the Council's requirements of the Modern Slavery Act 2015.

- Procurement Code
- Equality & Diversity Policy
- Safeguarding Policy
- Whistle-blowing policy
- Pay Policy
- Employee Code of Conduct

Due Diligence and Supply Chain Management

The Shared Procurement Service, who deal with most contracts worth £50,000 or more, will take the lead on tackling modern slavery within our supply chains, and will work in conjunction with stakeholder departments who may face the greatest risk of procuring goods, services or works associated with this crime. They will undergo training to ensure they are aware of the risks and issues and how to mitigate these in the procurement process.

The Council expects all suppliers regardless of size to actively work towards mitigating the risk of modern slavery within their organisations and its supply chain and may request evidence to demonstrate steps taken. In addition, the Shared Procurement Service has processes and due diligence mechanisms in place to ensure that modern slavery is tackled by its supply chain. These include:

- All relevant suppliers that wish to tender for Council contracts must provide evidence that they have met the requirements of the Modern Slavery Act 2015 to be able to bid

– this is included in our Self-Declaration document contained in the tender pack. Any supplier who fails to evidence their compliance shall be excluded from participating further in the tender process.

- As part of our contract management processes, we undertake annual gathering and reviewing of Modern Slavery Statements for all suppliers with an annual turnover of £36m and over.
- We will include clauses in our standard contract terms that specify the supplier's contractual obligation concerning modern slavery.
- For all Above Threshold contracts (currently £189,330) or contracts where we believe there are likely to be greater supply chain risks, we will assess suppliers' recruitment policies and procedures to ensure that they are minimising the risk of modern slavery in their organisation.

The Shared Procurement Service commits to undertaking an annual risk assessment of its supply chain and will deliver training and guidance to contract managers to highlight the potential modern slavery risks.

The Council aims to monitor the commitments which our suppliers have pledged, including the identification and management of risks in relation to modern slavery and human trafficking. This is done by:

- Increasing openness, transparency and efficiency in the management of supply chains
- Improving ability to identify strengths, weaknesses, opportunities and threats in supply chains
- Improving communications with suppliers
- Enhancing relationships with suppliers

Our commitment

- We will disclose any identified instances of modern slavery.
- We will monitor our supply chains and report on any issues identified through non-compliance or insufficient information provided.
- We will ensure relevant staff have access to and are completing mandatory training which supports the Modern Slavery Act.
- We will evaluate the effectiveness of the training annually via feedback from participants.
- We will encourage the reporting of suspicions of slavery through the Council's Modern Slavery Single Point of Contact (SPOC). For Mid Sussex District Council this is the Community Safety and Safeguarding Manager.

- We will notify the Secretary of State of suspected victims of slavery or human trafficking under Sections 43, 52 and 54 of the Modern Slavery Act 2015.

Declaration

This Statement is made under Section 54(1) of the Modern Slavery Act 2015 for the period 1 April 2022 to 31 March 2023. It is approved by the Council's Management Team and Cabinet and will be subject to review on an annual basis.

Signed:
Kathryn Hall, Chief Executive, Mid Sussex District Council

Signed:
Cllr Norman Webster, Cabinet Member for Communities, Mid Sussex District Council

MID SUSSEX DISTRICT COUNCIL

Equality Impact Assessment

Title of Policy/Service/Contract: MSDC Modern Slavery and Human Trafficking Transparency Statement

Division: Community Services, Policy and Performance

Lead Officer: Mandy Cunningham

Date Assessment completed: 10th January 2022

1. SCOPING

1.1 What are the aims of the policy, service/service change or contract?

The Modern Slavery Transparency Statement sets out the Council's commitment to identify, address and prevent modern slavery risks in relation to its own business and supply chains.

The introduction of this statement and policy is a positive step in raising awareness of Modern Slavery and working towards eradication of this type of abuse.

1.2 Who does the service/policy/contract affect? Who are the main customers (internal or external)?

It will affect people of all ages including service users and employees of the council and service users and employees of any commissioned services as well as the wider community.

1.3 What equality information is available, including any evidence from engagement and analysis of use of services?

Modern Slavery and Human Trafficking are prevalent on a national level but this is often disguised and hidden. We become aware of these issues through intelligence provided by the public, local police or council officers. The Council works with the police to help prevent cases of Modern Slavery and to protect people who are subjected to it.

Local data is not publicly available. National Referral Mechanism (NRM) data for Quarter 3 in 2021/22 shows that:

- 78% of potential victims (2,600) were male and 22% (720) were female;
- 50% (1,677) of referrals were for potential victims who claimed exploitation as adults and 41% (1,351) claimed exploitation as children;
- for adult potential victims, labour exploitation was most commonly reported (39%; 657), whereas child potential victims were most often referred for criminal exploitation (47%; 635);
- the most common nationalities referred this quarter were UK, Albanian and Vietnamese.

1.4 What does this information tell us about the equality issues associated with the service and implications for the protected groups?

There are no identified negative impacts on people with protected characteristics arising from this duty. Some victims of slavery or trafficking will be more vulnerable due to a protected characteristic (such as language barriers, learning disabilities or minors) and this duty will aim to address this.

1.5 Are contractors or partnerships used to deliver the service? Y/N

If No go to section 2. **Yes.**

If yes, please refer to the guidance notes for completing impact assessments and complete the next three questions.

Identify the contractors/partnerships used to deliver the service.

We will be working with the Shared Procurement Service at Horsham District Council (HDC)

What is their contribution to equality in service delivery and the promotion of equality?

As a public organisation, HDC have a duty to ensure that they have robust equality and diversity policies and procedures which can be viewed on their website at: <https://www.horsham.gov.uk/jobs-and-careers/equality-and-diversity-commitments>

How are equality issues addressed through contractual arrangements and service level agreements?

MSDC has a Service Level Agreement with HDC which includes abiding by equalities policies/procedures.

2. Assessment of Impact on People with a Protected Characteristic; Analysis and Action Planning

Any gaps in information or provision, opportunities to promote equalities and good relations identified above need to be translated into SMART actions and recorded here. These actions need to be delivered and monitored through the service planning process.

Opportunity to promote equality, good relations and/or address barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Age (older / younger people, children)				
Safeguarding of under 18s who are potential victims of modern slavery	Referrals to MASH/Children's social care and to the NRM.	Cases will be monitored.		Safeguarding arrangements are in place to ensure that they are not at risk of further exploitation.
Disability (people with physical / sensory impairment or mental disability, including those with a non-visible disability)				
Additional needs that may make it difficult for an individual to respond or understand.		Engagement with specific support services as and when required.	Mandy Cunningham	Feedback provided
Gender reassignment (a transgender person is someone who proposes to, starts or has completed a process to change his or her gender)				
None identified.				
Pregnancy & maternity (pregnancy is the condition of being pregnant & maternity refers to the period after the birth)				
Additional support relating to pregnancy.		Engagement with healthcare professionals as and when required.	Mandy Cunningham	Feedback provided

Opportunity to promote equality and/or barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)				
Language barriers for some where English is not their first language.		When this is identified, work with relevant agencies to ensure that relevant interpreter services are available.	Mandy Cunningham	Feedback provided
Religion & belief (religious faith or other group with a recognised belief system or not having a religion)				
None identified				
Sex (male / female non-binary)				
None identified.				
Sexual orientation (lesbian, gay, bisexual, queer, questioning, heterosexual)				
None identified				
Marriage & civil partnership (marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognised for same-sex couples)				
None identified.				
Military families /veterans				
None identified.				
People who are disadvantaged by socio-economic factors such as low incomes, skill or living in a deprived area				
None identified.				
People who live in a rural area				
None identified.				

3. Mid Sussex District Council Equality Impact Assessment Summary

Key Findings	Future Actions
<p>The implementation of a modern slavery transparency statement will help to identify potential victims of modern slavery and human trafficking within the Council's business, including its supply chains.</p> <p>This will have a positive impact for those with protected characteristics, particularly those who are more at risk because of their protected characteristic.</p>	<ul style="list-style-type: none"> • MSDC will disclose any identified instances of modern slavery. • MSDC will monitor its supply chains and report on any issues identified through non-compliance or insufficient information provided. • MSDC will ensure relevant staff have access to and are completing mandatory training which supports the Modern Slavery Act. • MSDC will evaluate the effectiveness of the training annually via feedback from participants. • MSDC will encourage the reporting of suspicions of slavery through the Council's Modern Slavery Single Point of Contact (SPOC).

4. Signing off this assessment and action plan

Signature ...Mandy Cunningham.....
 Person undertaking the assessment

Date 10 January 2022.....

Signature
 Head of Service

Date

Please send your completed impact assessment to Neal Barton for publication on the website.

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MSDC PAY POLICY STATEMENT 2022/23

REPORT OF: Simon Hughes, Head of Digital and Customer Services
Contact Officer: Tim Martland, HR Manager
Email: tim.martland@midsussex.gov.uk Tel: 01444 477251
Wards Affected: None
Key Decision: No
Report to: Council
29th June 2022

Purpose of Report

1. The purpose of this report is meet the statutory requirement of Section 38 of the Localism Act 2011 to agree and publish annually the Council's Pay Policy Statement. Members should note that the Statement for Mid Sussex informs our current practice. It does not introduce anything new. The statement has been updated following its initial introduction in March 2012, when Council first agreed the Pay Policy Statement and has done each year since.

Recommendations

2. **Council Members are recommended to agree the Pay Policy at Appendix A, to comply with the requirements of the Localism Act.**
-

Background

3. The Localism Act 2011 received Royal Assent on 15th November 2011. Section 38 of the Act placed a requirement on local authorities to publish a Pay Policy Statement each year. The Statement must set out the Council's policies relating to:
 - Remuneration of its senior officers
 - Remuneration of its lowest-paid employees and
 - The relationship between the remuneration of its senior officers and the remuneration of its employees who are not senior officers.

Senior officers have been defined as the posts of Chief Executive, Assistant Chief Executive and the three Heads of Service.

This Statement has been put together considering the relevant sections within Chapter 8 'Pay Accountability' of the Localism Act 2011. In its development, consideration has also been given to the 2012 guidance produced by the Department for Communities and Local Government (DCLG) entitled 'Openness and Accountability in local pay – guidance under section 40 of the Localism Act' and the supplementary guidance published in 2013.

Additionally, consideration has been given to the Code of Recommended Practice for Local Authorities on Data Transparency published by the DCLG in September 2011. Recently relevant guidance has also been issued in "Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England" published on 12 May 2022.

Several recommendations for promoting pay fairness in the public sector by tackling disparities between the lowest and the highest paid in public sector organisations were made in Will Hutton's report on fair pay in the public sector. This was published in March 2011. Hutton was asked to consider whether a public sector pay multiple, in which no manager could earn more than 20 times the lowest paid person in the organisation would be helpful as the core of a fair pay system in the public sector and to tackle pay disparities.

The aims behind Hutton's recommendations are not really aimed at authorities like Mid Sussex as we already publish the relevant information, and our pay ratios are significantly below that threshold stated above. This is still achieved with the introduction of a new Apprenticeship grade.

It is a statutory requirement to agree and publish a Statement and as such, the Council is complying with its obligations.

Policy Context

4. The proposed Pay Policy Statement 2022-23 is attached as Appendix A to this report. The Statement sets out the Council's policies in relation to the pay of its workforce, particularly its senior officers, and sits alongside the policies on pay that the Council has already adopted and published in its Pay Policy. It will be updated once the current restructure proposals are implemented.

Financial Implications

5. There are no direct financial implications arising from this report as the Pay Policy Statement sets out the Council's policies relating to remuneration. It does not serve to set or agree specific rates or numerical amounts.

Risk Management Implications

6. The risks of not having a clear policy include being unable to recruit and retain staff and being unable to demonstrate value for money to the taxpayer.

Equality and Customer Service Implications

7. An equality impact assessment is attached at Appendix B.

Other Material Implications

8. There is a statutory requirement to comply with the Localism Act and agree and publish a Pay Policy annually. There are no environmental, human rights or community safety implications

Background Papers

9. There are no background papers.



MID SUSSEX DISTRICT COUNCIL
Appendix A - Pay Policy Statement
Financial year 2022-23

1. Purpose

The Council has an obligation under Section 38 (1) of the Localism Act 2011 to prepare a Pay Policy Statement for each financial year. It must be approved by Full Council and published on the Council's website.

This Pay Policy Statement covers the financial year 2022/23 and will need to be updated annually from April each year.

This Statement complements the Council's existing Pay Policy, which was approved by Council in November 2011 and came into operation on 1st January 2012.

The Statement sets out Mid Sussex District Council's policies relating to the pay of its workforce for the financial year 2022-23, in particular: -

- a) the remuneration of its Chief Officers
- b) the remuneration of its "lowest paid employees"
- c) the relationship between
 - the remuneration of its Chief Officers and
 - the remuneration of its employees who are not Chief Officers

2. Definitions

This Statement is required to use the following definitions: -

2.1 "Pay" in addition to salary includes charges, fees, allowances, benefits in kind, increases in/enhancements to pension entitlements, and termination payments.

2.2 "Chief Officer" refers to the following roles within the Council: -

- Members of the Council's Management Team, as follows:
 - Chief Executive
 - Assistant Chief Executive
 - Head of Corporate Resources
 - Head of Regulatory Services
 - Head of Digital and Customer Services

2.3 "Lowest paid employees" refers to those staff employed as Apprentices as it is the lowest grade on the Council's pay framework.

2.4 "Employee who is not a Chief Officer" refers to all staff who are not covered under the "Chief Officer" group above.

3. Pay framework and remuneration levels

3.1 General approach

Remuneration at all levels needs to be adequate to secure and retain high-quality employees to fulfill the council's business objectives and delivering services to the public.

This must be balanced by ensuring remuneration is, and is seen to be, fair value to the public purse.

Mid Sussex District Council supports the principle of equal opportunities in employment and believes that staff of different age, disability, gender (including staff who have proposed, commenced or completed gender re-assignment), race, religion or belief, or sexual orientation, with or without trade union membership, should receive equal pay for the same or broadly similar work, for work rated as equivalent and for work of equal value. With effect from 30th March 2018, the Council is required to publish figures relating to its gender pay gap.

Mid Sussex District Council will not make payments to staff, or those that could be considered to be staff, via Limited Companies. All staff will be directly employed by the Authority.

3.2 Responsibility for decisions on remuneration

It is essential for good governance that decisions on pay and reward packages for chief executives and chief officers are made in an open and accountable way and that there is a verified and accountable process for recommending the levels of top salaries.

Mid Sussex District Council will apply the pay agreements reached by the National Joint Council (for staff not covered under the Chief Officers Group) and Joint Negotiating Committee (for Chief Officers) on Pay and Conditions of Service. The Council may however choose to apply local variations as appropriate/locally devised conditions of service. This is only likely to apply if there are recruitment difficulties in certain areas of the employment market.

Any decision regarding the recruitment, selection and remuneration for the post of the Chief Executive and Head of Paid Service will be made by the whole Council and cannot be delegated. Advice on such matters will be given by a properly constituted 'Leader's Panel', set up by Council to deal with these matters as and when they arise. The Panel will be politically balanced and will take advice from the S151 Officer, the Monitoring Officer and the Head of Digital and Customer Services as a minimum, before recommendations are made to Council. Once an appointment has been made, future remuneration will be determined by the Leader of the Council. These awards will comply with a pay scale that has been agreed by Council.

The appointment of a section 151 Officer, Monitoring Officer and any roles with a salary package above £100K (excluding pension contributions) will be approved by Council.

3.3 Salary grades and grading framework

Grades are determined in line with national guidance, with the grade for each role being determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.

There are 15 grades (Apprentice to MPO8) in the Council's pay framework for employees who are not Chief Officers, Apprentice grade being the lowest and grade MPO8 the highest. Each employee will be on one of the 15 grades based on the job evaluation of their role.

Each post within the officer establishment under Chief Officer Level is subject to grading by job evaluation, using the National Joint Council Green Book Scheme. The starting salary on appointment will normally be at the lowest point of the salary scale for the

grade evaluated for the job, subject to negotiation based on the appointee's level of relevant experience. Progression beyond the starting salary will be dependent upon service and recommendation from the Head of Service and will normally take effect from 1st April each year.

Subject to satisfactory service and a positive report from the employee's Head of Service, an employee's salary will rise by an annual increment payable on the 1st April each year until the maximum of the grade is reached. There will be no further progression payment once an employee reaches the maximum spinal column point of their salary grade scale.

Remuneration is considered annually for staff, as per agreements reached as part of national negotiations with the National Joint Council on Pay and Conditions of Service.

For Chief Officers above grade MPO8 the value of any pay award is determined by the Joint Negotiating Committee for Chief Officers of Local Authorities.

The last pay award to both Chief Officers and employees who are not Chief Officers was made in March 2022 (backdated to April 2021) and effective until 31st March 2022.

4. Remuneration – level and element

4.1 Salaries

4.1.1 "Chief Officers" are those officers occupying the posts as identified in 2.2.

This group of "Chief Officers" is paid outside the Council's pay framework, which applies to all other employees.

The annual pay review for these Chief Officers is considered by the Joint Negotiating Committee for Chief Officers of Local Authorities each year.

Typically, these Chief Officers have received the same percentage award determined nationally for other grades of Local Government employees within the Council.

Salary on appointment for Chief Officers has regard to the demands and challenge of the role compared to other Chief Officer roles within the Council and the structure of the senior team. Account is also taken of other relevant available information, including the salaries of Chief Officers in other similar sized organisations. The final decision on the salary on appointment for Chief Officers lies with the Chief Executive or the Head of Digital and Customer Services.

The Council's Senior Officer remuneration data is already published within the annual Statement of Accounts and can be found on the Council's website at

<https://www.midsussex.gov.uk/media/5571/statement-of-accounts-2019-20.pdf>

4.2 Bonuses

The Council has no provision for and does not intend to make bonus payments for any group of staff. It is not the Council's policy to pay substantive honoraria, unless in exceptional circumstances and agreed by the Head of Paid Service.

4.3 Acting Up Payments

As per section 12 of the Council's Pay Policy, all contracted employees may be required to take on an acting up role, for which the sum payable will be commensurate with the substantive post being covered if the staff member acting up is being asked to be responsible for all the duties of the post. If the individual is only carrying out some of the duties of the higher-grade job, the calculation will be adjusted accordingly in relation to the specific duties being carried out.

The acting up duties should be carried out for a continuous period of at least 4 weeks (other than cover for annual leave) and should be time-limited to cover a specific short-term requirement which should not exceed 12 months in duration.

4.4 Market Supplements

It is recognised that a shortage of staff with particular skills – either locally or nationally – may drive up the 'going rate' and create difficulties in recruiting and retaining staff. Mid Sussex District Council has recognised the potential for such problems and may consider paying market supplements or enhancements to an individual or group of employees where this can be objectively justified. The specific measures for managing and monitoring this process is detailed in section 10 of the Council's Pay Policy.

4.5 Other pay elements

All staff are subject to the same performance management process.

Targets are set and performance against those targets is assessed. Subject to satisfactory performance, all staff will receive incremental progression until the top of their grade is reached.

4.6 Charges, fees or allowances

Any allowance or other payments will only be made to staff in connection with their role or the patterns of hours they work and must be in accordance with the Council's policies and collective agreements.

4.6.1 Electoral payments to officers

The Head of Regulatory Services is the Council's Returning Officer. The fees for this role are paid according to a national fees & charges order in the case of national elections, or the scale of fees & charges agreed in West Sussex in the case of local elections. From this fee, the Returning Officer will pay discretionary fees to any Deputy Returning Officers appointed for that election.

The Returning Officer will also charge a clerical fee to the body for which the election is being held. This fee is devised from a formula laid out in the scale of fees & charges agreed in West Sussex. This amount is then distributed across the elections core team according to the degree of responsibility undertaken and the amount of additional work required. In general, the elections core team is made up of Council Officers, including some senior officers, though this is not a requirement as the work is being undertaken for the Returning Officer.

Council Officers employed by the Returning Officer in specific electoral roles, such as Presiding Officer, Poll Clerk, Polling Station Inspector, Count Supervisor, Count Assistant, Postal Vote Opening Supervisor and Postal Vote Opening Assistant will receive a fee according to the scale of fees & charges agreed in West Sussex. Non-Council employees working in the same roles receive precisely the same remuneration.

It is to be noted that the above payments do not form part of any employee's contractual entitlement or payments. Further details regarding these allowances can be made available on request.

4.6.2 Car Allowance and Mileage

Prior to February 2010, the Council adopted an enhanced car allowance scheme for eligible employees. However, this enhanced element has now been phased out.

Where a post attracts essential car user status, the postholder will receive a lump sum allowance per annum and mileage rate in accordance with HMC Car Allowance Rates. These allowances apply to all employees.

4.7 Benefits in kind

4.7.1 Mid Sussex Council Membership

This is a discounted membership scheme for employees of the Council to use the leisure facilities at its three leisure centres located within the district. This benefit is open to all contracted employees.

4.7.2 Health and Life Insurance Cover

All Chief Officers are eligible for health and life insurance cover, the detail of which is contained within the Statement of Accounts as referenced to in Section 4.1.1.

4.8 Pay and Performance

There is no separate provision or intention for performance related pay for any Council employee.

4.9 Pension

All employees as a result of their employment are eligible to join the Local Government Pension Scheme.

4.10 Severance Payments

We are already required to publish our policy on discretionary payments on early termination of employment as well as publishing our policy on increasing an employee's total pension scheme membership and on awarding additional pension where applicable.

Please refer to the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 as revised in 2010 for details regarding compensation for loss of employment as a result of both voluntary and compulsory redundancy.

Given that the formula for statutory redundancy payments based on age and service is deemed by the Government to be permitted under the EU Directive on Age, as per regulation 33 of the Age Discrimination Regulations, the Council will link compensation payments to the statutory redundancy pay calculator.

In cases of voluntary redundancy, the Council will use a multiplier of 2.1 (i.e. multiplying the number of weeks' pay the employee would be entitled to under the statutory formula to the factor of 2.1), giving a maximum payment of 63 weeks' pay, including the statutory redundancy payment.

In cases of compulsory redundancy, the Council will use a multiplier of 2 (i.e. multiplying the number of weeks' pay the employee would be entitled to under the statutory formula to the factor of 2), giving a maximum payment of 60 weeks' pay, including the statutory redundancy payment.

Employees who are members of the Local Government Pension Scheme are given the option of converting compensation payments (less the statutory redundancy payment) into additional pensionable service on a strictly cost-neutral basis, in accordance with the formula published by the Government.

The Council will not make use of the augmentation provisions of regulation 52 of the LGPS.

Any other payments on early termination of employment will only be agreed on the basis of the latest guidance, which forms part of the best value regime for local authorities in England as set out in section 3 of the Local Government Act 1999.

Current guidance makes clear that special severance payments may be made, but only in exceptional cases, and only when there is a clear evidenced justification for doing so. Any payments that are made must be fair, proportionate, lawful and provide value for money for the taxpayer. Any exit payment which includes a special severance payment of above £100K must be approved by Council.

The Council would not consider it appropriate to re-employ any employee, including a Chief Officer who had previously received a redundancy or severance package on leaving Mid Sussex District Council within the previous five years. Nor would it be considered appropriate for that individual to return on a 'contract for services'.

4.11 New starters joining the Council

Employees new to the Council will normally be appointed to the first point of the salary range for their grade. Where the candidate's current employment package would make the first point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a higher salary may be considered by the recruiting manager. This will be within the salary range for the grade. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.

5. Relationship between remuneration of "Chief Officers" and "employees who are not Chief Officers"

The ratio between the mean average Chief Officer earnings and the mean average earnings across the Council is 100:35.

The ratio between the mean average Chief Officer earnings and the lowest grade currently used is 100:12.

This calculation is based on all taxable earnings for the year, including base salary, allowances and the cash value of any benefits in kind where appropriate.

MID SUSSEX DISTRICT COUNCIL

Appendix B Equality Impact Assessment

Title of Policy/Service/Contract: Pay Policy Statement

Division: HR

Lead Officer: Simon Hughes

Date Assessment completed: June 2022

1. SCOPING

<p>1.1 What are the aims of the policy, service/service change or contract? The aim of the Council's Pay Policy Statement is to ensure that pay across the Council is transparent and to provide the opportunity for consideration of pay equality and understanding of value for money.</p>
<p>1.2 Who does the service/policy/contract affect? Who are the main customers (internal or external)? The Pay Policy Statement reflects staff salaries across the Council. It also describes the Council's approach to severance payments. It is available to anyone who visits the MSDC website.</p>
<p>1.3 What equality information is available, including any evidence from engagement and analysis of use of services? Equality information that is available will have been recorded on the XCD HR system. An annual workforce monitoring report is produced and published on the Equality and Diversity page of the Council's website, including breakdowns of numbers at each pay scale by ethnicity, disability, age and gender. The latter includes the overall gender pay gap. The Council reports on the employment profile of staff each quarter, and this is available on the Working at Mid Sussex page of the Council's website.</p>
<p>1.4 What does this information tell us about the equality issues associated with the service and implications for the protected groups? The Council's Median Gender Pay gap for 2020/21 was 10% against the overall national average of 15.5% and 12.2% for local government administrative staff; and the numbers of top 5% of earners who are women is above national trends.</p>
<p>1.5 Are contractors or partnerships used to deliver the service? No If No go to section 2. If yes, please refer to the guidance notes for completing impact assessments and complete the next three questions.</p>
<p>Identify the contractors/partnerships used to deliver the service. N/A</p>
<p>What is their contribution to equality in service delivery and the promotion of equality? N/A</p>
<p>How are equality issues addressed through contractual arrangements and service level agreements? N/A</p>

2. Assessment of Impact on People with a Protected Characteristic; Analysis and Action Planning

Any gaps in information or provision, opportunities to promote equalities and good relations identified above need to be translated into SMART actions and recorded here. These actions need to be delivered and monitored through the service planning process.

Opportunity to promote equality, good relations and/or address barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Age (older / younger people, children)				
Any potential age-related pay gaps need to be monitored.	Workforce monitoring shows distribution of pay scales for staff by age bands.	Further update of the Pay Policy Statement following implementation of the restructure.	Tim Martland	Pre and post update assessment to gauge change in distribution of age across pay scales following implementation of the restructure.
Disability (people with physical / sensory impairment or mental disability, including those with a non-visible disability)				
Any potential disability related pay gaps need to be monitored.	Workforce monitoring shows distribution of pay scales for staff with a disability. The Council is a positive about disabled people employer	Further update of the Pay Policy Statement following implementation of the restructure.	Tim Martland	Pre and post update assessment to gauge change in distribution of disability across pay scales following implementation of the restructure.
Gender reassignment (a transgender person is someone who proposes to, starts or has completed a process to change his or her gender)				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
Pregnancy & maternity (pregnancy is the condition of being pregnant & maternity refers to the period after the birth)				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.

Opportunity to promote equality and/or barriers to service/differential impact	Current action taken to address these	Further actions required and timescales	Lead Officer	How will impact be measured
Race (ethnicity, colour, nationality or national origins & including gypsies, travellers, refugees & asylum seekers)				
Any potential ethnicity related pay gaps need to be monitored. June 2022	Workforce monitoring shows distribution of pay scales across ethnicity. The Council's website employment pages provide links to an Ethnic Minority website.	Further update of the Pay Policy Statement following implementation of the restructure.	Tim Martland	Pre and post update assessment to gauge change in distribution of ethnicity across pay scales following implementation of the restructure.
Religion & belief (religious faith or other group with a recognised belief system or not having a religion)				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
Sex (male / female non-binary)				
Any potential gender related pay gaps need to be monitored.	Workforce monitoring shows distribution of pay scales across gender and overall gender pay gap. Also % of women in senior management.	Further update of the Pay Policy Statement following implementation of the restructure.	Tim Martland	Pre and post update assessment to gauge change in distribution of gender across pay scales following implementation of the restructure.
Sexual orientation (lesbian, gay, bisexual, queer, questioning, heterosexual)				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
Marriage & civil partnership (marriage is defined as a 'union between a man and a woman'. Civil partnerships are legally recognised for same-sex couples)				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
Military families /veterans				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
People who are disadvantaged by socio-economic factors such as low incomes, skill or living in a deprived area				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.
People who live in a rural area				
None identified.	None at present.	None at present.	Tim Martland	Not applicable.

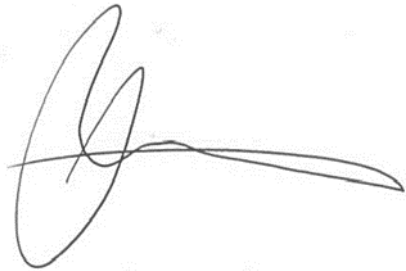
3. Mid Sussex District Council Equality Impact Assessment Summary

Key Findings	Future Actions
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Council - 29 June 2022</p> <ul style="list-style-type: none"> The aim of the Council's Pay Policy Statement is to ensure that pay across the Council is fair and transparent and provide the opportunity for pay equality. Having a clear policy helps the Council recruit and retain staff and demonstrate value for money to the taxpayer Equality data is produced providing breakdowns by salary bands against gender, ethnicity, disability and age. The gender pay gap remains at a reasonable level in terms of national targets. The Council has signed up to the Armed Forces Community Covenant which covers our work to support to local servicemen and women, veterans and their families. 	<ul style="list-style-type: none"> An updated Pay Policy Statement will be produced following implementation of the restructure. The next Annual Workforce Monitoring Report will also be based on the revised structure. Equality data will continue to be produced based on the revised structure to compare before and after breakdowns by gender, ethnicity, disability and age. The Council will continue to maintain a diverse workforce that is reflective of the local community.

4. Signing off this assessment and action plan

Tina Mudd

Signature Date ...June 2022.....
 Person undertaking the assessment



Signature Date ...June 2022.....
 Head of Service

SCRUTINY COMMITTEE RESPONSIBILITIES FOR 2022/23

REPORT OF: Head of Regulatory Services
Contact Officer: Tom Clark, Solicitor & Head of Regulatory Services
Email: Tom.Clark@midsussex.gov.uk - Tel: 01444 477459
Wards Affected: All
Key Decision: N/A
Report to: Council
Date of meeting: 29th June 2022 at 7 pm

Purpose of Report

1. To suggest amendments to the title and responsibilities of the three Scrutiny Committees in the light of changes in priority and Cabinet Member responsibilities to ensure clarity in which Scrutiny Committee deals with which subject matters.

Recommendations

2. **The Committee is recommended to agree:**
 - (i) Three Scrutiny Committees entitled (1)Scrutiny Committee for Leader, Deputy Leader and Housing and Customer Services dealing with the work carried out by the Leader, Deputy Leader and Cabinet Member for Housing and Customer Services,(2) Scrutiny Committee for Planning, Economic Growth and Net Zero to shadow the work of the Cabinet Member for Planning and the Cabinet Member for Economic Growth and Net Zero and (3) the Scrutiny Committee for Community, Leisure and Parking to shadow the work of the Cabinet Member for Community and the Cabinet Member for Leisure and Parking.
 - (ii) The three Committees will meet at 7 pm in the Council Chamber unless otherwise agreed by the relevant Committee Chairman.
-

Background

3. In order to provide clarity on which Scrutiny Committee is dealing with which topics, the Scrutiny Committees have shadowed the work of the Cabinet Members as notified to Council from time to time by the Leader. At the Annual Council on 11th May 2022, the responsibilities of the Cabinet Members were significantly changed as set out in Appendix 1 and, in order to be clear on some important subjects, it is suggested that changes are made to the responsibilities of the Scrutiny Committees so it is clear to all which matters will be considered by which Scrutiny Committee.
4. These suggested changes mean that the Leader, Deputy Leader and Housing and Customer Service Scrutiny Committee will deal with new matters around Housing, ICT and Digital, Equalities and Safeguarding. It will also deal with Housing and Benefits which ties in which its financial responsibilities. In addition, it will deal with the Centre for Outdoor Sports, Waste and some Landscape issues. It will also deal with projects under the Leader portfolio of Gatwick Airport, Burgess Hill Town Centre, Clair Hall and The Orchards Shopping Centre.

5. The Scrutiny Committee for Planning, Economic Growth and Net Zero will need to progress the District Plan to include the working party agreed in January 2022 and the need to ensure the policy on Economic Growth and Sustainability is energetically implemented.
6. The Scrutiny Committee for Community, Leisure and Parking will have responsibility for the Community Governance Reviews that are happening this year, the Leisure Contract as we move away from the major financial issues caused by the Pandemic and the further implementation of the Parking Strategy which started with an adjustment in parking fees in April 2022.

Policy Context

7. Climate Change and Net Zero have particularly significant issues for the Council and the changes in Cabinet responsibilities and the proposed Scrutiny Committee responsibilities reflect this priority.

Other Options Considered

8. To remain with the present Scrutiny structure which means time will be spent concluding where items should be reported to Scrutiny Committees with a wider number of staff needed at any particular meeting.

Financial Implications

9. None save that with no change in the Scrutiny responsibilities, a lot of time is likely to be spent trying to allocate particular work items to particular Scrutiny Committees.

Risk Management Implications

10. It is important both for Members and Members of the Public that there is clarity in which Scrutiny Committees deal with which items of business.

Equality and Customer Service Implications

11. None from this Report. Equality matters will still be scrutinised at Committee level.

Other Material Implications

12. None.

Sustainability Implications

13. Greater emphasis is put on Sustainability in the new responsibilities of Cabinet Members and the Scrutiny Committee for Planning, Economic Growth and Net Zero will have capacity to devote to this important matter alongside the extensive work required to progress the District Plan.

Background Papers

- The Council's present Constitution.

Cabinet Portfolios and Service Areas

LEADER – Cllr Jonathan Ash-Edwards

- Overall political management and direction of the Council
- Overall communications and media
- Strategic partnerships
- Cabinet appointments and responsibilities
- Council Budget and Corporate & Financial Planning
- Gatwick Airport
- Burgess Hill Town Centre
- Clair Hall
- The Orchards Shopping Centre

DEPUTY LEADER – Cllr John Belsey

- To deputise for the Leader
- To take responsibility for political leadership of significant and cross cutting policy areas
- Finance
- Corporate Estates and Facilities
- Landscapes
- Waste
- Centre for Outdoor Sports (CfOS)
- Liaison with sports clubs and organisations

CABINET MEMBER FOR ECONOMIC GROWTH AND NET ZERO – Cllr Stephen Hillier

- Economic Development
- Sustainable Economy Strategy and Net Zero
- Burgess Hill Growth Area
- Full fibre digital infrastructure

CABINET MEMBER FOR LEISURE AND PARKING – Cllr Ruth de Mierre

- Leisure Centres
- Parking (including Electric Vehicle charging)

CABINET MEMBER FOR COMMUNITY – Cllr Norman Webster

- Chairman of Cabinet Grants Panel
- Community Services (including Community Safety)
- Community Facilities Planning
- Emergency Planning
- Voluntary Sector Liaison (including grants)
- Legal Services
- Democratic Services
- Land Charges
- Environmental Health (incl. Licensing)
- Building Control

CABINET MEMBER FOR PLANNING – Cllr Robert Salisbury

- Planning Policy
- Development Management
- Housing Enabling

CABINET MEMBER FOR HOUSING AND CUSTOMER SERVICES – Cllr Rachel Cromie

- Housing Needs, Homelessness and Temporary Accommodation
- Revenues and Benefits
- Customer Services and Communications
- Performance Management
- ICT and Digital
- Equalities
- Safeguarding

Collective Responsibility of the Cabinet:

Collective responsibility for delivery against Council agreed Corporate Plan and Budgets, accountable to Council for performance across the service range.

RECOMMENDATIONS FROM CABINET – 6 JUNE 2022

FINANCIAL OUTTURN 2021/22

1. The Cabinet considered the outturn position for the 2021/22 revenue and capital budgets in the knowledge that the year saw the continued financial impact on the Council of the Covid-19 crisis.

Summary

2. Following closedown, the year-end position for 2021/22 is a net underspend of £144,000 after allowing for transfers to Reserves outlined within the Cabinet report. This is an improvement on the last report to Cabinet of February 2022 where a net overspend of £314,000 was projected (gross £1,191,000 less forecast reduction through use of both the £500,000 Leisure Covid Support Specific Reserve and £377,000 Income Compensation scheme grant).
3. The main changes in the last quarter of the year relate to increased recovery in income levels in many areas resulting in savings of £385,000 against budget, together with Council-wide salary savings amounting to around £93,000. Further detail of all variations since the last report, are shown in Appendix A of the Cabinet report.
4. Interest income during the year, totalling £174,818 was £1,818 more than the original estimate of £173,000 which is an improvement on the last reported position to Cabinet on 14 February 2022. Of the total interest received for the year, £707 has been utilised (refer to paragraph 28) leaving a balance of £174,111 to transfer to General Reserve.
5. Dividend income from investments in the Local Authorities Property Fund generated £220,768 in year; a shortfall of £19,232 against the £240,000 budgeted to finance the Revenue Budget for the year. The small shortfall in dividend income received will be comfortably met from General Reserve.
6. The capital outturn position shows a £1,459,000 underspend against the revised budget. This includes projects that came forward during the year totalling £3,813,000 which were unbudgeted at the start of the year. An analysis of this is shown in Table 2 of the Cabinet report. The total net expenditure from Specific Reserve and the General Reserve for 2021/22 is set out in Appendix C of the Cabinet report.

Recommendations

7. That Council approves
 - (i) that grant income as set out in paragraph 12 to 25 of the Cabinet report be transferred to Specific Reserves;
 - (ii) that requests totalling £82,000 be transferred to Specific Reserves as set out in Table 1 of the Cabinet report;
 - (iii) that balance of interest totalling £174,111 as set out in paragraph 27 of the Cabinet report is transferred to the General Reserve;
 - (iv) that the shortfall in Dividend income totalling £19,232 as set out in paragraph 31 of the Cabinet report is met from the General Reserve;
 - (v) that the 2022/23 capital programme be increased by £5,215,000 as a result of slippage of some 2021/22 capital projects as detailed in Table 2 of the Cabinet report;

- (vi) that the revenue underspend in 2021/22, totalling £144,000, be transferred to General Reserve.

CAPITAL PROGRAMME AND REVENUE PROJECTS UPDATE

1. Cabinet considered two new projects proposed to be added to the Capital Programme and Revenue Projects for 2022/23 and updates on The Orchards – improved Toilet provision project.

Summary

2. The Capital Programme and Revenue Projects for 2022/23, as approved at Council on the 2 March 2022, amounted to £4,128,000. This was increased by £1,138,000 to £5,266,000 as detailed in the Capital Programme Update report to Cabinet 21 March 2022, approved by Council on 30 March 2022. However, there are now two other projects that need to be added to the programme, as well as reporting an update for the 'Orchards – improved Toilet provision' project previously approved by Council on 30 March 2022. Further details are set out in the Cabinet report.

Recommendations

3. That Council approves:
- (i) the variations to the Capital Programme and Revenue Projects 2022/23 contained in paragraph 17 of the Cabinet report in accordance with the Council's Financial Procedure rule B3.