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**Respect the Past
Embrace our Future**

The Hurstpierpoint Society

The charity's first object is:

For the public benefit to protect and conserve
the natural and built environment of Hurstpierpoint
and the surrounding area

A Representation to
Mid Sussex District Plan 2021 – 2039
Submission Draft Document
Publication Stage

Presented on behalf of our 1,300 members

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Chairman
The Hurstpierpoint Society

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1. Introduction

- 1.1. The Hurstpierpoint Society, founded in 1962, is a well-supported village charity with over 1,300 members, all committed to improving and protecting our village environment. We take a particular interest in planning issues that might irrevocably damage the appearance and character of this historic village or the ecology of the surrounding countryside.
- 1.2. Following the Civic Amenities Act 1967 that required councils to determine areas of special architectural or historic interest and to designate them as conservation areas, the Society was one of the prime movers in achieving Hurstpierpoint's original Conservation Area in 1972, centred on the High Street. It was the third village in Sussex to obtain conservation Status and the village now has three conservation areas and almost 100 listed buildings.
- 1.3. Our bustling High Street contains both listed and unlisted buildings dating from the 14th century, including shops with living accommodation above. This results in a richness of streetscape which defines Hurstpierpoint as a village of character and charm. However, the High Street has a number of traffic issues, which have not been identified in any of the evidence documents. Therefore, we have undertaken a limited Traffic Survey, included as part of our submission, as this has a direct impact on the soundness of both the Evidence Base and related policies.
- 1.4. The early days of the Society centred on 'preservation and conservation', but the role has evolved over the years to one of protection and conservation. Whilst accepting that change has to occur, it is a case of both where and how this happens. The Society has invested in infrastructure projects relating to conservation and historical significance, and with more concern about environmental issues, we've looked at ways to improve the visual and environmental aspects of our village to leave a lasting legacy for future generations.
- 1.5. This response to the Mid Sussex District Plan 2021 – 2039 submission Draft (Regulation 19) follows on from the 'Regulation 18' response submitted in December 2022. The 'Regulation 18' response is included as an Appendix as we consider that some points raised before have not been thoroughly considered in this latest Submission Draft. It concentrates on the impact to the Parish of Hurstpierpoint & Sayers Common and surrounding area, both people, and the natural and built environment. There is no detailed response to Policy DPSC1: Land to West of Burgess Hill/ North of Hurstpierpoint, but the points raised about this site in our Regulation 18 response, page 14 paras 14.2 and 14.3 still apply. Although the site is now accurately described as being in the north of Hurstpierpoint.
- 1.6. The format of each section follows that set out on the Mid Sussex District Plan 2021 – 2039 Submission Draft Document Public Stage Representation Form. Details of why the Plan is not legally compliant or is unsound, are given. Where appropriate, suggested revised wording of policies is given in bold and highlighted in yellow.
- 1.7. [**NB** The Submission Draft of the Plan refers to the NPPF published in September 2023. This was updated in December 2023 and the new paragraph numbers are shown in square brackets following the number given for the September 2023 edition.]

2. Mid Sussex District Plan (Regulation 19) Sustainability Appraisal Environmental Report By JBA Consulting November 2023

2.1. The Sustainability Appraisal is a fair assessment of the impacts of the sites in Sayers Common based on the information available.

2.2. However, page 3 of the report states:

“The conclusions and recommendations contained in this Report are based upon information provided by others and upon the assumption that all relevant information has been provided by those parties from whom it has been requested and that such information is accurate. Information obtained by JBA has not been independently verified by JBA, unless otherwise stated in the Report.”

Justification why this is unsound:

Reason 1 - Transport

2.3. The Appraisal highlights several problems with the proposed development and the introduction of 2,393 homes into Sayers Common, a rural location with little current infrastructure. It states that due to its location:

“it is likely that not all the needs of the community would be met on site, with some reliance on private car use and increased traffic on the surrounding road network to some extent.”

2.4. This is contrary to NPPF paras 85 [89] and 110 [114] regarding impacts on local roads especially in a rural location.

2.5. NPPF Para 85 [89]

“Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

2.6. NPPF Para 110 [114]

“In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

(d) “any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”

2.7. The sites in Sayers Common are not physically well-related to existing settlements, and although there are very good connections to the A23 for north-south travel **by car**, travel to the local train stations at Hassocks, Burgess Hill and Wivelsfield is difficult as the routes are heavily congested at peak times throughout the day.

2.8. The reasons for the congestion in Hurstpierpoint are easy to understand in the context of the historical development of the village. The High Street dates back to mediaeval times to an era where horsepower literally meant the power of a horse, when sheep drovers drove their sheep and many people walked. The [Hurstpierpoint Conservation Area Appraisal](#) (2018) produced by Mid Sussex District Council in association with Hurstpierpoint Society, states on page 12:

“A major impetus for the growth of Hurstpierpoint at this time [the 19th Century] was the improvements in travel and transportation which took place during the second half of the 18th century and the first half of the 19th. Before the late 18th century little traffic passed through the Parish and what there was mainly relatively local, such as visitors to local farms or sheep drovers. Goods were transported mainly by packhorse. A significant reason for this was the terrible state of the local roads, particularly those running through the heavy Wealden clay, which would become all but impassable in winter.

From the middle of the 18th century turnpike trusts were created around the country to enable the improvement of the road network by allowing the charging of tolls for the use of certain routes. In 1777 the Henfield to Ditchling Turnpike was established, following the line of the existing main east-west route through Hurstpierpoint, which included the High Street. There were tollhouses to the east of the White Horse Public House (on the western edge of Hurstpierpoint village) and just before New Way Lane (to the east)

The Henfield-Ditchling turnpike became a cross-country coaching route, linked in time with the improved London-Brighton road (works carried out partly for the benefit of the then Prince Regent).”

2.9. The High Street in Hurstpierpoint is still an important East-West route but it is not a straight road, having developed around the position of older houses. In some sections, it is only suitable for a single lane of traffic. Naturally at peak times of travel, such as commuters going to and from Hassocks station, or children travelling to and from schools and colleges, it becomes very congested as cars try to navigate the pinch points. When wider vehicles such as buses, vans and lorries are using it throughout the day, even more problems occur.

- 2.10. The extent of the congestion caused by through-traffic makes it difficult to travel at more than walking-pace at times, which means most incidents are relatively minor such as cars shunting into one another, scrapes along the vehicle's side, or wing mirrors dislodged, and are not reported. Whilst these are relatively minor, they cause frustration for drivers and can result in very abusive language and behaviour, creating a negative impression of the High Street. The common practice of cars/vans/lorries mounting pavements to avoid collisions is having a detrimental effect on the fabric of the road and pavements. This, coupled with abusive behaviour, has an impact on the vitality and viability of the High Street.
- 2.11. There are also more serious incidents but fortunately so far (through luck rather than judgement considering the amount of development the village has seen during the last 20 years), no fatalities. This means that the level of travel problems in the village is not regarded as being 'severe' in the West Sussex Transport Plan 2022 - 2036, (an evidence document for the District Plan) and meets the requirements of NPPF para 111 [115]

“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.”

- 2.12. Due to the lack of evidence regarding the incidents in the High Street, Hurstpierpoint Society have recently undertaken a limited traffic survey to document the traffic with the hope that a thorough assessment will be undertaken by West Sussex Highways. The survey is attached as part of our Regulation 19 response to highlight the problems. It found that during the 9½ hours for which data was collected, over 4,000 vehicles of various descriptions traversed the historic High Street, and it identified many instances of cars having to dangerously mount the pavement in order to progress. However, without a more comprehensive report, the true impact of the additional housing in Sayers Common, together with the provision of 90 houses, Policy DPA12 (see Page 18), on land west of Kemps, cannot be accurately assessed. Any significant impacts from these developments on the transport network (in terms of capacity and congestion), or on highway safety, cannot be cost effectively mitigated to an acceptable degree due to the limitations of the road layout, which is contrary to NPPF para 110(d) [114(d)], as shown by previous attempts to improve road safety.
- 2.13. Therefore, the assessments relating to Transport for the Sayers Common and Hurstpierpoint sites in the Sustainability Appraisal are unsound.

Reason 2 - Landscape and Biodiversity

- 2.14. The Appraisal describes the sites allocated in Sayers Common are being comprised of a large area of agricultural / pastoral land situated between Sayers Common and High Cross. It states that:

“the provision of “significant open space and landscaping”, alongside requirements set out in other District Plan policies in relation to provision of ecological networks and GI, would help to minimise potential for adverse impacts on biodiversity. The policy could potentially result in a negligible impact on biodiversity”.

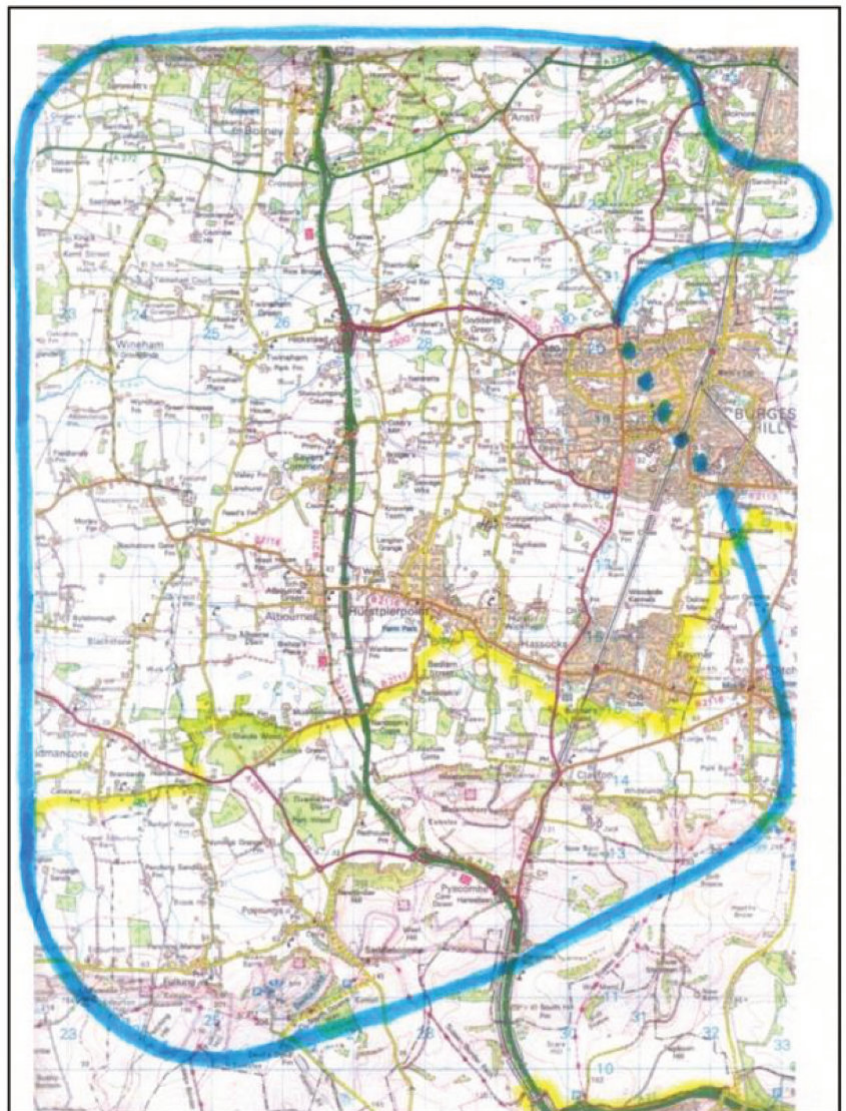
2.15. In 2004, following the Inspector's report in the West Sussex Structure Plan 2001-2016, published in March 2003, (referred to on page 19 of the Hurstpierpoint society's Reg 18 response), officers from Mid Sussex District Council met with local Parish Council representatives to set up reviews of the biodiversity in local areas. In the Parish of Hurstpierpoint and Sayers Common this work was undertaken by The Woodland, Flora & Fauna Group, and the data lodged with the Sussex Biodiversity Record Centre. However, due to the turnover of staff within MSDC, no current officers were aware of its existence.

2.16. More information is given in the Society's response to the Habitats Regulations Assessment (HRA) of the Plan, with specific reference to the presence of Bechstein's bats. These bats are protected in the UK under the Wildlife and Countryside Act, 1981. They are a Priority Species under the UK Post-2010 Biodiversity Framework and a European Protected Species under Annex IV of the European Habitats Directive. They are also listed as Near Threatened on the global IUCN Red List of Threatened Species. Despite this, they have not been included in the HRA and therefore not considered as part of this Appraisal.

2.17. A further example of The Woodland, Flora & Fauna Group's work is the creation of a Barn Owl Conservation Area within the Parish of Hurstpierpoint & Sayers Common, as shown aside (Taken from the Group's website).

2.18. Again, this work was not made available in the context of this Sustainability Appraisal. This covers a large area as barn owls are not confined to the vicinity of their nest but need extensive areas of open countryside to survive. It illustrates how wildlife cannot be made to follow ecological networks using corridors to link with areas of open space.

2.19. The work of The Woodland, Flora & Fauna Group in protecting the countryside has continued from 2004 and information should have been available for the Sustainability Appraisal of the significant sites in Policies DPSC1 and DPSC3-7 (see pages 13-17), together with the site in Policy BPA12.



The Woodland, Flora & Fauna Group Barn Owl Conservation Area.

2.20. For these reasons, the assessments relating to Landscape and Biodiversity in the Sustainability Appraisal are unsound.

3. Habitats Regulations Assessment (HRA) of the Mid Sussex District Plan Regulation 19 November 2023 prepared by AECOM Limited.

3.1. The HRA document states that:

“There is no pre-defined guidance that dictates the physical scope of an HRA of a Plan document. Current guidance suggests that the following European sites should be included in the scope of an HRA assessment:

- *All European sites within the boundary of Mid Sussex District; and,*
- *Other European sites shown to be linked to development in Mid Sussex through a known ‘pathway’”*

3.2. The Assessment concentrates on the European Sites of the Arun Valley SAC, the Ashdown Forest SAC and SPA, and Castle Hill SAC, which means that other areas of important biodiversity are not considered, despite being impacted by the ‘significant sites’ in the Plan.

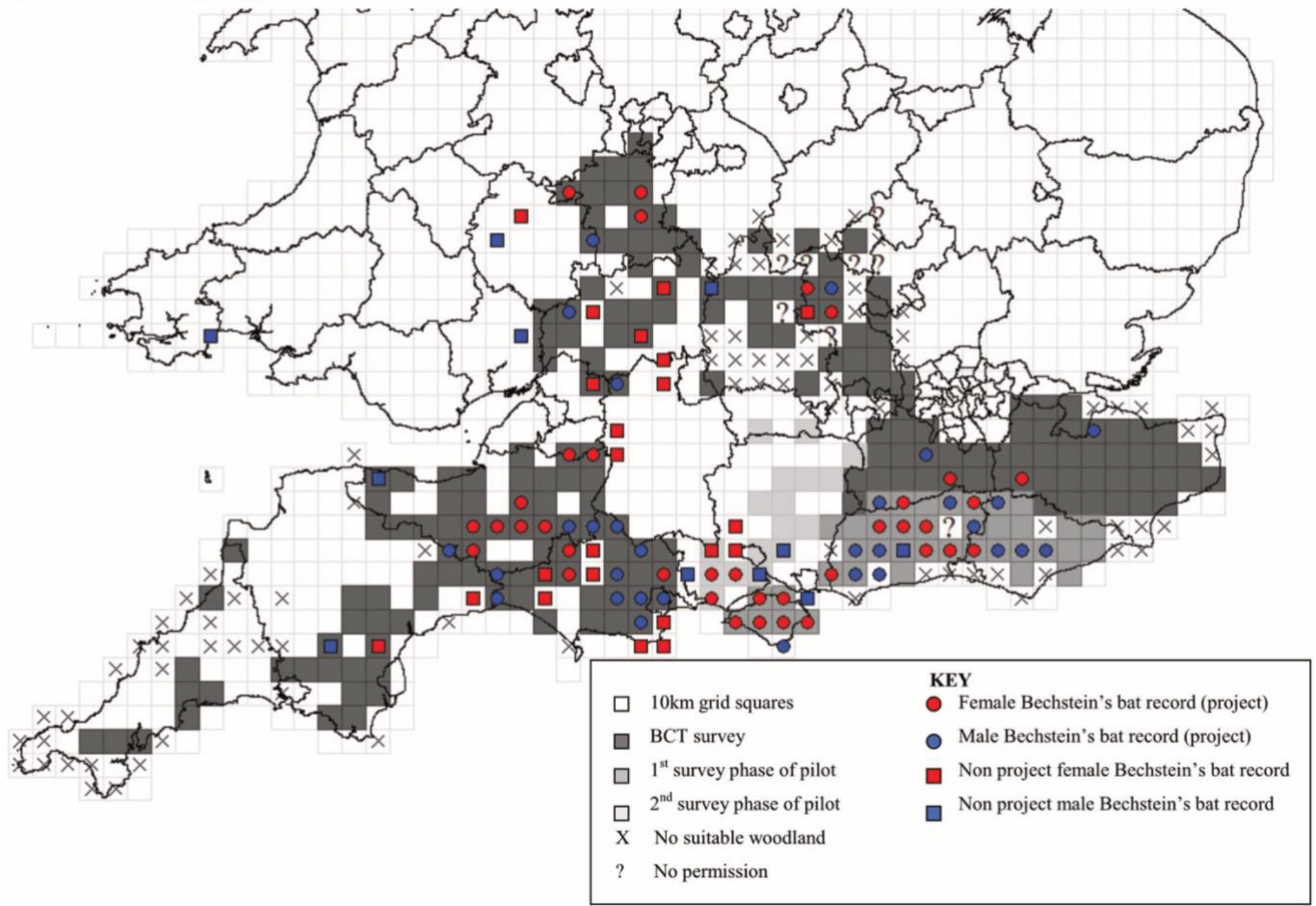
Justification why this is unsound:

3.3. The Reg 18 consultation response submitted by Hurstpierpoint Society included details of the long-term work undertaken by The Woodland Flora and Fauna Group. They documented the biodiversity of the landscape in the Parish of Hurstpierpoint & Sayers Common, and prepared a Phase 1 Habitat Survey, which was started in 2004 and completed in 2010. The Group collected data from every metre of countryside within Hurstpierpoint & Sayers Common Parish and this survey is now held by the Sussex Biodiversity Record Centre.

3.4. In 2008/2009 a bat conservation project was embarked upon to assist the dwindling bat species in our area. The Woodland Flora and Fauna Group have mounted scores of nesting and hibernation boxes in woodlands throughout the local countryside and Bechstein’s bats are now nesting in these and hunt daily across the area.

3.5. Bechstein’s bats are protected in the UK under the Wildlife and Countryside Act, 1981. They are a Priority Species under the UK Post-2010 Biodiversity Framework and a European Protected Species under Annex IV of the European Habitats Directive. They are also listed as Near Threatened on the global IUCN Red List of Threatened Species.

3.6. These findings are supported by a survey undertaken by the Bat Conservation Trust from September 2007 – September 2011 to map the location of these rare bats in Southern England. The Bechstein’s bat records collected as part of the BCT project are shown on the map below (pg 7)



Where both males and females were found in a square, just a red dot indicating female presence is displayed.
 Records collected during the pilot project (on which this work is based), in Sussex, Isle of Wight and parts of Hampshire area also included in this figure.

3.7. NPPF para 179 [185] states:

“To protect and enhance biodiversity and geodiversity, plans should: Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”

3.8. It is concerning that plan-making and decision-taking to add nearly 4,000 houses in the Parish of Hurstpierpoint & Sayers Common are based on less than comprehensive information about the biodiversity in the Parish. For this reason, the Habitats Regulations Assessment and policies using this information, should be considered unsound.

4. DPC1 Protection and Enhancement of the Countryside

4.1. The introduction to Chapter 10 on countryside states:

“Not all land has been surveyed in detail and more detailed field surveys may be required to inform decisions about specific sites. Where identified, Grades 1, 2 and 3 agricultural land should be protected from development. This is land which is most flexible, productive and efficient and can best deliver future crops and pasture for food and non-food uses”.

4.2. DPC1 states:

“Where significant development of any grade of agricultural land is demonstrated to be necessary, detailed field surveys will need to be undertaken and proposals will be expected to use areas of poorer quality land in preference to that of higher quality.”*

**Significant development will be determined on a case-by-case basis.*

4.3. The Plan refers to “The Capacity of Mid Sussex District to Accommodate Development Policy Study” (June 2014, paragraph 2.138) and this shows the land around Sayers Common to be Grade 3. The data in the Capacity Report is taken from the MAFF document “Agricultural Land Classification of England and Wales” October 1988, and this defines Grade 3 as good to moderate quality agricultural land. This is *“land with moderate limitations which affect the choice of crops, timing and type of cultivation, harvesting or the level of yield.”* The report also states that the data has a number of limitations, which makes it better for strategic planning rather than detailed site assessment.

4.4. Both reports are defining agricultural land at a time when food supply chains were generally better. On 20 November 2023 the UK hosted a Global Food Security Summit ‘*towards zero hunger and ending malnutrition.*’ The Chair’s overview, Published 19 December 2023, highlighted:

“the world is facing a protracted food security and nutrition crisis driven by climate changes, escalating conflicts, and economic disruption, exacerbated by inflation, debt stress and the volatility of world food prices.”

4.5. Whilst these may currently be more extreme elsewhere in the world, in 2023 in the UK there were shortages of eggs and oil, with supermarkets forced to ration tomatoes and cucumbers in February 2023 due to poor weather conditions in southern Europe. We are only just beginning to see the impact of climate change on the UK food supply chain and looking at how to make the UK more self-sufficient. Previously, when there was a more reliable global food supply chain, protecting our agricultural land seemed less important. However, whilst a strategy for food security is still being developed, it is very short sighted to include potentially valuable agricultural land in the significant site selection process.

4.6. Therefore, it is responsible to suggest that Policy DPC1 be strengthened to read:

“Where significant development of any grade of agricultural land is demonstrated to be necessary, detailed field surveys **must** be undertaken and proposals **should only use areas of poorer quality land to preserve potentially higher quality land for the future.**”*

5. DPH1: Housing and DPH7 Housing Mix Policies

5.1. Policy DPH1 states:

The district's Local Housing Need (LHN) is a minimum 19,620 dwellings over the Plan period.

The housing need will be met from the following sources:

Commitments (Existing allocations and Permissions)	9,921
Completions 2021/22	1,187
Completions 2022/23	1,053
Sustainable Communities	5,243
of which Significant Sites	4,700
DPSC1: Land to West of Burgess Hill / North of Hurstpierpoint	1,350
DPSC2: Land at Crabbet Park, Copthorne	1,850
DPSC3: Land to the South of Reeds, Sayers Common	1,500
of which Housing Sites DPSC4 - DPSC7	543
Housing Sites DPA1 – DPA17	1,444
Windfall allowance	1,768
<i>Of which larger identifiable sites</i>	466
<i>Of which smaller and other non-identifiable sites</i>	1,302
Total Housing supply from 2021 - 2039	20,616
Mid Sussex Housing Need	19,620
Total under/over supply for resilience and unmet need	+996

In order to minimise the pressure for additional housing development the net loss of residential dwellings will not be permitted unless there are specific circumstances that justify the loss.

Justification why this is unsound:

Reason 1 - Allocation to sites

- 5.2. Firstly, the table above differs from the table in DPSC GEN with the numbers for DPSC2 and DPSC3 transposed. The total for sites DPSC3 to DPSC7 is 2,393 increasing to 2,543 beyond the plan dates.
- 5.3. Additionally, the final number at Crabbet Park according to DPSC2 will be 2,000 dwellings.
- 5.4. As stated in the Society's response to DPSC GEN (see page 6), due to the current situation of financial constraints, political situations across the world and climate change, it is suggested that the significant sites DPSC1 and DPSC2 should be completed before work on a further significant site is started (if still needed). By increasing the numbers at Crabbet Park and utilising some of the over supply for resilience, it should be possible to find room for dwellings in other locations, without including the land at Sayers Common.

Reason 2 - Population trends

- 5.5. The figure of 19,620 has been calculated using the standard method, including figures from the Census 2021 undertaken during the Pandemic. ONS state that they have tried to adjust the figures to take account of anomalies arising during the Pandemic but caveats the results by saying that these are not counts, but estimates, and are subject to the coverage and error associated with these sources.
- 5.6. Data from the ONS shows that the population of Mid Sussex grew by 9.1% in the period from 2011 to 2021. The figures also show that 9.3% of people living in Mid Sussex were living at a different address within the UK one year before the Census. There is insufficient information to indicate whether decisions to move were influenced by the impact of the Pandemic, however Hamptons Estate Agents carried out research in 2023 to gauge the property market in and around London. They used figures scaled up to reflect the whole market using HM Revenue and Customs (HMRC) transactions data, making some assumptions for the number of home sales set to be completed in 2023. The results are summarised below:

“Londoners still made up 7.7% of all buyers purchasing property outside the capital in 2023, up from 7.3% in 2022 and 6.8% in 2019, However, the pace of London outmigration remains lower than when it peaked at a 15-year high of 7.8% in 2021.”
- 5.7. This recent report illustrates the social and environmental changes occurring since 2021 and raises a concern as to how far the figures in the Census 2021 should be used to accurately predict housing site requirements over the period to 2039.

5.8. DPH7 Housing Mix

5.9. DPH7 refers to the 2021 Mid Sussex Strategic Housing Market Assessment (SHMA 2021) which relies heavily on the Census 2011 for its starting numbers.

5.10. The SHMA 2021 suggests the following housing mix, as used in Policy DPH7:

	1 bed/ 2 person	2 bed/ 4 person	3 bed/ 5 person	4+ bed/ 6 person
Market housing	5 – 10%	20 – 25%	40 – 45%	25 – 30%
Affordable Ownership	10 – 15%	50 – 55%	25 – 30%	5 – 10%
Affordable rented	30 – 35%	40 – 45%	15 – 20%	5 – 10%

Justification why this is unsound:

- 5.11. Whilst the higher percentages for 1 and 2 bed houses is noted in the affordable ownership and rented housing, the proportion in the market housing appears too low in a region that has a demand for smaller houses for both those wanting to downsize here (freeing up family homes), and young local people wanting to stay in the area.
- 5.12. In the more recent Census 2021 Mid Sussex is shown to have an above average number of 4+ bedroom housing and a higher percentage of underoccupied housing than the average for England.
- 5.13. Policy DPH7 states that the mix above is open to adjustments depending on the site characteristics and location, the need at the time and if there are financial viability reasons. With the information already available and the level of housing need shown in DPH1 (page 8), the housing mix ranges could be adjusted now. An increase in the number of smaller properties increases the overall number of dwellings over the same land area and would reduce the amount of building on green field sites

Summary DPH1: Housing and DPH7 Housing Mix Policies

- 5.14. With so many changes and unknowns in both population trends and housing types required, is it acceptable to build 2,393 new dwellings on greenfield sites in Sayers Common, which currently has a lack of existing local infrastructure? For the above reasons DPH1 and DPH7 are considered unsound.

6. DPSC GEN: Significant Site Requirements

6.1. The rationale behind DPSC GEN proposals is understood in that a high enough number of new dwellings will be able to support the provision of new services and facilities. The concern relates to the prospect of 3 significant areas being developed concurrently and whether this is feasible.

Justification why this is unsound:

6.2. We are in a changing period of financial constraints, unstable political situations in several areas of the world, and climate change. This could lead to sites being started but not finished and strain being put on nearby existing infrastructure. As stated in our response to Policy DPI1 (Section 10, pages 19,20), a Masterplan can fail without the necessary guaranteed funding. The 3 significant sites will be looking for funding for education, health and transport etc from the same sources, but the site in Sayers Common has none of the infrastructure required nearby, whereas sites DPSC 1 and 2 are close to existing infrastructure

6.3. As stated in our response to Policy DPH1 (paras 5.5-5.7), there are some doubts over the validity of the population predictions and infrastructure could be built without the necessary levels of population to support it, especially when trying to predict education requirements for different ages.

6.4. To avoid these pitfalls the following change to wording is suggested:

*All significant housing allocations must be delivered in accordance with the development plan policies when read as a whole. **Development across the 3 sites should not be concurrent but phased over the period of the plan. Significant site DPSC3 (and sites DPSC4 – 7) should not be started until DPSC1 and 2 have been completed to avoid conflict of demand and funding issues, and to ensure site-specific requirements set out in individual allocation policies can be met.***

7. DPSC3: Land to the South of Reeds Lane, Sayers Common

7.1. The land at this site has been put forward as a significant site in that it is the largest proposed site in Sayers Common with approximately 2,000 net residential dwellings. The infrastructure for sites DPSC3 - 7 will be located here and sites DPSC4 - 7 will make financial contributions to this requirement.

7.2. The Policy Requirements listed in Policy DPSC3 are:

		Hurstpierpoint Society Reference Paragraphs
	<i>Land to the south of Reeds Lane, Sayers Common, as shown on the inset map, is allocated as an urban extension to Sayers Common. Development shall provide all of the following:</i>	
1	Approximately 2,000 new homes, 1,850 of which are within the Plan Period; including provision for an extra care facility.	2.3.– 2.20. 3.3. – 3.9. 4.3. – 4.6. 5.1. – 5.7. 5.11.– 5.14. 6.2 – 6.4. 7.3 – 7.12. 8.1 – 8.10. 10.2 – 10.5.
2	<i>A site for six serviced permanent pitches for Gypsies and Travellers in line with Policy DPH5: Gypsies, Travellers and Travelling Showpeople. Delivery is to be phased alongside the delivery of other new homes. Pitches should be provided onsite unless the applicant can demonstrate that these pitches can be provided on an alternative site which is suitable, available and within the applicant’s control. Land provided (whether onsite or offsite) for this purpose will be secured through an appropriate legal agreement.</i>	
3	A Neighbourhood centre towards the eastern part of the site which has a range of community facilities including library, cafe, retail, co-working space, employment and potential healthcare. A local centre should be provided in the western part of the site offering further community facilities.	10.1. – 10.5.
4	<i>Extra care housing to contribute towards the overall identified need, as set out in Policy DPH4: Older Persons’ Housing and Specialist Accommodation. Such provision should be located near to the Neighbourhood Centre.</i>	
5	Two transport mobility hubs located close to/within each of the neighbourhood and local centres. The hubs should include public transport connections with co-location of delivery lockers and shared transport facilities – cycle/E-bike, Car Club, Electric Vehicle charging points, taxi pick-up/drop-off point.	8.8. 8.9.
6	New all-through 2FE (expandable to 3FE) primary and 4FE (expandable to 6FE) secondary school with provision of Early Years and Special Support Centre Provision and associated playing pitches.	7.6. – 7.10. 10.1. – 10.9
7	<i>Potential for Special Education Needs and Disability (SEND) facilities.</i>	

8	<i>New onsite terminal pumping station and new offsite wastewater treatment works subject to receiving the necessary permissions and permits. Land to the east of the A23, in the site promoters' control and defined on the Policies Map, is safeguarded for such a use.</i>	
9	A layout which prioritises active and sustainable travel connections throughout the site: a) Support delivery of a shared route with Significant Site allocation DPSC1: Land West of Burgess Hill/North of Hurstpierpoint, to Burgess Hill b) Integrate green travel corridors for cycle and pedestrian access throughout with potential for Reeds Lane to become pedestrian/ cycle priority Quiet Lane.	8.7.
10	Demonstrate a coordinated approach and collaboration with other housing allocations in the Plan within Sayers Common to deliver high- quality placemaking which supports the 20-minute neighbourhood principles, with direct enhanced active/sustainable travel connections and includes enabling the viability of new public transport services.	8.7. 8.9. 10.4. 10.5.
11	<i>Informed by a Heritage Statement, provide a layout and design which preserves the setting of Grade II Listed Buildings Wellington Cottage, North Pottersfield and South Pottersfield Cottages.</i>	
12	Follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of a surface water drainage scheme to deliver biodiversity/environmental improvements and flood resilience. Development will be expected to create a new wetland area adjacent to the eastern access point designed to ease flooding associated with the low point of the B2118.	7.7. - 7.11.
13	<i>Integrate and/or enhance the existing PRoWs that cross the site, reflecting their purpose within the overall scheme, and maximise opportunities to improve connections beyond the site, including footpaths 6Al with 4Al and 11Hu and 86Hu.</i>	
14	<i>The site lies within the brick clay (Weald) Mineral Safeguarding Area, therefore the potential for mineral sterilisation should be considered in accordance with the requirements of the West Sussex Joint Minerals Local Plan and associated Safeguarding Guidance.</i>	
15	<i>Investigate, assess and address any land contamination issues arising from former uses of the site or from uses, or former uses, of land in proximity to the site.</i>	
16	Meet the requirements of other relevant development plan policies.	7.6. 7.10. 8.3. 8.4. 8.5. 8.7. 8.9. 10.4.

Justification why this is unsound:

7.3. The separation of this site from the other sites in Sayers Common demonstrates the piecemeal strategy caused by sites being put forward by developers and then turned into a strategic decision to extend the number of dwellings in Sayers Common by a total of 2,543. Although the policies require other sites to make financial contributions to the required infrastructure, it is not clear what would happen if any sites did not go ahead.

- 7.4. The Financial Times reported in August 2023 that construction companies are going under at the fastest rate in a decade, and demand on money for all infrastructure projects is higher than the finances available.
- 7.5. Therefore, it is essential that the Society's suggested changes to Policies DPI1 and DPSC GEN (paras 4,6 and 6.4) are made to protect the Masterplan for the whole of the sites in Sayers Common, if these remain in the Plan.

Flooding Issues

- 7.6. It is concerning that MSDC's own **Strategic Flood Risk Assessment** map, produced by them, on 5th July 2015, was not used, as it fully conveys the risk of flooding on these sites, and has been used to establish safe building lines on previous applications nearby. It would be helpful if MSDC's drainage engineers would confirm where they consider to be safe building levels on these sites.
- 7.7. MSDC and WSCC were both party to the local flood protection '*Operation Watershed*' that carried out brook clearing in January 2016, including on the site DPSC4, to reduce, not stop, the amount of water inundation here. It is concerning that these former ox pastures are now considered safe area to build on.
- 7.8. Ongoing remedial work continues to be undertaken here, as recently as early February this year.
- 7.9. This site is in an area that has experienced surface water flooding and foul drainage problems for many years. The Met Office review of the UK's climate in 2023 concluded that the UK was relatively wet with 1,290 mm of rainfall, making it the UK's wettest year in a series going back to 1836. However, of more concern is that 2023-24 has seen the most active start to the storm season since naming storms began in 2015. Fortunately, Mid Sussex has escaped the worst of the storms so far in 2023-2024, but in other areas of England there have been notable reports of storms forcing people out of their homes and needing to use local community centres, often schools.
- 7.10. The Met Office review states:

"A warming climate means that an event that would have been exceptionally unlikely in the past has become one that we will increasingly see in the coming decades".

- 7.11. *Point 12 above refers* to mitigation but as we continue to learn about the impact of climate change it would be sensible to consider all eventualities and ensure that the Community facilities referred to in points 3 and 6 above are not located in an area that has previously experienced surface water flooding so that they can act as safe refuges in the event of serious flooding.
- 7.12. Therefore, it is suggested that the following amendment be made:

*12. Follow a sequential approach by directing development away from areas of flood risk, **especially those community buildings that could act as safe refuges in in the event of flooding**, and mitigate impacts through integration of a surface water drainage scheme to deliver biodiversity/environmental improvements and flood resilience. Development will be expected to create a new wetland area adjacent to the eastern access point.*

8. Master Plan Site Allocations in Sayers Common

DPSC3: Land to the South of Reeds Lane

DPSC4: Land at Chesapeake and Meadow View, Reeds Lane

DPSC5: Land at Coombe Farm, London Road

DPSC6: Land to west of Kings Business Centre, Reeds Lane

DPSC7: Land south of LVS Hassocks, London Road

Justification why this is unsound:

8.1. When all the sites are looked at together, as intended in the Masterplan for Sayers Common, these sites will not meet the relevant development plan policies as required.

8.2. NPPF Para 174 [180] states:

Planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan).

8.3. As explained in our response to the Sustainability Appraisal and the Habitats Regulations Assessments (paras 2.2. - 2.20. and 3.3.- 3.9.), these reports are unsound as there are significant omissions. Therefore, Policies DPSC3-DPSC7 directly contravene Policy DPN1: Biodiversity, Geodiversity and Nature Recovery, which states that:

“Biodiversity and geodiversity will be protected because they are important natural capital assets and provide benefits as part of ecosystem services.

Direct and indirect damage and harm to existing important ecological assets will need to be avoided.”

8.4. Policies DPSC3-DPSC7 also contravene Countryside Policy DPC1 (Protection and enhancement of the Countryside) and Policy DPC2 (Preventing Coalescence). These policies have formed the backbone of protecting the local gaps in and around the Parish of Hurstpierpoint & Sayers Common, especially here between Sayers Common and Albourne

8.5. The Hurstpierpoint & Sayers Common Neighbourhood Plan 2015 states:

“The pattern of this area of central Sussex is defined by the high density of small towns and villages separated by countryside, mostly under agricultural management, and areas of woodland. Each settlement has its own community and distinct character and local history which contribute to the quality of life in this part of the county. The area of the Parish is no exception to this and sometimes small distances between neighbouring towns and villages require protection from new development which could otherwise lead incrementally towards coalescence of settlements, the inter-visibility between separate communities, or a change in their pattern which could urbanise their character. Local Gaps in accordance with District Plan Policy DP10 and Local Plan Policies C2 & C3, are identified where development would

individually or cumulatively result in coalescence and the loss of the separate identity and amenity of neighbouring settlements.

POLICY Countryside HurstC3 Local Gaps and Preventing Coalescence:

Development will be permitted in the countryside provided that it does not individually or cumulatively result in coalescence and loss of separate identity of neighbouring settlements, and provided that it does not conflict with other Countryside policies in this Plan. Local Gaps between the following settlements define those areas covered by this policy:

*Hurstpierpoint and Hassocks;
Sayers Common and Albourne;
Hurstpierpoint and Albourne;
Hurstpierpoint and Burgess Hill.*

- 8.6. There can be no argument that these sites in Sayers Common will virtually destroy the local gap between there and Albourne.
- 8.7. The Plan proposes enhancing connectivity between all site allocations DPSC3 – DPSC7, the existing village and a link to the wider network facilitating delivery of additional routes off-site to other nearby settlements, including a link to Burgess Hill Town Centre (potential route shown at Appendix 3 of the Plan). The active travel route for cycling to Burgess Hill station includes travel through narrow country lanes with no lighting and liable to flooding at times. Whilst this may be attractive to some in fine weather, it is difficult to see how this can be classed as a sustainable solution to avoid travel by car for the majority.
- 8.8. NPPF Para 105 [109] states:
- “The planning system should actively manage patterns of growth in support of these objectives. [Promoting sustainable travel (sic)] Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making.”*
- 8.9. As stated in the Society’s previous Reg 18 response and the response to the Sustainability Appraisal, a radical new transport system would be needed to make these sites sustainable and persuade people not to use their cars. Without this, travel by car would be the preferred option, which is not only bad for the environment but would increase the traffic congestion in Hurstpierpoint and Burgess Hill. Once they reach the stations, where would people park? The residential roads in Hassocks are already full of commuter cars during the week. The District Plan and Burgess Hill Neighbourhood Plan include redevelopment of the area around the station, including the car parks, to include housing (300 dwellings in DPA3) and “mixed uses”. Policies DPSC4-DPSC7 include financial contributions towards improvements at Hassocks station but with no detail. Will this allow for additional car parking and where will it be?
- 8.10. For all the above reasons, Policies DPSC3-DPSC7 are considered to be unsound.

9. DPA12 Land west of Kemps, Hurstpierpoint

- 9.1. This policy proposes 90 houses with play areas and informal space, and financial contributions to infrastructure.
- 9.2. There is no information about the housing mix, or the density of housing required to accommodate 90 houses in this rural area.

Justification why this is unsound:

- 9.3. Hurstpierpoint Society has worked in conjunction with MSDC to protect the Heritage of Hurstpierpoint and initiated the formation of the Conservation Areas in the village, with the first being achieved in 1972. One of the special features of the Langton Lane Conservation Area is the open fields between Langton Lane and the edge of Hurstpierpoint village, and the setting of the 17th Century Langton Grange. Despite the aim to preserve the setting here, the Sustainability Appraisal of this site states:

“Heritage officer comments provided by the Council indicate that the development of the site could lead to a ‘high’ harm to the adjacent Langton Lane Conservation Area and Grade II Listed Building ‘Langton Grange’. Despite the policy requirements to “Provide appropriate mitigation” to address the impacts, informed by a Heritage Impact Assessment, it is likely that the loss of the current field systems would diminish the separation of the heritage assets from the settlement of Hurstpierpoint and could alter their settings. A minor negative impact on cultural heritage cannot be ruled out at this stage until the details of the proposals have been agreed (SA Objective 9).”

- 9.4. There is obviously a conflict of opinion on the level of harm/impact, but it is clear that NPPF para 199 [205] applies regardless of this:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

- 9.5. It is noted that financial contributions will be made to local infrastructure. However, Hurstpierpoint has seen a significant expansion over the last 20 years with major developments at The Grange, North and South of Chalkers Lane, and on the Little Park site, which forms an extension to Idenhurst, together with several smaller infill developments. Improvements have been made to local health and education infrastructure to accommodate the expansion to date, but these are now at, or nearing, full capacity.
- 9.6. In the Society’s response to the Sustainability Appraisal we detail the congestion problems with the roads in the centre of Hurstpierpoint. This development, in conjunction with other nearby developments, will make a difficult situation worse.
- 9.7. Without more information about the details of this proposal and its impacts on the heritage site, the landscape and local infrastructure, this policy is unsound.

10. DPI1-8 Infrastructure

10.1. The Plan states:

“The provision of the right levels and type of infrastructure is essential to support new homes, economic growth and the creation of sustainable communities. A strategic objective of the District Plan is to ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities.”

Justification why this is unsound:

10.2. However, recent history of the Burgess Hill Town Centre Regeneration highlights the problems that can be incurred with providing the necessary infrastructure. In a post, dated 24 February 2023, from Mims Davies, the MP for Mid Sussex since 2019 she says:

“I understand that whilst they had ‘big plans’ for the site these have not come to fruition due to financial constraints experienced, more recently as a result of the pandemic and the change in the retail environment and the growth in online shopping. Added to this some of the prospective businesses who had intended to come to the refurbished site have since collapsed, and without attracting new businesses to the centre, plans can often not progress.”

10.3. On 22 October 2023, following the failure to secure a share of the levelling up allocation, Mims Davies posted:

“The town centre is a stalled shopping centre redevelopment, and it is also harbouring several hundred undelivered brownfield homes due to the lack of unlocking Government funds which could unleash further private investment. We have a fully rounded District Plan and have always sought to deliver on our housing need however, Homes England are only able to assist us with greenfield development and not this town centre project.

This 2.5ha brownfield site has high vacancy rates and has seen a significant decline in trading performance. The town centre regeneration scheme has been unviable for many years because of changing retail trends and the pandemic.”

10.4. These posts demonstrate that even with a Masterplan, detailed projects can fail without the necessary guaranteed funding being in place from the start. If the necessary infrastructure is not in place to support the vision and objects for growth at Sayers Common to build 2,393 dwellings, as outlined in DPSC3 - 7 (pages 13 – 17), then this will create an unsustainable burden on the existing infrastructure in the Parish of Hurstpierpoint & Sayers Common and nearby villages. The scheme will be unable to meet the local living/20 minute neighbourhood principles that will be reliant on the proposed infrastructure.

- 10.5. Therefore, the following amendment is suggested to Policy DPI1 especially to avoid this problem with relation to Significant Site DPSC3, which currently does not have the infrastructure nearby to support this level of proposed housing:

DPI1 Infrastructure Provision

*Significant sites must prepare a site-wide Infrastructure Delivery Strategy demonstrating that the development will deliver, in a timely manner, sufficient infrastructure to cater for the needs of the proposed development as a whole and also mitigate to an acceptable level the effect of the whole development upon the surrounding area and community. **Where insufficient infrastructure exists locally to support the proposed significant site, there must be:***

- a) evidence for the sources of funding for each element of infrastructure identified in the Masterplan; and**
- b) a guarantee of the availability of that funding for each phase of the development of such infrastructure .**