

FELBRIDGE PARISH COUNCIL | RESPONSE TO MSDC DPD SITE ALLOCATIONS 2020

Part A – Your Details

1. Personal Details

Title	<input type="text" value="MRS."/>
First Name	<input type="text" value="PATRICIA"/>
Last Name	<input type="text" value="SLATTER"/>
Job Title (where relevant)	<input type="text" value="PARISH CLERK"/>
Organisation (where relevant)	<input type="text" value="FELBRIDGE PARISH COUNCIL"/>
Respondent Ref. No. (if known)	<input type="text"/>
On behalf of (where relevant)	<input type="text"/>
Address Line 1	<input type="text" value="FELBRIDGE VILLAGE HALL"/>
Line 2	<input type="text" value="CRAWLEY DOWN ROAD"/>
Line 3	<input type="text" value="FELBRIDGE"/>
Line 4	<input type="text"/>
Post Code	<input type="text" value="RH19 2NT"/>
Telephone Number	<input type="text"/>
E-mail Address	<input type="text" value="clerkfpc@aol.com"/>



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The information gathered from this form will only be used for the purposes described and any personal details given will not be used for any other purpose.

Part B Representation 1

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe that the Draft DPD has **not** been prepared in accordance with the legal and procedural requirements; including the duty to cooperate.

MSDC states that Town and Parish Councils were contacted during the formative stages of the DPD. The Statement of Community Involvement states “the community should be involved as early as possible in the decision making process when there is more potential to make a difference”. Felbridge Parish Council was not contacted at any point during the development of the DPD despite site SA19 being variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’.

The Regulation 18 consultation communications were severely restricted limiting the number of local residents aware of the consultation and thus the number of responses was low. The Council failed to publicise this stage of consultation in its own publication *Mid Sussex Matters* which goes to every resident in the District. The Summer 2019 edition was published in July but contains no mention of the forthcoming consultation. This lack of communication continued with the Regulation 19 consultation not being included in the July 2020 edition of *Mid Sussex Matters* despite the Press Release for the consultation being issued only 17 days later.

Even the MSDC consultations website fails to notify the public that there is an ongoing Regulation 19 consultation (see screen shot of 20/9/20 below).



Tandridge District Council have confirmed that they were not informed of the Regulation 19 consultation and have sought an extension to enable them to prepare a response. This is despite there being a Statement of Common Ground between MSDC and TDC.

Felbridge Parish Council feels strongly that residents have not been properly consulted as part of this process. Additionally it seems clear that the Duty to Co-operate has not been met given the fact that the adjacent authority of Tandridge was not consulted. This would also lead us to questions if sufficient co-operation has been undertaken with other authorities adjacent to Mid Sussex.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

The DPD should be withdrawn as it is not legally compliant - the consultation was not carried out in line with national policy or the MSDC Statement of Community Involvement.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

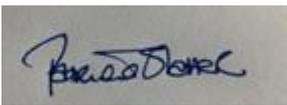
Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted



24th September 2020

Part B Representation 2

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

19

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA19 is **not Justified**

Site SA19 is variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’. Tandridge District Council have confirmed that they did not allocate sites in Felbridge as it is a tier 3 settlement and therefore not as sustainable as others. The site sits at the end of a thin strip of the East Grinstead built up area and is not connected to East Grinstead Town Centre with future residents having to travel through Surrey to get to East Grinstead.

The DPD repeatedly states that East Grinstead is a Category 1 settlement, however the sustainability assessment fails to account for the fact that site SA19 lies outside the settlement of East Grinstead. Felbridge is a rural village in Tandridge District, Surrey. It is defined as a rural settlement in the Green Belt with 532 dwellings within the built-up area of the Village Boundary. As a rural village, Felbridge has no doctor surgeries, pharmacy, dentist, opticians or any other such infrastructure. Due to the County and District Council process for handling infrastructure contributions resulting from development, not a single pound of funding has been contributed to any Surrey facilities or to fund any infrastructure improvements within Felbridge Village from the 120 Mid Sussex houses recently granted consent on the south of the village or any previous approvals.

The site has a significant area within the non-climate change EA flood zone 3, reducing the developable land area such that a housing density of 31dph would be required to achieve the 200 units allocated. This density is totally inappropriate for this location on the edge of the Village where the existing density is 14dph, and does not comply with DG34 of the Mid Sussex Design Guide.

Whilst we have submitted objections to Site SA20, we believe that site SA20 is a far more sustainable proposal than SA19 as it is located much closer to East Grinstead town centre and is of a scale that can deliver significant infrastructure within the site further reducing the need to car journeys. As there is additional land within the SA20 site and the proposed housing density for that site is only 8.5dph, **MSDC have failed in their sustainability assessment to consider the alternative of increasing the SA20 site to 750 dwellings to avoid the inclusion of the unsustainable SA19 site.**

Furthermore, in June 2020 (since the draft DPD was issued), Mid Sussex gave permission to turn the last remaining large office block, Grinstead House in Wood Street, into 253 residential apartments. This site was not previously allocated and thus counts towards the objectively assessed housing need. **Thus the allocation of Site SA19 is no longer required to deliver the housing allocation for East Grinstead.**

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as it is not justified

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

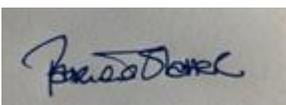
10. Please notify me when:

(i) The Plan has been submitted for Examination

(ii) The publication of the recommendations from the Examination

(iii) The Site Allocations DPD is adopted

Signature:



Date:

24th September 2020

Part B Representation 3

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

19 & 20

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe the Site Allocations DPD is **Unsound** as the inclusion of sites SA19 and SA20 is **not Justified** as it relies upon **unsound** transport assessments (failure to use proportionate data) and the site assessments provide no evidence that acknowledged highways constraints were considered when weighing these sites against others.

The existing severity at the Star (A22/A264) junction is massively understated in the DPD transport assessment which shows the A264 arm of the junction was at 65% capacity in 2017 and will increase to 105% by 2031 without any of the sites within the DPD being developed.

Mid Sussex Baseline data

	2017							
	AM Dem (Veh)	AM RFC (%)	AM Delay (s)	AM AvgQ (pcu)	PM Dem (Veh)	PM RFC (%)	PM Delay (s)	PM AvgQ (pcu)
A264 Copthorne Road (W)	676	61	15	2	609	65	21	3
A22 Eastbourne Road (N)	384	68	28	2	504	65	20	2
A22 London Road (S)	1326	73	70	14	1112	68	47	4

The MSDC model has produced RFC (Ratio of Flow Capacity) figures for the junction, these model outputs are only for priority junction (junctions without traffic lights). This junction is signalised and therefore the correct model to use is LinSig which would have produced DoS (Degree of Saturation) which is the measure for signalised junctions. Thus, the baseline data and any analysis using it is **unsound**.

Mid Sussex did have access to a more recent (2018) transport assessment that they jointly commissioned with Tandridge District Council. The data from that assessment was used to support the Tandridge Local Plan that is currently in examination. The Star junction baseline data from the TDC Plan is:-

Tandridge¹

Table 1-1 – Baseline Assessment 2018 Baseline Scenario

2018 Baseline Assessment	AM Peak Period			PM Peak Period		
	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)	Degree of Saturation	Mean Max Queue	Delay per PCU (secs)
A22 South	82.7%	16	16	83.6%	16	17
A264	106.6%	48	182	101.4%	33	115
A22 North	56.0%	9	31	96.0%	22	76

1

<https://www.tandridge.gov.uk/Portals/0/Documents/Planning%20and%20building/Planning%20strategies%20and%20policies/Local%20plan/Local%20plan%202033/Examination%20library/INFE31-Felbridge.pdf?ver=2019-11-25-104943-503×tamp=1574679016287>

This shows the junction was already above 106% capacity in 2018.

The junction severity was also evidenced by the Inspector for APP/M3645/W/18/3198090 who included in his decision (Para 34) data that demonstrates that the queue length of eastbound traffic on the A264 increases by 168 vehicles in the 2 hour period 4:15pm to 6:15pm. The throughput of the junction in the PM peak averages 719 vehicles per hour², thus the Inspector is recording that the junction was already operating at 112% of its capacity based upon 2018 traffic data. Since then 120 additional dwellings have been approved within 500m of this junction.

The severity of the Star junction is also being challenged by the Examination Inspector for the Tandridge District Plan as the junction is impacted by the proposed South Godstone Garden Community of 4,000 dwellings. The emerging Tandridge District Plan included mitigation of the impact by the proposal to create two lanes turning south from the A264 into the A22. This proposal has already been identified for implementation as mitigation for the 200 houses approved at Hill Place Farm [APP/D3830/W/16/3142487] and the 121 dwellings approved along Crawley Down Road and Cophorne Road [APP/M3645/W/18/3205537, APP/M3645/W/18/3198090 & TA2019/1453]. However, the funding for the works is identified in the Tandridge District Infrastructure Delivery Plan 2019 (examination document INF1) as being from a Housing Infrastructure Fund (HIF) bid. That bid was unsuccessful and the Examination Inspector has now requested further information on how the transport mitigation will be delivered [ID13].

The Barratt Transport Model submitted in support of site SA19 states the Star junction was operating at 84% in 2019, this is far below the Inspector's observation and the Tandridge District Plan data and further calls into question the validity of the transport models being used to support the inclusion of Site SA19.

MSDC have failed to use the latest transport assessment that they commissioned, even though that data is being used to support the latest Tandridge Local Plan.

The Statement of Common Ground between TDC and MSDC confirms that the parties agree mitigation is required at the Star junction, yet the transport assessment used to support the DPD shows it operating well below its capacity.

Both sites SA19 and SA20 were evaluated as 'high performing sites'. The site assessment section on *highways* was left blank despite the acknowledgement in the SoCG of the highways constraints in this area. Thus, no evidence has been presented to show that the acknowledged highways constraints were considered when weighing these sites against others.

The inclusion of Sites SA19 and SA20 is Unsound as proportionate data has not been used to justify them.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

² iTransport data submitted as evidence for this appeal.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Sites SA19 and SA20 should be withdrawn as proportionate data has not been used to justify them.

The latest Transport Study by WSP commissioned by MSDC & TDC should be published in full and its content used to inform the DPD.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

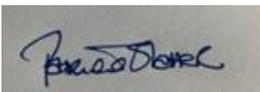
Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

(i) The Plan has been submitted for Examination

(ii) The publication of the recommendations from the Examination

(iii) The Site Allocations DPD is adopted



24th September 2020

Part B Representation 4

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

19

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe the Site Allocations DPD is **Unsound** as the inclusion of sites SA19 is **not Justified** as it does not comply with the Spatial Strategy and Settlement Hierarchy DP6.

DP6 defines the settlement hierarchy as;

Category	Settlement characteristics and function	Settlements
Category 1	Settlement with a comprehensive range of employment, retail, health, education leisure services and facilities. These settlements will also benefit from Heath good public transport provision and will act as a main service centre for the smaller settlements.	Burgess Hill, East Grinstead, Haywards
Category 2	Larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport.	Copthorne, Crawley Down, Cuckfield, Hassocks and Keymer, Hurstpierpoint and Lindfield
Category 3	Medium sized villages providing essential services for the needs of their own residents and immediate surrounding communities. Whilst more limited, these can include key services such as primary schools, shops, recreation and community facilities, often shared with neighbouring settlements.	Albourne, Ardingly, Ashurst Wood, Balcombe, Bolney, Handcross, Horsted Keynes, Pease Pottage, Sayers Common, Scaynes Hill, Sharpthorne, Turners Hill and West Hoathly
Category 4	Small villages with limited services often only serving the settlement itself.	Ansty, Staplefield, Slaugham, Twineham and Warninglid
Category 5	These small settlements have very limited or no services.	Hamlets such as Birch Grove, Brook Street, Hickstead, Highbrook and Walstead.

Felbridge is a rural village in Surrey with a small strip along its southern boundary falling within Mid Sussex District. Felbridge is separated from East Grinstead and Policy DP13 prevents the coalescence of Felbridge with East Grinstead.

Tandridge District Settlement Hierarchy Addendum 2018 states that “although the proximity of East Grinstead plays a role in Felbridge’s sustainability, the settlement itself can only demonstrate a basic level of provision and as such is categorised as a Tier 3 (rural settlement)”.

Felbridge village would therefore be defined as a Category 3 Settlement in accordance with DP6. As a category 3 settlement, Felbridge should not have been allocated 200 houses as the total allocation for all the category 3 settlements in Mid Sussex is only 238.

Site SA19 is variously described in the DPD and supporting documents as ‘a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’. It is clear that this site is intended to be an addition to the category 3 Village of Felbridge rather than to the category 1 town of East Grinstead to which the allocation belongs.

The inclusion of Site SA19 is Unsound as it is not justified in compliance with DP6.

We believe the Sustainability Appraisal for Site SA19 is **Unsound** as it has not been based upon an appropriate assessment. The inclusion of the site in the DPD is therefore **not Justified**.

Analysis of the Sustainability Assessment Criteria as applied to SA19

Social Sustainability Objective No. 3

Objective: To maintain and improve the opportunities for everyone to acquire the skills needed to find and remain in work and improve access to educational facilities

Indicators

Percentage of population of working age qualified to at least NVQ level 3 (or equivalent)

Percentage of adults with poor literacy and numeracy skills

Number of households within a 15 minute walk (approx. 1.2km) from a Primary School

Stated Impact for SA19: Significant positive impact

The selection criteria for housing sites in the ‘Site Selection Paper 2 - Methodology for Site Selection’ measures the sustainability objective solely on the distance between the proposed site and the nearest primary school.

NPPF (2018) paragraph 94 is quoted in support of this objective “It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should... give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications”.

The location of site SA19, is correctly assessed as being a 10 minute walk from the village school. However, the NPPF paragraph highlights the importance of sufficient school places being available.

Other than proximity there is no evidence to indicate that MSDC have assessed the school’s ability to provide sufficient places. The school is already oversubscribed. With a capacity of 214 pupils, the school website is advertising only 4 year 5 places on 16/09/2020.

MSDC have already permitted 120 new homes still to be built within a 5 minute walk of the school and now propose to allocate a further 200.

The school has limited capacity for expansion and lies over the border in Tandridge. Even if sufficient capacity could be accommodated Surrey County Council are unlikely to fund an expansion as there is no unmet education need in southern part of Tandridge. A ‘significant positive’ impact **cannot be justified**.

Social Sustainability Objective No. 4

Objective: To improve access to retail and community facilities

Indicators

Number of households within a 15 minute walk (approx. 1.2km) from a superstore/town centre/high street shopping facilities)

Number of households within a 15 minute walk (approx. 1.2km) from a convenience store
Number of households within a 15 minute walk (approx. 1.2km) from community facilities (e.g. community hall, place of worship, library)
Number of applications resulting in a loss of community facilities (e.g. shop, pub, place of worship, etc)
Stated Impact for SA19: Significant positive impact

The Sustainability Appraisal conclusions state that “All site allocations make a positive contribution towards the sustainability objective to improve access to retail and community facilities; all sites are within a 15 minute walk of the nearest convenience store.”

There is a small convenience store within a 15 minute walk (approx. 1.2km) of the site; also a ladies hairdressers, a village hall and a pub. However, town centre shopping facilities, restaurants, library and superstore are considerably further away being a 45 minute walk (approx. 3.6km).

This compares very poorly with allocated site SA18 (Former East Grinstead Police Station) located on the edge of the town. This site benefits from nearby town centre shopping facilities; community facilities including a theatre, library and place of worship; a selection of restaurants and a large superstore all within 15 minute walk. Site SA18 could justifiably be assessed at the highest level against the sustainability objective but for some reason falls short and is only rated as a ‘Positive’ impact.

Contrast this with the assessment of Site SA19 which has no town centre or superstore facilities but is given the top ‘Significant Positive’ rating. **This cannot be correct.**

Environmental Sustainability Objective No. 11

Objective: To reduce road congestion and pollution levels by improving travel choice, and reducing the need for travel by car, thereby reducing the level of greenhouse gases from private cars and their impact on climate change. (SEA)

Indicators

Number of households within a 5 minute walk (approx. 400m) of a bus stop with frequent service (3+ an hour)

Number of households within a 10 minute walk (approx. 800m) of a bus stop with less frequent service (less than 3 an hour)

Number of households within a 15 minute walk (approx. 1.2km) of a train station

Proportion of journeys to work by public transport

Percentage of residents living and working within Mid Sussex

Monetary investment in sustainable transport schemes (value of s.106 agreements)

Number of Air Quality Management Areas (AQMAs) within the District

Stated Impact for SA19: Significant positive impact

The site selection criteria for housing sites in the ‘Site Selection Paper 2 - Methodology for Site Selection’ refers to NPPF (2018 Paragraph 103) in support of the Sustainability Objective; “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, as with other sites, SA19 doesn’t appear to have been assessed against the Sustainability Objective at all, despite the widely acknowledged highways constraint in East Grinstead.

In October 2019, MSDC's jointly commissioned WSP traffic study reported that "The Felbridge junction has been identified as a constraint to development coming forward in Tandridge and the Felbridge/East Grinstead area. The junction currently operates above capacity leading to congestion during peak periods and at other times of the day"

The declining employment space taken together with the significant levels of committed development will result in further out-commuting. Allocating an additional 722 new homes in East Grinstead will serve only to exacerbate the problem

The nearest train station is a 45minute walk (3.6km) and there is no direct line to Crawley and MSDC rely on census data from 2011 to show that less than 15% of people travel to work by public transport.

Based on available evidence, the proposed allocations for East Grinstead will lead to significant increases in car travel using heavily congested roads. This indicates that the impact of these sites on the Sustainability Objective will be negative NOT 'Unknown'.

Economic Sustainability Objective No. 14

Objective: To encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres

Indicators

Total amount of floorspace for "Town Centre Uses" (A1, A2, B1a, D2)

Number of households within a 15 minute walk (approx. 1.2km) from a town centre superstore/town centre/high street shopping facilities)

Stated Impact for SA19: Significant positive impact

Site SA19 is located outside the built-up boundary on the edge of the rural village in Felbridge. MSDC regard Felbridge as an extension to East Grinstead and as such does not exist as a separate entity in their settlement hierarchy.

TDC classify Felbridge as a tier 3 medium sized village as it can only demonstrate a basic level of provision. The proposed site location for the 200 new homes is a 45 minute walk (3.5km) from the town centre facilities in East Grinstead. The nearest superstore and high street shopping facilities are equally distant.

There are no proposals in the Infrastructure Delivery Plan to improve the meagre facilities in the village and any CIL funding will go Mid Sussex and not to Tandridge.

There is no evidence provided to show how 200 houses on the edge of Felbridge will provide a positive sustainability impact but just rely on the general statement that they will "encourage the regeneration and prosperity of the District's existing Town Centres and support the viability and vitality of village and neighbourhood centres."

Without evidence to the contrary 200 more homes (in addition to the 120 already committed homes south of the Crawley Down Road in Felbridge) can only have a negative effect on the function and character of the village and therefore it **cannot be justified** to assess the site as having a 'significant positive impact'.

Economic Sustainability Objective No. 15

Objective: To ensure high and stable levels of employment so everyone can benefit from the economic growth of the District

Indicators

Percentage of Mid Sussex residents who are employed

Percentage of Mid Sussex residents who are economically active

Average weekly income (gross) for those who are employed in the District

Percentage of residents living and working within Mid Sussex

Job density (ratio of jobs to working age population)

Stated Impact for SA19: Positive impact

MSDC have recommended the allocation of 3 sites in East Grinstead and Felbridge for a total of 722 homes with no proposals for additional employment space.

MSDC's latest monitoring of housing supply to April 2020 shows that a further 984 homes (714 with permission) are already committed for East Grinstead. There has been a considerable loss of office space to residential development since the start of the plan period. The MSDC 2018 Economic Profile Study reported the stock of commercial office space to be less than 20,000m².

In July 2020, MSDC allowed the last remaining office block in East Grinstead to be converted into residential apartments. 254 new homes and 12,000m² (or 60%) of the remaining stock of office space was removed. Not only were 1,000 workers displaced from the town centre but the conversion will result in 500 or so extra residents who will struggle to find jobs locally.

When asked, MSDC said that they do not monitor the amount of office space lost to residential conversions. Therefore, they cannot know how much office space is currently available in East Grinstead in order to inform planning decisions.

All 3 sites in East Grinstead have been assessed to have a 'positive impact' on the Economic Sustainability Objective.

In the Sustainability Appraisal conclusion it states that "All site allocations have a positive impact on the sustainability objective to ensure high and stable levels of employment so everyone can benefit from the economic growth of the District".

No evidence is presented to support this general statement. On the contrary, there is evidence to suggest that allocating yet more sites to East Grinstead without more employment provision will have a negative impact.

Economic Sustainability Objective No. 16

Objective: To sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting

Indicators

Net increase/decrease in commercial (Use Classes B1(b,c), B2, B8) and office (B1(a) and A2) floorspace

Number of businesses within the District

Number of new businesses setting up in the District

Stated Impact for SA19: Positive impact

In its key findings, the MSDC 2018 Economic Profile Study says that “There has been a significant loss of office floor space to residential conversions particularly in East Grinstead”. No new employment space was allocated to East Grinstead in the local plan and none is proposed in the Site Allocations DPD. Therefore, the evidence indicates that East Grinstead has suffered a net decrease in employment space and yet, as a tier 1 settlement, expected to take a significant proportion of the district’s housing need. 782 homes have already been delivered in East Grinstead since the start of the plan period with 968 more homes with permission still to come, plus a further 270 allocated in the local plan. The Site Allocations DPD is now proposing to allocate a further 772 homes to contribute towards the shortfall of homes for Crawley workers.

The Sustainability Appraisal conclusions state “All site allocations have a positive impact on the sustainability objective to sustain economic growth and competitiveness across the District, protect existing employment space, and to provide opportunities for people to live and work within their communities therefore reducing the need for out-commuting.”

With a lack of new employment space in East Grinstead and a significant increase in the number of new homes and displaced office workers more out-commuting is inevitable. Despite this all the East Grinstead sites [SA18, 19 & 20] are rated as a ‘Positive Impact’ with no evidence to support their assessment. The decline in employment space and the rise of out-commuting is contrary to the stated Sustainability Objective so the sites proposed for East Grinstead must qualify for a ‘Significant Negative Impact’.

We therefore believe that the Sustainability Appraisal for site SA19 is **unsound** as it has **not used proportionate data to justify** its ratings for the sites against the stated indicators, and in comparison to other sites.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as a significant housing allocation to a Tier 3/Category 3 settlement is not justified.

Site SA19 should be withdrawn until a justified Sustainability Appraisal has been completed using

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

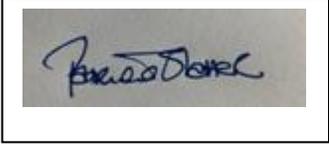
Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

Signature: 

Date:

Part B Representation 5

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

19 & 20

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA19 is **not Effective**

SA19 has an allocation of 200 houses within a gross area of 8.5 hectares, thus an average density of 23.5 dph. However, approximately 2 hectares of the site lies within the EA non-climate change flood zone 3, this reduces the developable area and therefore increases the density on the available part of the site to 31 dph. The SA19 Policy states that it is ‘to ensure all development avoids the flood extent for the 1 in 100 year event including climate change allowances’, this is likely to further restrict the developable extent.

The Site Selection Criteria states the developable area of the site to only be 6 hectares, thus the density of development would be 33 dph.

Site SA19 is described as being ‘sympathetic to the landscape setting and character of Felbridge’ yet the existing density in this area of Felbridge is 14 dph and a density of 31-33 dph would be inappropriate for this location on the edge of the Village where the existing density is 14 dph, and would not comply with DG34 of the Mid Sussex Design Guide.

Additionally, the Site Selection Criteria conclusion states the ‘potential to avoid adverse effects through reducing the density of the final scheme’. At a lower density this site would not deliver the allocated 200 houses and at a higher density would have significant adverse effects on Felbridge Village, local residents and amenity

At a density of 14 dph the ‘developable 6 hectares’ would only deliver 84 units.

The combination of the flood zone and the maximum appropriate housing density at the edge of the village would significantly reduce the deliverable units at this Site. Thus it is **not Effective** at delivering the 200 units allocated to it.

We believe the Site Allocations DPD is **Unsound** as the inclusion of site SA20 is **not Effective**

The Heritage England response to the Regulation 18 consultation was (our emphasis);

We are particularly concerned about Policy SA20 Land south and west of Imberhorne Upper School, Imberhorne Lane, East Grinstead. In this case we are concerned that the effects on the setting of the adjacent GII Listed Buildings, Gulledge Farmhouse and Imberhorne Farm Cottages, The latter, in particular, has highly significant associations with the surrounding fields and agricultural landscape which were part of the medieval Lewes Priory holdings. The historical connection nor the visual interaction of buildings and landscape appear not to have not been fully assessed or taken account of in allocating the site. The scale and extent of the proposed housing and associated development in this area is likely to significantly impact on this relationship and the contribution it makes to the significance of the heritage assets. **We recommend that a Heritage Impact Assessment is undertaken prior to the finalisation of the draft DPD to determine the capacity of site having taken into account the historic importance of the landscape to the setting of the listed buildings.***

Paragraph 194 of the NPPF states (our emphasis);

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and **II* listed buildings**, grade I and II* registered parks and gardens, and World Heritage Sites, **should be wholly exceptional**.

Both Imberhorne Farm and Gullege were important medieval rural farmsteads and Heritage England has clearly identified that development is likely to significantly impact upon these heritage assets. There is no evidence that the recommended Heritage Impact Assessment has been completed since the Regulation 18 consultation, thus it is not known how much of the proposed site is developable without significant harm upon the rural, historically open setting of these Grade II* listed buildings.

Considering Heritage England's views regarding the potential harm, and in the absence of a Heritage Impact Assessment it is impossible to determine the extent of the proposed site that is developable. As such it is not proven that Site SA20 could deliver 550 housing units, it is therefore **not Effective**.

We believe the Site Allocations DPD is **Unsound** as the cross-boundary strategic matters identified in the statement of common ground (SoCG) have been deferred rather than dealt with, it is therefore **not Effective**.

The TDC-MSDC SoCG confirms that both parties confirm the necessity to implement highways improvements at four junctions on the A264 and A22. This project is called the 'A22/A264 corridor project'. Whilst financial contributions are sought from SA19 and SA20 towards the corridor project, the delivery of that project is not included within the Plan's infrastructure deliverables. The transport assessment does not include the benefits of the project and the source of the funding to complete the scheme has not been identified.

West Sussex Highways response to the consultation was '*The DPD should acknowledge the possibility that improvements may not be deliverable at the Felbridge junction.*' So even the Highway Authority is questioning the viability of delivering the junction improvements.

By excluding the 'corridor project' from the DPD and the transport assessments, the development of sites SA19 and SA20 could proceed, whilst Sussex and Surrey Highways may decide in the future that no viable scheme exists to really mitigate the already severe road network. This would lead to even more development burdening an already severe road network. Therefore the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Sites SA19 and SA20 should be withdrawn as there are sufficient reasons to believe they would be unable to deliver their allocations within the plan period.

In the event that the Inspector decides the DPD should progress to Examination then any allocations at East Grinstead or Felbridge should be made contingent on delivering a viable and meaningful set of junction improvements to mitigate the cumulative impact of local development since 2017.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

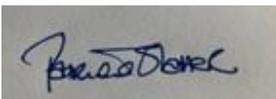
Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

(i) The Plan has been submitted for Examination

(ii) The publication of the recommendations from the Examination

(iii) The Site Allocations DPD is adopted



24th September 2020

Part B Representation 6

Name or Organisation:

Felbridge Parish Council

3a. Does your comment relate to:

Site Allocations
DPD

Sustainability
Appraisal

Habitats Regulations
Assessment

Community
Involvement
Plan

Equalities
Impact
Assessment

Draft Policies
Maps

3b. To which part does this representation relate?

Paragraph

Policy SA

19 & 20

Draft Policies Map

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate.

Yes

No

4b. Sound

Yes

No

5. With regard to each test, do you consider the Plan to be sound or unsound:

	Sound	Unsound
(1) Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
(2) Justified	<input type="checkbox"/>	<input type="checkbox"/>
(3) Effective	<input type="checkbox"/>	<input type="checkbox"/>
(4) Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

We believe the Site Allocations DPD is **Unsound** as sites SA19 and SA20 do not deliver sustainable development in accordance with the policies in the NPPF and are therefore **Inconsistent with National Policy**.

Non-Sustainable Transport Impacts

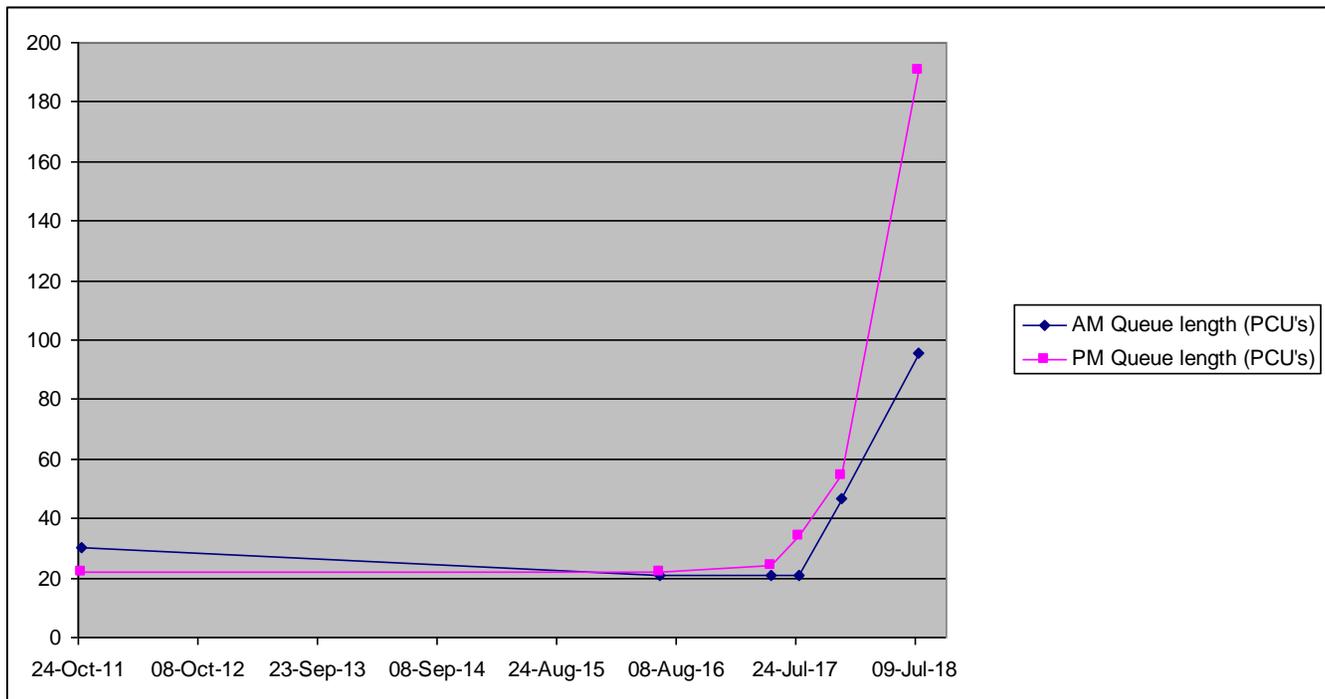
The local road network is already severe, and the impact of both sites (SA19 & SA20) will have a negative impact upon the junctions at The Star (A264/A22) and Imberhorne Lane/A22. The latest transport study jointly commissioned by MSDC and TDC identified that the A264/A22 junction is already operating at 107%. [see ‘Part B Representation 3’ above for the data].

The design criteria for signalised junctions is 90% saturation in the future year case. Yet here we have a junction that is already 17% above the design criteria in the base case with no transport mitigation proposed within the DPD. The junction has not always been severe, this is evidenced by the exponential growth in queue length observed by the transport studies since the middle of 2017.

Using a number of queue length surveys for the A264/A22 junction since 2011 up to 2018 it is possible to see the impact of increased traffic upon the Cophorne Road, the surveys are tabulated and graphed below.

Survey Date	Reference	AM Peak		PM Peak		Limit of visibility (LoV)	% of Peak hour readings where LoV was exceeded?
		Mean Queue length (PCU's)	DoS	Mean Queue length (PCU's)	DoS		
01-Nov-11	Atkins3	30	96	22	91		
22-Jun-16	Vectos	21	81	22	83.1	27	AM 17% PM 0%
10-May-17	iTransport	21	97.5	24	97.2	24	AM 10% PM 85%
03-Aug-17	BdR	21	90.2	34	85.2	35	AM 17% PM 75%
05-Dec-17	Hydrock	46.6	107	54.3	110	290m (~54 PCU's)	AM 58% PM 100%
17-Jul-18	TDC	95		191		1002m (~200 PCU's)	AM 19% PM 72%

Queue lengths in metres have been converted to PCU's assuming an average length of 5m/PCU.



The referenced surveys are;

Atkins³ baseline survey adopted by WSCC and SCC.

Vectos⁴ TA supporting the Hill Place Farm appeal APP/D3830/W/16/3142487.

iTransport⁵ (paragraph 7.12.6) supporting TDC planning application TA/2017/1290

BdR queue length survey provided to SCC for TDC planning application TA/2016/2319.

Hydrock⁶ survey supporting Gibbshaven Farm Application MSDC DM/18/0157

TDC survey 17-19th July 2018.

All of the surveys were conducted over a single day, except for the TDC survey which was over 3 consecutive days and therefore the average of all 3 days has been used above.

The December 2011 Technical Note⁷ (Section 5.1) attached to the Atkins3 study provides the following background information regarding junction analysis of the A22 junctions with the A264 and Imberhorne Lane;

The LinSig models were developed to evaluate the queue lengths, delays, and Degree of Saturation (DoS) at both junctions. Degree of Saturation (DoS) is a quantitative analysis of the level of congestion on the network and is used as the primary indicator of the operational performance of the junction. Generally, when a junction reaches 90 percent DoS it is considered to be at practical capacity and when it reaches 100 percent, at theoretical capacity.

The relationship between queues and DoS is such that queues begin to increase exponentially at high DoS (>85%). At junctions operating close to the zero practical reserve capacity, even small reductions in capacity can result in a significant increase in queuing and delay.

³ <https://www.eastgrinstead.gov.uk/i/uploads/2012/07/east-grinstead-traffic-management-study-stage-3-final-report.pdf>

⁴ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=456239>

⁵ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=515251>

⁶ <http://194.165.12.101/AniteIM.WebSearch/Download.aspx?ID=554996>

⁷ <http://www.eastgrinstead.gov.uk/i/uploads/2012/07/east-grinstead-traffic-management-study-stage-3-final-report-appendix-b.pdf>

The queue length results presented in the tables above show a good comparison between the observed and the modelled queues at both junctions. The modelled queue on Copthorne Road appears higher than the observed queue for both peak periods; however it was apparent from site visits that this queue extended quite far back and the surveyor was not able to count vehicles stretching this far (i.e. beyond 100 metres).

The Peak Hour manual car counts for all of the 2017/18 surveys vary within only a 5% range despite significant differences in the observed queue lengths. This lack of variation demonstrates the junction is already operating at/over capacity and as such it is impossible for an increased number of vehicles to pass through it within the hour.

The behaviour of the queue and the increasing Degree of Saturation (DoS) is exactly as expected, the junction was already identified as being over 107% saturation in December 2017, thus with additional traffic flow the junction cannot cope and the queue length increases exponentially.

The limit of visibility has a significant impact upon the results of the queue length studies. This limit is the maximum queue that can be observed using the method employed; if the queue is longer, then only the maximum length will be recorded as the surveyor is unable to see the end of the queue. This was discussed at the Hill Place Farm inquiry where it was identified that the Vectos survey had a limit of visibility of 27 vehicles. As seen in the table above, the Vectos survey queue length is likely to have been very close to the actual queue length as the limit of visibility was only reached 17% of the time in the AM peak, and not at all in the PM peak.

The subsequent surveys in 2017 all failed to see the back of the PM queue for the vast majority of the peak hour, even though these surveys are increasing their visibility limits. For the BdR survey supporting this application with a visibility limit of 35 vehicles, this visibility limit was exceeded for 75% of the readings in the PM peak hour. The rapid increase in congestion and thus queue length is demonstrated by the Hydrock survey in December 2017, even with a visibility limit of 54 vehicles it never saw the end of the queue for the whole of the PM peak hour, thus the queue must always have been longer than 54 vehicles, but it is not known by how far.

The TDC survey in July 2018 extended the visibility limit much further to 1002m (approximately 200 vehicles) and over the three consecutive days it still failed to see the back of the queue 72% of the PM peak hour, and 19% of the AM peak hour.

The TDC survey also shows that the congestion is not only for short periods of the day, with queues on the Copthorne Road exceeding 100m for 90% of the whole survey period 0700-1000 & 1500-1900, and on most days it was above 100m for the first and last reading of each AM/PM period indicating that this level of congestion probably extends beyond the 7 hours per day that were being recorded.

The DPD strategic transport assessment for Regulation 19 [T7] discusses the A22/A264 junction [para 6.1.3-6.1.6];

The highway model allows travellers to change their route due to congestion to achieve the most cost-effective journey possible. It can be seen in the Reference Case that significant rerouting is occurring away from the A264/A22 in both the AM and PM peak, and this continues in the Scenarios. The alternative route favoured by the model is via the B2028 and B2110 through Turners Hill. It is mostly trips going to East Grinstead area south of the A22, including Imberhorne Lane that do this.

Once the model reaches capacity at a location, delay will increase significantly and extensive rerouting will occur if alternative faster routes are available. Traffic heading to the Imberhorne Lane development from the west will, according to the model, route via the B2110 through Turners Hill, rather than experience the delays on the A264 particularly at the junction with the A22 at Felbridge. Online journey planners suggest this is perhaps already the quicker route in the PM peak for Imberhorne and other destinations south of the A22 in the East Grinstead area. It is apparent that in the PM peak, for journeys from the west to the Imberhorne Lane development, most of the scenario traffic is rerouting from the A264. It is difficult to put an exact figure on this because it varies depending on origin and journey length.

The PM peak model shows increases of up to around 150 vehicles on the B2028 through Crawley Down towards Turner's Hill and about 100 additional vehicles travelling east on the B2110 at Turner's Hill towards Imberhorne Lane. This is a mix of traffic relating to the Imberhorne site, the smaller sites in the north of the District and re-routed traffic from the Reference Case avoiding the A264.

It is clear from these statements that 'rat running' through rural roads and residential streets is already occurring due to the severe congestion at the Star junction, and that the DPD predicts this will increase as a result of the Imberhorne Lane site (SA20). It is not a sustainable transport strategy to rely upon unsuitable rural roads and residential streets to handle the additional traffic resulting from a proposed site just because the A-road network has exceeded its capacity.

The DPD Transport Assessment attributes the severe capacity issues to houses already allocated by the 2018 District Plan and argues that the impact of the proposed DPD allocations taken separately is not sufficient to trigger the National Policy 'residual cumulative impact' test.

NPPF paragraph 109 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."

We contest that the impact of traffic from sites proposed in the Site Allocations DPD cannot be treated independently from the impact of other sites allocated in the Local Development Plan. MSDC argue that traffic generated by the Local Development Plan is an 'existing situation' and can be ignored when applying the 'residual cumulative' test. This cannot be the intended interpretation of NPPF Paragraph 109.

NPPF paragraph 108 states that "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: 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."

There are no confirmed viable proposals for highway interventions in the Site Allocation DPD or Sustainability Appraisal to mitigate the impact of the proposed sites SA19 and SA20, either alone or in combination with sites already committed in the Local Development Plan. **This Site Allocation DPD is therefore in conflict with NPPF Paragraphs 108 and 109.**

High reliance upon car based transport

The DPD repeatedly states that East Grinstead is a Category 1 settlement, however the sustainability assessment fails to account for the fact that site SA19 lies outside the settlement of East Grinstead and

the SA19 Housing Allocation Policy states that the objective of this site is ‘to deliver a sympathetic extension to Felbridge’, ‘sympathetic to the landscape setting and character of Felbridge’ and ‘maximises connectivity with the existing settlement of Felbridge’.

Felbridge is a Tier 3 rural village in Tandridge District, Surrey it is defined as a rural settlement in the Green Belt with 532 dwellings within the built-up area of the Village Boundary. As a rural village, Felbridge has no doctor surgeries, pharmacy, dentist, opticians or any other such infrastructure. Due to the County and District Council process for handling infrastructure contributions resulting from development, not a single pound of funding has been contributed to any Surrey facilities or to fund any infrastructure improvements within Felbridge Village from the 120 Mid Sussex houses recently granted consent or any previous approvals.

Thus, whilst proposed site SA19 will provide a significant financial contribution it will not provide any improvement in infrastructure within the village that it states is being extended by the proposal, and without local infrastructure within a walkable distance the proposed dwellings will be highly reliant upon vehicular transport.

We therefore believe that **Site SA19** does not minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities and is therefore **in conflict with NPPF Paragraph 104(a)**

Lack of associated Employment space

The Sustainability reviews of the proposed sites in East Grinstead (SA18, SA19 and SA20) fail to consider the employment opportunities and the process is therefore flawed as it has not considered how these sites will comply with Policy DP1.

DP1: Sustainable Economic Development Strategic Objectives:

- 7) To promote a place which is attractive to a full range of businesses, and where local enterprise thrives
- 8) **To provide opportunities for people to live and work within their communities, reducing the need for commuting.**

The DPD has provided no new employment allocations within Felbridge or East Grinstead associated with the 772 dwellings proposed within that area. Further to the absence of new employment allocations, there has also been significant loss of local employment space following the conversion of many office buildings within East Grinstead into dwellings.

A key finding of the Mid Sussex Economic Profile Study (2018) is “There has been a significant loss of floor space to residential conversions particularly in East Grinstead.” This study reports 19,440m² of commercial office space in East Grinstead. Since then East Grinstead’s stock of office space has continued to decline, with 12,000m² (62%) being lost as a result of a single planning permission for the conversion of East Grinstead House in July 2020 [DM/20/2520]. The East Grinstead Business Association objected to the conversion “we have lost seven existing, long standing, large and well known successful local businesses that have live leases and in combination employ around 1,000 people”. The conversion will yield another 253 homes, with potentially double the number of new residents needing to commute out of East Grinstead for work

Without additional local employment opportunities, these sites in East Grinstead will all lead to an increased need for commuting contrary to District Policy DP1. We therefore believe that both **Sites**

SA19 and SA20 do not minimise the number and length of journeys needed for employment and are therefore **in conflict with NPPF Paragraph 104(a)**.

In addition, the lack of additional local employment opportunities fails to support a sustainable community, with sufficient access to services and employment opportunities ... in larger towns to which there is good access **in conflict with NPPF Paragraph 72(b)**.

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the following action is taken with respect to the draft Site Allocations DPD and associated documents:

Site SA19 should be withdrawn as it is in conflict with NPPF Paras 72b, 104a, 108 & 109

Site SA20 should be withdrawn as it is in conflict with NPPF Paras 72b, 108 & 109

By excluding the 'corridor project' from the DPD and the transport assessments, the possibility exists that Sussex and Surrey Highways may decide in the future that no viable scheme exists to really mitigate the already severe road network but the development of sites SA19 and SA20 could still proceed. This would lead to even more development burdening an already severe road network. Therefore, the identified cross-boundary strategic matters have been deferred rather than dealt with, rendering the DPD **not Effective**.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

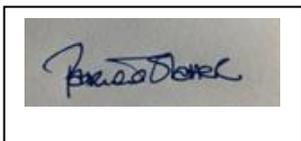
9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

- (i) The Plan has been submitted for Examination
- (ii) The publication of the recommendations from the Examination
- (iii) The Site Allocations DPD is adopted

Signature:



Date:

24th September 2020