

Friday 27th December 2024
651/A3/JJA

Mr. Steven King
Team Leader
Major Developments
Mid Sussex District Council
Oakland
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

Via the Planning Portal

Dear Mr. King

**Re: Land west of Turners Hill Road and South of Huntsland Crawley Down
Applications submitted on behalf of Wates Developments Limited
Duplicate Outline planning applications (appearance, landscaping, layout and scale reserved), for the erection of up to 200 dwellings and associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features and associated works.**

Further to recent discussions I have pleasure in enclosing duplicate outline planning applications (appearance, landscaping, layout and scale reserved), for the erection of up to 200 dwellings and associated infrastructure including spine road with access from Turners Hill Road and network of internal roads and car and cycle parking, together with provision of open space, play facilities, utilities infrastructure, surface water drainage features and associated works on Land west of Turners Hill Road, and south of Huntsland, Crawley Down; there being a separate set of duplicate applications for 150 dwellings, a 65 bed care home and associated facilities on land to the Land west of Turners Hill Road and north of Huntsland.

As you will be aware, the application site is located immediately adjacent to the current urban area of Crawley Down as identified in the Mid Sussex District Plan (2018). That said, it has also been identified as part of a proposed allocation site (DPA9) in the Reg 19 Submission Draft Mid Sussex Local Plan 2023.

The proposed development has been designed to be in general conformity with Policy DPA9 of the Submission Draft Mid Sussex Local Plan, the only areas of variation being to reflect discussions with Worth Parish Council about the use of offsite contributions in lieu of the onsite provision of sports and community facilities, thus bolstering local facilities and removing any potential for conflict.

Whilst the Submission Draft Mid Sussex Local Plan is still at examination, the submission of this application now helps to demonstrate deliverability and bolster the councils five year housing land supply situation as set out in the submission draft local plan's trajectory, at a time when given recent changes to national government guidance the councils lack of a five year housing land supply under the Adopted Development Plan leaves the council vulnerable to speculative applications for development in areas that have not been judged to be suitable through the allocation process.

Given the above we have concluded that an application now is neither prejudicial to the Local Plan process nor the sustainable approach to the development of sites within the District.

In the context of the above we appreciate the fact that the starting point for the determination of this application is the Adopted Development Plan. The application site is located outside, but adjacent

to, the urban area of Crawley Down as identified in the Mid Sussex District Plan (2018). Policy DP12 of the Adopted Development Plan, which indicates that the countryside will be protected in recognition of its intrinsic character and beauty, and only permit development in the area outside of built-up area boundaries on the Policies Map where it maintains or where possible enhances the quality of the rural and landscape character of the District, and is necessary for the purposes of agriculture; or is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan is in effect 'out of date' as the settlement boundary was defined having regard to the housing requirement for the District as set out in Policy DP4 of the Mid Sussex District Plan which was adopted against the backdrop to the Objectively Assessed Housing Need established in the Mid Sussex Housing and Economic Development Needs Assessment (HEDNA) (February 2015), as updated in November 2015 and August 2016, and the NPPF 2012. The scale of the housing need as now identified by the new standard method and the NPPF 2024 is significantly higher than that advocated in the District Plan. As such and as the NPPF has been subject to a number of revisions since 2012, the approach adopted to the housing requirements in the Adopted District Plan is inconsistent with the NPPF 2024, and the weight to be attributed to policies DP4 and DP12 is significantly reduced and para 11d of the NPPF and the tilted balance engaged. A position which is exacerbated by the fact the Council have themselves confirmed they do not have a five year Housing Land Supply.

This means there is a presumption in favour of sustainable development, i.e. that planning permission should be granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.

In the context of the above, the Planning Statement and other reports that accompany this submission clearly demonstrate that the benefits of the proposed development are significant. They include:

- a) The delivery of new homes in an area where such homes are needed. Mid Sussex District Council does not have a five-year Housing Land Supply, and these homes will assist in meeting the shortfall.
- b) The provision of affordable housing. The proposed development will provide 30% affordable housing, which will help address the affordable housing issues in the area, which are dire.
- c) The delivery of land for open space and recreational facilities that will be available not only for the future residents of the development but also for the existing residents of Crawley Down.
- d) Additional employment provision during the construction period which will generate additional spending in the local area, thus assisting in the maintenance of the vitality and viability of local services.
- e) Contributions to local services and facilities, such as health facilities, through a S106 agreement.

Furthermore:

- a) The development will not have a detrimental impact upon the residential amenity of any neighbouring properties.
- b) The development will not have a detrimental impact upon highway safety.
- c) The development will improve public transport links between the site and the surrounding area and provide enhanced pedestrian and cycle links towards both Crawley Down and the surrounding area, including upgrades to the Public Rights of Way network.
- d) The development will create and contribute towards an enhanced highways network within Crawley Down.
- e) Adequate on-site parking would be provided to support the development.

- f) The development will not increase flood risk on site or to third party land. Indeed, overall, the surface water drainage proposal will reduce the surface water runoff from the site, providing betterment.
- g) The development will not have an unacceptable impact upon wildlife and ecology, rather it will provide for significant biodiversity net gains, in excess of the now mandatory 10%.
- h) The development will not have an unacceptable impact upon existing landscape features.
- i) The development will not have an unacceptable impact upon the archaeological and heritage interest of the area.

In terms of adverse effects, it is recognised that there would be localised effects on the landscape character of the site. However, these would exist with the development of any greenfield site, and in this case the application site is not subject to any landscape designations, and the proposed development has been developed with stakeholders to ensure the development is respectful to local landscape and visual constraints. Furthermore, it also provides for a number of beneficial effects such as an increase in landscape assets, and an improved local network of ecological and recreational spaces. On this basis and as the Council accepts that not all its housing requirement can be accommodated on brownfield sites and have acknowledged that this site, as part of DPA9 is a potentially developable / deliverable site by virtue of its proposed allocation in the Submission Draft Local Plan, any localised landscape effects do not in our opinion weigh heavily against the grant of consent.

Likewise, the impact on Best and Most Versatile Agricultural Land is limited in extent; the nature of the works within the 15 buffer of the areas of Ancient Woodland have been designed so as not to impact on root protection areas or the water table negatively thus avoiding any loss of Ancient Woodland habitat; and the works within the buffer zones of two veteran trees is minimal and outside the root protection areas so will not result in any adverse impact on the trees health or structure.

Specifically, the limited harm identified does not outweigh the significant benefits that have been identified; and certainly, goes nowhere near the requirement to demonstrate significant and demonstrable harm as set out in the NPPF.

Aside from the principle of development, we have also sought to address a number of other issues which are in our opinion material to the determination of this application. These include the nature of the residential accommodation and overall scale of development including the level of affordable provision; the form, layout and design of the proposed development; the landscape and visual impact of the proposed development; the effect of the proposed development on existing landscape features; the impact of the proposed development on areas of ecological interest/protected species; the impact of the proposed development on the privacy and amenity of adjacent residents; the effect of the proposed development in transportation and highway terms; the sites suitability for development in terms of flood risk and foul water drainage; the potential impact of the proposed development upon the cultural heritage of the site and surrounding area; and the effect of the proposed development on energy consumption, lighting, amenity space provision, contamination and remediation, the capacity of the service providers and impact on local infrastructure.

Having regard to the above, and given the aims and objectives of national and local planning policies we would submit that: -

- a. The proposed development will contribute to the Council's five year housing land supply requirements/ housing need;
- b. The proposed development will contribute to the Council's affordable housing requirements – overall it will provide up to 60 affordable units (30% of the units to be provided on site (assuming

200 dwellings are bought forward)), in accordance with the requirements set out in both the adopted and Reg 19 Submission Draft Local Plan;

c. The unit mix reflects the aims and objectives of the development plan, with the scheme providing a range of house types (terraced semi-detached, detached and apartments) and sizes (1 and 2 bed flats and 2 – 5 bed houses), to meet local demand (both market and affordable). The affordable units being evenly distributed across the site;

d. The proposed development will contribute to the Council's recreational needs, with over 13.92 ha of publicly accessible / incidental open space/ amenity space being provided across the development as a whole, which is over 69% of the site area and 300% more than the policy requirement;

e. The proposed development will contribute to the public realm, providing formal recreation opportunities, such as the proposed LEAPs and LAPs, as well as flexible play space, connected via a series of footpath networks; these features together with the introduction of an effective management regime, the creation and conservation of wildlife habitat and natural corridors, and provision of SuDS will contribute to local amenity;

f. The illustrative layout looks to respect the existing landscape, topographical, drainage and ecological features found on the site/ site boundaries, to respect the setting of nearby heritage assets and respect the privacy and amenity of adjacent residents;

g. At a density of circa 9.97dph gross/ 33.67ph net the proposed development seeks to make the most effective use of the application site without detracting from the character and appearance of the area,

h. The scale and nature of the proposed development is proportionate to the size of Crawley Down and the level of day to day services found in the village and respects the spatial strategy advocated in the Reg 19 Submission Draft Local Plan;

i. The landscape and visual effects would be localised and would not significantly affect sensitive landscape and visual receptors further from the site;

j. None of the main arboricultural features of the site are to be removed. No ancient, veteran, category A trees or trees subject to TPO's need to be removed to accommodate the proposals. Only 59 individual trees, 4 groups and 1 hedgerow will potentially be removed/ partially removed to accommodate the proposed development, i.e. circa 8% of the sites tree cover. All, bar one of the trees to be removed are category C specimens, are young, semi-mature or of small ultimate size: or of low quality, low value, or short-term potential. As a result, the arboricultural impact of this scheme is of negligible magnitude. Furthermore, as the proposed development will provide the opportunity to plant more trees/hedgerows on the site through the landscape strategy plan, it will actively enhance the landscape character of the site and surrounding area;

k. The incursions by parts of the proposed development within the ancient woodlands Front Wood and Wallage Wood are minor and are mostly confined to their 15m minimum buffer zones; where parts of the proposed drainage and footpath encroach within Front Wood itself, these represent unavoidable incursions informed by the existing natural features within Front Wood and any potential arboricultural impacts will be minimised through the use of directional drilling and above-soil surfacing, respectively; consequently, the proposals will not result in any loss of ancient woodland, will avoid any potentially harmful effects on the woodland, and will comply with current UK Planning and development guidance

l. The encroachment into the buffer zone of two veteran trees to accommodate the proposed drainage works is negligible and will not result in any adverse impacts on the tree's health or structure. Likewise, whilst the proposed emergency link between F5 and F6 will encroach into the buffer zone of the same two veteran trees, the works are such that they will not result in any arboricultural impacts on either veteran tree.

m. Following detailed ecological survey work, it has been found that the site and surrounding study area is home to roosting, foraging and commuting Bats, Grass Snakes, Badgers, and Great Crested Newts, as well as breeding birds and hedgehogs. As a result, the proposed development

has been designed to avoid impacts on as many ecologically sensitive areas and accommodate a number of ecological mitigation and enhancement works, all of which will ensure the protection of these species and provide biodiversity net gains in excess of 10%;

n. The proposed development provides for a significant amount of publicly accessible amenity space that will form an integral part of the development, with all residents having access to an appropriate level of private/communal amenity space. Overall, circa 69% of the site will be publicly accessible green space;

o. The application site is located in a highly sustainable location, that is within walking distance of day to day services and facilities, and able to maximise the use of public transport, cycling and walking;

p. The proposed accessing arrangements have been designed to accommodate all types of predicted traffic movements. The internal road network provides for a hierarchy of different streets, all of which have been designed to ensure the car does not dominate;

q. The proposed development looks to provide for a series of new / enhanced pedestrian and cycle links that would improve access to/ from the site to the village centre/ the surrounding area;

r. The level of traffic generation associated with the proposed development would not, with the proposed mitigation works, result in an unacceptable traffic impact to the local highway network;

s. The level of car and cycle parking provision will accord with WSCC standards and is appropriate for this location given the site's proximity to Crawley Down and its associated facilities, including public transport facilities;

t. A Framework Travel Plan has been provided to demonstrate how the developer intends to try and reduce the use of the private motor car;

u. The FRA and Drainage Strategy submitted with this application demonstrates that the proposed development is wholly in Flood Zone 1 and can encompass a surface water drainage strategy that can accommodate up to and including the 1% AP storm event with an appropriate allowance for climate change (of 40%), without any onsite flooding or increasing the extent of any offsite flood risk. Indeed, as set out in the FRA the proposed surface water drainage strategy will improve upon the current situation with regard to surface water management and flood risk;

v. The Cultural Heritage Desk-Based Assessment (CHDBA) advises that a review of the available evidence has shown that a low to moderate archaeological potential can be assigned to the study site for Iron Age and Roman remains, and a generally low potential for all other past periods of human activity. It also advises that there is a localised raised potential for modern farm outbuilding remains shown on 19th century mapping at the northeast and southern extents of the site. As a result, the CHDBA concludes that the development proposals are considered unlikely to have a widespread or significant negative archaeological impact that would result in unacceptable harm to the archaeological resource of the site; and that the potential impact of development could be appropriately mitigated through a programme of archaeological investigation and recordings undertaken in advance of construction, if so required by the Local Planning Authority.

w. The CHDBA also advises that the Study Site does not contain any designated or non-designated built heritage assets; and that whilst six Grade II listed buildings have been identified in the vicinity of the site there is no intervisibility between the Study Site and any of these listed buildings; and the Study Site presents no opportunity to appreciate the architectural and historical interest of these listed buildings and makes a very limited contribution to their significance as part of their wider historical setting only. As a result of the above the CHDBA advises that the Study Site is not considered to make any contribution to the significance of the built heritage assets and does not enhance or contribute to their intrinsic architectural and historical interest. It goes on to advise that there will be minimal change to the wider historical setting of the six listed buildings only and no loss of any existing opportunity to understand or appreciate their significance. And that there will be no change to the intrinsic architectural and historic interest of their built fabric.

x. The Sustainability and Energy Statement indicates that the carbon dioxide (CO₂) emissions reduction strategy for the proposals is based on the energy hierarchy to provide a rigorous

methodology, which aims to reduce the carbon dioxide emissions from the development as far as possible. This is intended to be achieved through the employment of highly efficient building fabric components to reduce energy demand, and the potential inclusion of renewable and low carbon energy technologies such as air source heat pumps to serve the space and water heating demands of the proposed dwellings and deliver further carbon dioxide emissions reductions. It is anticipated that the proposed carbon dioxide emissions reduction strategy will facilitate significant carbon dioxide emissions savings compared to the Part L:2021 baseline, aiming to significantly exceed the current requirements of Mid Sussex District Council and to align with the draft policies set out within the Reg 19 Submission Draft Local Plan (Dec 2023).

y. The proposed development will meet its infrastructure needs via a S106 Agreement, as long as the contributions sought are fairly and reasonable related to the scale of development proposed, such that there will be no adverse impact on day to day services;

z. The proposed development generates significant economic, social and environmental benefits.

The application site is highly sustainable. Development on this site is capable of being assimilated with the wider area without detriment to the character of the area, or amenities of local residents. The landscape strategy, drainage strategy and ecological strategy will all enhance the sites nature conservation value.

On the basis of the above we believe the case for granting planning permission to be compelling, and that consent should be granted without delay.

That said we recognise that there is a considerable amount of information submitted with this application and that it will take some time to digest. As such we would ask that if you require any further information to inform your decision you do not hesitate to contact us.

Yours sincerely



JUDITH ASHTON
Judith Ashton Associates

Encl

Planning Application forms and associated certificates and fee

Planning application drawings

CD-LCS-B-01 Site Location Plan – South

1314 SK001-01 V14 Application Site Illustrative Masterplan South - 200 units

1314 SK001 V15 Study Area Comprehensive Illustrative Masterplan - 350 units

008-01D Land West of Turners Hill Road and South of Huntsland Parameter Plan - Land Use

008-02B Land West of Turners Hill Road and South of Huntsland Parameter Plan - Building Heights

008-03B Land West of Turners Hill Road and South of Huntsland Parameter Plan – Density

008-04C Land West of Turners Hill Road and South of Huntsland Parameter Plan - Access and Movement

008-05D Land West of Turners Hill Road and South of Huntsland Parameter Plan - Green Infrastructure

ITB9155-GA-029I Proposed Southern Site Access Priority Junction

ITB9155-GA-038G Proposed Central Site Access Priority Junction

Design and Access Statement produced by Mosaic
Planning Statement, including Affordable Housing Statement produced by Judith Ashton Associates
Landscape and Visual Appraisal including Landscape Strategy produced by SLR
Arboricultural Implications Report produced by Simon Jones Associates
Ecological Appraisal, Shadow Habitat Regulations Assessment and Biodiversity Net Gain Assessment produced by Aspect Ecology
Cultural Heritage Desk Based Assessment produced by RPS
Transport Assessment and Framework Travel Plan produced by iTransport
Flood Risk Assessment produced by Ramboll
Drainage Strategy produced by Ramboll
Utilities Assessment produced by Ramboll
Air Quality Assessment produced by RSK
Desk Top Geo Technical Assessment produced by Geo-Environmental Services Limited
Sustainability and Energy Statement – produced by Icini
Agricultural Land Classification and Soil Resources Report produced by Reading Agriculture
Lighting Impact Assessment produced by Nature Positive (an RSK company)
Statement of Community Involvement produced by Cratus
Draft Heads of Terms of S106 Agreement produced by Judith Ashton Associates
Planning Obligation Instruction Form
Affordable Housing Statement (See Planning Statement)
Socio-Economic Benefits Infographic
Sustainability Infographic

C.c. Jordan Van Laun and Holly Rush – Wates Developments Limited