

Following a public meeting of the Lindfield Rural Parish Council (LRPC) Planning committee held on the 8th April 2024 – LRPC submit the following comments to planning application DM/24/0446: Land of Scamps Hill, Scaynes Hill Road, Lindfield.

LRPC councillors unanimously object to the two aspects of this planning application, firstly the access off the B2111 and secondly, the actual ninety house development, our rationale is recorded below. This will also reflect the fact that all residents who have attended our last two planning meetings are opposed to this development. We have also received a high volume of emails from residents stating their opposition to this development.

Rationale:

Transport Safety comments.

The application is for approval for an access off the B2111 to the proposed new development. The proposal for the access is flawed. The proposal as it stands:

- fails to meet various policy, strategy and technical requirements particularly around sustainable transport.
- will potentially create safety issues.
- provides inadequate provision for pedestrians and cycling/wheeling and public transport.
- Underestimates the trip generation for vehicles and fails to validate their traffic numbers.
- Applies flawed traffic distribution without validation and thereby does not assess the impact on the congested junction.
- will lead to an increase in vehicle movements.

Our reasoning for this is provided below and is based upon the submitted plans and provided Transport Assessment. We have split this into topics/themes given the way the information has been provided.

Policy, Strategy and Guidance

The policy/strategy foreword fails to refer to a number of key documents that should not only inform the approach but also the proposed design response including:

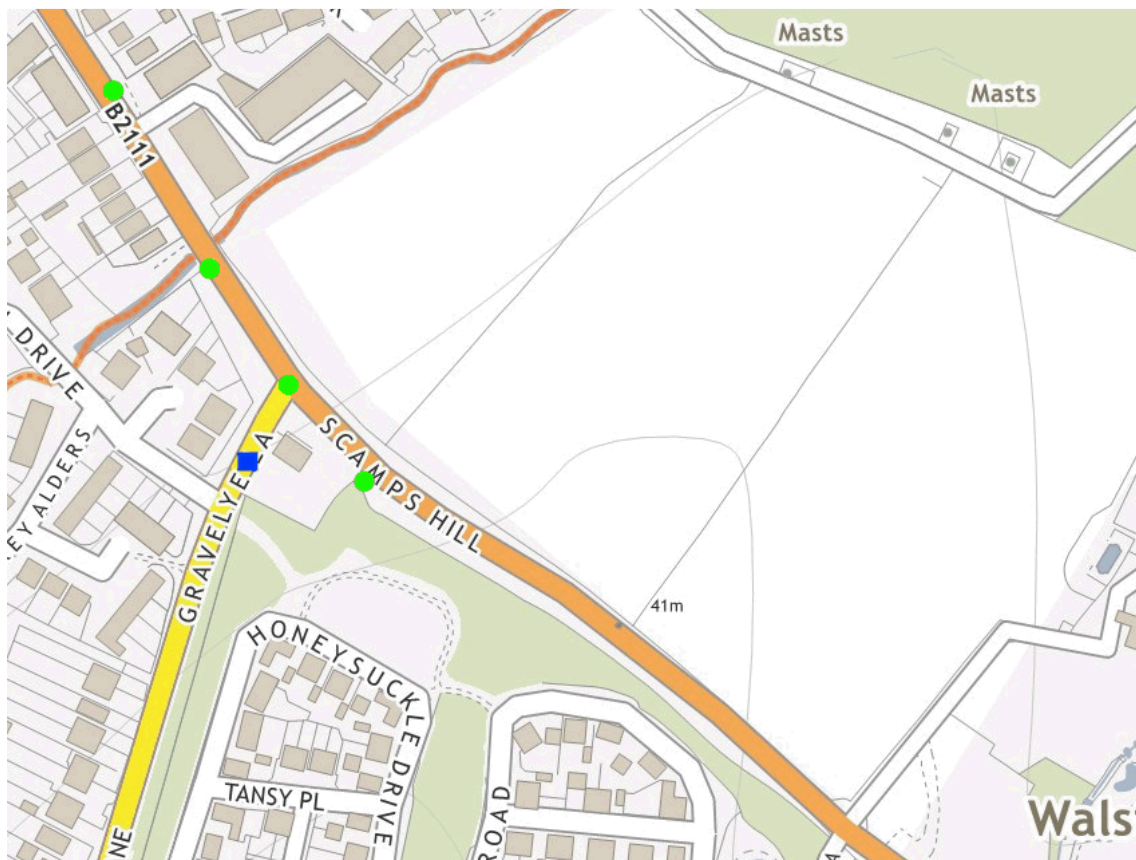
- Lindfield and Lindfield Rural Neighbourhood Plan 2014-2031
- LTN 1/20
- Inclusive Mobility Guidance
- MSDC LCWIP
- LTN 1/24 Bus user priority (this was published during the consultation period but before the TA so is applicable)

Failure to consider these documents is reflected in the sub-optimal proposals from the proponent and contrary to the TA assertions would not provide safe and accessible provision for walking and wheeling and would encourage vehicle use.

Safety and Road Traffic Collisions (RTC)

Section 3.6 relates to the collision history. There two incorrect statements in this section. At junction SJ2 the junctions of the A272/B there are 8 recorded RTC's. Contrary to the statement in the TA this does indicate a RTC issue and our understanding is the WSCC have identified this as a junction for treatment. They

also state “there no accidents recorded along the Site frontage. This is also technically incorrect as at least three slight injury RTC’s are recorded on the WSCC database across the site frontage on Lewes Road/Scamps Hill.



Accidents

- Accidents
- Fatal
- Serious
- Slight

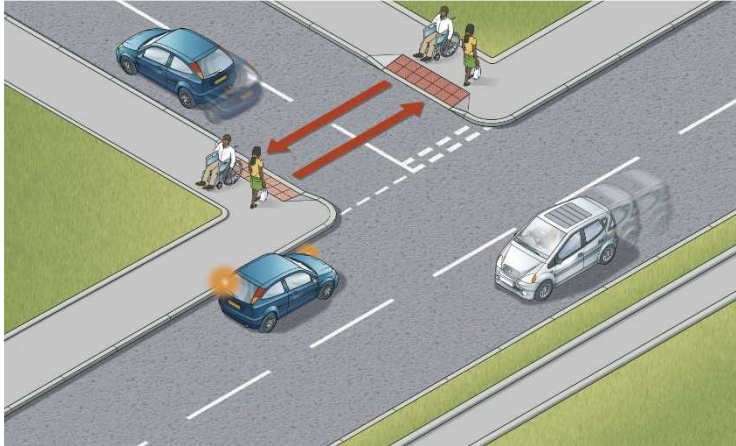
Vehicle Access proposal

Section 4.1 sets out general design principles leading to a series of proposals. Section 4.1.3 sets out the vehicle access proposal of a priority junction within the 40-mph section of carriageway. No explanation is provided for why this type of junction or location is chosen. There is no design rationale for this decision.

Any new junction in and of itself creates additional safety risks and potential for crashes. A junction within a higher speed limit road has a greater risk of crash severity.

A new junction for a development in this location would be better located within the current 30 mph or integrated within an existing junction. This is not considered or discussed.

The chosen junction type follows DMRB guidance which is for high-speed roads. This is inappropriate for this location. The layout as provided would cause safety issues for pedestrians as it encourages high speed exit/entry which supports drivers failing to comply with Highway Code rule H2 – repeated below:



Rule H2: Wait for the pedestrian to cross the junction before turning. This applies if you are turning right or left into the junction.

As such this arrangement is less safe for pedestrians and discourages walking. To satisfy the sight line requirements, and confirmed by the Safety Audit, vegetation and hedging will need to be cleared to provide for this junction. The length of this is not identified. This has implications for wildlife, drainage and for bio-diversity net gain. The exact length of clearance should be confirmed, and this should be compensated for in terms of BNG. Secondly, no assessment has been made as to whether an alternative location would result in less removal of vegetation and landscaping, and thus disruption to the natural environment.

A series of swept path drawings have been provided. They indicate large vehicles moving into the opposing vehicle lanes. No commentary is provided on the safety or otherwise of this. No details of the speed used for these turns is provided meaning the results could be taken at unrealistic i.e. sub 1 mph speeds and be unrealistic.

Study Network and other junction arrangements.

The TA discusses five junctions. No explanation is provided as to why these were chosen.

- SJ1 Site Access/Scamps Hill Refer Chapter 4,
- SJ2 B2111 Bedales Hill/A272 Lewes Road priority controlled,
- SJ3 Gravelye Lane/B211 Lewes Road/Scamps Hill priority controlled,
- SJ4 Westlands Road/Gravelye Lane priority controlled,
- SJ5 B211 Lewes Road/B2028 High Street/Denman's Lane priority controlled.

The commentary on all is in purely vehicle layout terms. It fails to mention:

- SJ2 – existing flooding issues, and safety issues
- SJ3 – layout is a high-speed arrangement unsuitable for 30 mph area, with driving failing to give way to pedestrians crossing the road.
- SJ5 – subject to peak hour delays, constrained junction with large vehicles and larger cars SUVs driving on the footway on Lewes Roads. Footway on Lewes Road is less than 1.2m failing to meet current Inclusive Mobility Guidance. This junction has been identified as a key concern in the Neighbourhood Plan.

Issues for pedestrians at both SJ3 and SJ5 discourage pedestrian activity and do not meet current road layout guidance.

Internal road layouts

We oppose the proposal that the internal layout would be subject to reserve matters. The outline layout has a number of features such as shared space that are contrary to DfT guidance. Based on current experience with Walsted Park where a similar approach has been taken our community has been unable to input or comment on layouts. Proposals for Walsted Park fail to meet accessibility standards and have led to designs, like the walking/cycling connection to Heathwood Park, which are technically incorrect.

Transport Modelling

The TA uses both 2011 Census data and TRICs for trip generation. The 2011 data is over 13 years old and as such is highly questionable.

Two new developments are located in close proximity to the site and referred to for some assumptions. Validation of the trip rates could easily have been made by undertaking surveys of both Heathwood Park and Lindfield Meadows that are close to the site. We question the validity of the trip assumptions due to the impact of COVID on travel patterns, age of data such as Census information, and relevance of the data used to this site.

For distribution of traffic on the network the proponent is using assumptions from the Heathwood Park development TA. This is not the latest development and developments for both Lindfield Meadows and Walsted Park (under construction) are more recent. Given that the proponent could survey both Heathwood Park and Lindfield Meadows as mentioned to validate their results we challenge the validity of not only the trip generation but also the proposed distribution.

The distribution as provided only assigns 8 vehicles on to the already congested Lewes Road/High Street junction thereby conveniently negating the need to model and assess traffic impacts. We dispute this based on the above observations that the proponent has failed to provide a robust approach to trip generation and distribution and is under-estimating the impacts of their development.

We have a number of issues with the reported traffic data. Section 4.4.5.2/3 mentions automatic traffic counter surveys. The exact location is not provided, nor is the outputs from the surveys provided. Without this information we cannot assess the validity of the data and the assumptions provided around, flows, speeds and profiles. Data from Parish SIDs in Jan/Feb near Enterprise Park on Lewes Road indicates flows of between 500-600 vph in the morning peak in one direction exceeding the developer base flows raising further concerns about data reliability.

Provision for Pedestrians

Section 4.4.7 sets out a series of suggested pedestrian improvements, an isolated shared use path within the frontage of the proposed site, and a number of token sets of tactile paving.

No consideration is given to the ease or otherwise of pedestrians crossing Lewes Road. This is currently a known issue/concern for our community.

The Gravelye Road/Lewes Road junction is a high-speed layout and as observed drivers fail to give way to pedestrians. The suggested provision of tactiles is inadequate to support inclusive access or safe movement for pedestrians. The trip generation number as indicated increase movements at this junction further reducing pedestrian access and increasing potential for conflict.

Tokenistic tactile paving has been provided. However, the DfT Inclusive Mobility guidance makes clear footways need to be appropriate widths for mobility impaired

users- and to support general use. The guidance states “Footways and footpaths should be made as wide as is practicable, but under normal circumstances, a width of 2000mm is the minimum that should be provided...”

The footways leading to these tactiles are not to standard and therefore should be upgraded – the footway on Scamps Hill between Walsted and Gravelye Lane is approx. 1.2-1.4m and the footway on the north-east side near Enterprise Park is 1.6m.

Provision for wheeling/cycling.

Fails to comply with network planning principles in LTN 1/20 which has five core principles – “*Networks and routes should be Coherent; Direct; Safe; Comfortable and Attractive.*” LTN 1/20 applies to all cycling provision in urban areas. The proposed shared use path – is isolated and goes absolutely nowhere starting and ending in the estate. It is not connected – and the transition on/off carriageway do not appear to comply with LTN 1/20 without appropriate tactiles and space designations. LTN 1/20 also generally discourages the use of shared facilities preferring segregation.

No reference is provided to the Scaynes Hill to Lindfield Active Travel scheme or associated references in the Neighbourhood Plan.

As such these proposals will do nothing to support or encourage wheeling trips contrary to the proponent’s assertion.

Provision for Public transport.

LTN 1/24 Bus user priority (this was published during the consultation period but before the TA so is relevant) establishes the need to consider the end-to-end trip including walking to from the development. As indicated earlier there are issues with pedestrian provision between the estate and the broader network and the infrastructure proposals in terms of safe pedestrian crossings, junctions and footway widths, and the proposals fail to address these issues.

Provision of a standing area and shelter for the two Gravelye Stops is tokenistic as access is restricted. Bus stop cages would also be required with clearways as per LTN 1/24. Pedestrian access to the south-west bound (towards Hospital) stop is a current safety concern highlighted to LRPC due to the high-speed exit onto Gravelye Lane and restricted visibility.

There are also two stops towards Walsted just as close to the Gravelye Road ones which residents could also use. These are not considered but should be.

As such these proposals fail to support access by bus.

Summary

We would suggest that the proposals fail to support walking and wheeling, and do not improve access to public transport. Due to this any trip rates for these modes are questionable and the lack of appropriate provision will encourage motor vehicle use. Coupled with issues around how both the trip generation and distribution is calculated, with no appropriate validation LRPC believe the proponent has underestimated the number of vehicle trips and fails to demonstrate that the key junction in Lindfield by the High Street will not be adversely impacted.

Safety for pedestrians and cycling/wheeling is compromised not supported by these proposals.

We suggest that if the development were to proceed:

- an alternative junction layout is provided within the current 30 mph area ideally at the Graveley Road/Scamps Hill junction, and the arrangement includes dedicated controlled crossing provision for pedestrians across both Lewes Road and Graveley Lane.
- Footways to/from the development and bus stops are upgraded to Inclusive Mobility guidance standards where practical and this includes the stops in Walsted.
- Bus stops are upgraded to include shelters and seating, step free accessible access, information and bus stop cages/clearways.
- Broader measures to reduce vehicle traffic generation and support choice for walking and cycling/wheeling.
- The cycle facilities are reviewed to consider integration with SHLAT and broader network provision to support wheeling trips to Lindfield and surrounding schools.

Non-Transport comments

The site has been excluded from the District Plan as unsuitable for development. The proposal contravenes the requirements of DP6: Settlement Hierarchy, DP12: Protection and Enhancement of Countryside and DP34: Listed Buildings and other Heritage Assets.

This site (ref no. 983) is not allocated for development in the adopted District Plan 2014-31 and has also been rejected in the current District Plan Review. The proposal is therefore entirely unnecessary for meeting Mid Sussex District Council's housing requirement.

A recent appeal decision in the Council's favour (5 October 2023, ref. APP/D3830/W/23/3319542) found that "the Council has demonstrated that it can identify a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against the standard method" (para 97, *our italics*). It is worth noting that due to a subsequent legislative change (NPPF as revised Dec 2003, para 226), the Council is now required to demonstrate only a four-year supply. Furthermore, the Planning Inspector found that overall, "development plan policies... are not out-of-date" (para 129), confirming the soundness of the District Plan.

The applicants attempt to argue with this ruling in order to find an opening for their rejected site. They state that there are sites "within the Council's supply that should not be included and that the proposed delivery rates... are overly optimistic", and that "the Council cannot demonstrate a four-year housing land supply" ("Planning and Affordable Housing Statement", 3.7.6). Therefore, "the policies most important for determining the application are out-of-date" (4.17.2). These are sweeping assertions, but the applicants provide no evidence to support them. Nor do they demonstrate why their self-interested claims should outweigh the detailed decision of the Planning Inspector. Their argument is insubstantial and provides no grounds for overruling the District Plan. This site should therefore continue to be excluded.

The application also conflicts with several District Plan policies:

DP6: Settlement Hierarchy, undertakes to protect the countryside outside built-up area boundaries by "minimising the amount of land taken for development and preventing development that does not need to be there." Outside built-up boundaries, the expansion of settlements will be supported only where "the site is allocated in the District Plan, a Neighbourhood Plan or subsequent Development Document". This proposal contravenes both provisions, being demonstrably unnecessary and having been rejected in the District Plan. Permission should be refused for these reasons.

DP12: Protection and Enhancement of Countryside, stipulates that "the countryside will be protected in recognition of its intrinsic character and beauty... Development will be permitted... provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and... it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan". This scheme would be an alien, urban intrusion that would do the opposite of maintaining the rural character of its setting. It obviously also fails the test of being part of the development plan.

It is notable that even the applicants concede that their scheme "does not accord with policies DP6 and DP12" ("Planning and Affordable Housing Statement", 4.3.3). They argue that the importance of this conflict should be reduced because the Council "is unable to demonstrate a four-year land supply" - something they have signally failed to prove.

These are further reasons for refusal.

DP34: Listed Buildings and Other Heritage Assets, requires that development protects both "listed buildings and their settings". The extensive bulk of the proposed scheme would loom over the Grade II listed Greyfriars, detracting seriously from both the building and its setting. The District Plan Review notes this "high impact" on a listed building and sees no benefits that would "outweigh harm or loss to the asset" (Site Selection, appendix 4). This judgement is logical: as the entire scheme is unnecessary (see para 2 above) it cannot be seen to offer benefits in the planning balance. The Review concludes that "the site is therefore considered unsuitable for development". Permission should be refused for this reason as well.

Lindfield has been compelled over the past decade to accept more than 700 new homes, mostly on the eastern perimeter of the village and close to this site. This translates into a population increase of 30% and 850 additional cars on narrow village roads. No supporting infrastructure has been added to healthcare or educational facilities that were under strain to begin with, nor have there been any improvements to the road network. The community has suffered considerable ecological damage as large stretches of irreplaceable countryside have disappeared beneath sprawling warrens of speculative housing. The application is strangely silent on this history and on the cumulative impact of yet more building. Given the disfigurement that Lindfield has already undergone, it is doubly important that the District Plan be respected and that this site continues to be excluded.

The logic of the NPPF is that policy should be plan-led. The applicants themselves concede that their scheme is not consistent with the District Plan. They have presented no material considerations to suggest that a determination should be made otherwise than in accordance with the plan. To grant permission would therefore depart from the principles of national planning legislation. It would also

tacitly accept the applicants' (unsupported) claim that the District Plan is unsound, opening the door to similar unregulated development across the District.

Even if the Planning Inspector's October 2023 conclusion about the housing land supply were incorrect and there were no demonstrable four-year supply, no considerations outweigh the harm that would still be caused by the proposal's contravention of DP6, DP12, DP34 and by its conflict with the development plan as a whole. This is a transparently speculative scheme that should be rejected.

Biodiversity

We acknowledge that bio-diversity requirements should now apply to this development under current legislation. The environmental damage that will occur as a result of additional development in this particular area; i.e. the accumulative environmental impact of further development, contributes significantly to the unsustainability of this proposal. Furthermore, mitigation measures are only ever aspirational and there are no guarantees that wildlife will be protected; having regard to the extensive development that has already taken place it cannot be expected that there will be no significant impact on the ecology of the area.