

Examiner's Questions for Clarification of the East Grinstead Neighbourhood Development Plan

Having reviewed the documents provided for the Examination of the plan the Examiner has requested clarification on the following policies and issues:

1. I would like MSDC to confirm the Strategic Policies that are relevant to the Examination of the Plan.

The Strategic Policies in the Mid Sussex Local Plan 2004 are those in the first ten chapters of the Plan, which relate to general subject areas. The remaining policies are detailed matters specific to each town and village and are not considered to be strategic.

2. Policy EG2. Please clarify how the Areas of Development Constraint have been identified including the evidence base.

The Areas of Development Constraint have been identified in accordance with the Strategic Gap Policy in the adopted Local Plan, 2004, and Mid Sussex District Council's evidence base prepared at that time. The policy is one of restraint and this is a long-standing district wide area policy. No changes are proposed to the area boundaries or to the methodology.

The Areas of Countryside Constraint will be re-appraised in the event of the settlement boundary of East Grinstead being revised to accommodate the anticipated growth through the preparation and conclusion of the subsequent review of the Neighbourhood Plan.

3. Please clarify how the housing needs assessment carried out for the emerging local plan has been taken into consideration when formulating the housing policies of the Neighbourhood Development Plan.

The Mid Sussex District Plan, 2004, establishes the strategic planning objectives and framework for the District and includes the spatial strategy and thresholds for the delivery of new homes within the District. East Grinstead's Neighbourhood Plan has been prepared and assessed against the provisions of this, the adopted plan.

The District Council prepared a Housing and Economic Development Needs Assessment (HEDNA) in November 2015. The HEDNA identified a district wide objectively assessed housing need (OAN) of 695 dwellings per annum over the emerging plan period to 2031. This figure has been apportioned to the various Parishes and Towns across the District – table 24 of the HEDNA refers.

In preparing the Neighbourhood Plan, the Town Council fully recognised the ambition for new homes to be provided at East Grinstead. However, the figures quoted are not targets. In this regard, the content of explanatory paragraphs 6.30 and 6.31 within the section entitled, 'Implications for Neighbourhood Plans', is particularly relevant. Paragraph 6.30 advises that the stated OAN figures for the respective neighbourhood plan area are '...only an indication of the level of need within each Parish, based on a proportioning out the District's total. These figures can be used to guide Neighbourhood Plans with respect to housing need and inform evidence alongside any other evidence that each Parish may have.' Paragraph 6.31 continues by confirming that '...the numbers are by no means a requirement or target...' and goes on to advise that there will be many other factors and constraints that influence the appropriate housing number for a parish.

In this context and, of particular relevance to East Grinstead, are the effect of Ashdown Forest and the Habitat Regulations Assessment, which affects new development individually and cumulatively, the role of the countryside in preventing coalescence, and the severity of traffic and road conditions within and around the town. The latter has been highlighted in various technical reports: the most recent being the Jubb reports referenced in response to question 11 below. The cumulative affect has been to constrain growth, such that the Neighbourhood Plan must rely on the current evidence base such as the SHLAA and the Jubb reports, albeit it is recognised that future work may demonstrate that these constraints can be overcome.

The housing needs assessments carried out by the District Council will, rightly, inform the preparation of the new District Wide Local Plan. Once this plan has passed through the rigours of public consultation and examination and on towards adoption on or around, July/August 2017, a full and detailed review will take place of the Neighbourhood Plan. This will include an emphasis on meeting the needs of the District as it relates to East Grinstead and its environs. The review process will take place once the District Wide Plan has been formally adopted.

The Town Council acknowledges the fact that East Grinstead is a significant tier 1 settlement and is accepting of the benefits and the need for the managed growth of the town. To these ends the Town Council has established a working mandate with the District Council to ensure that the future of the town is properly planned and managed through the process of early review and that the review of the Neighbourhood Plan is informed by the housing needs assessments and targets that have formed the evidence base for the emerging District Wide Plan.

The ambition is to align the Neighbourhood Plan review with the new Local Plan once the higher order plan has passed through full scrutiny to adoption.

Given the proximity of East Grinstead to the County Border with Surrey and the adjoining district of Tandridge, the Town Council and Mid Sussex District Council met with senior representatives of Tandridge District Council on 19th May 2016 to review the relative position of East Grinstead and how any future growth of the town could assist Tandridge District Council in meeting its future housing needs. The Tandridge Local Plan is very early in the process towards adoption having just completed a high-level Regulation 18 Consultation. Through the 'duty to co-operate' Mid Sussex District Council have now identified mutual interests with Tandridge District Council and established working arrangements moving forward. The review of the Neighbourhood Plan will provide the facility to work with Mid Sussex District Council and Tandridge District Council to establish whether, and how, East Grinstead could assist Tandridge in meeting its housing targets.

4) Please clarify why there is no policy that directly relates to the delivery of affordable housing, how this conforms to the Development Plan and the evidence supporting the emerging Local Plan.

There is no requirement to have an affordable homes policy within Neighbourhood Plans. To avoid duplication the Town Council elected to rely on the adopted policy within the 2004 Local Plan.

The national policy position on affordable housing is presently uncertain. The Government has made a number of announcements and presented draft options to address the shortage of affordable homes, with various 'initiatives' presented through the Housing and Planning Bill. The consultation is on going (expires on 27th May) and seeks views on the regulations and options for starter homes. In view of this, the emerging District Wide Local Plan is better placed to address the current policy position.

Once clarified and national policy fixed, this too could be updated through the planned review of the Neighbourhood Plan, although the Town Council may continue to rely on the higher order plan for this policy.

5) Please clarify the definition of “green infrastructure” used in the plan.

Green Infrastructure is defined as, ‘Multi functional open spaces that provide visual, community and/or recreational use and/or value to local communities.’

6) Policy EG14 - Protection of open spaces. Please clarify how the open spaces referred to in this policy have been identified and prioritised.

The East Grinstead Society undertook a complete audit of green open spaces within East Grinstead in 2014 and 2015 and holds a detailed register of green spaces dated August 2015. The register formed the baseline position for review and assessment and the evidence base for the Neighbourhood Plan.

Those open spaces referenced in the supporting text are well known to the local community of East Grinstead. In view of this, the Town Council felt it important that these be referenced within the text due to their local importance. However, Policy EG14 relates to all open spaces and does not draw distinction between those mentioned in paragraph 8.2 and other un-named open spaces.

7) How do the policies within the plan seek to utilise developer contribution/CiL when the CIL regime comes into effect. Have priorities been identified?

The Community Infrastructure Levy (CIL) was introduced in 2010. The District Council's CIL programme is ‘following on’ behind the District Wide Local Plan timetable. The current ambition is that the CIL will be adopted by the end 2016 or early in 2017. Implementation though, will follow on two or three months later to allow for the various mechanisms and procedures to bed in. At present, therefore, and at the time of writing there is not a fixed timetable and no facility for CIL monies to be collected.

The District Council has published a draft 123 list that highlights strategic infrastructure projects that CIL monies will be apportioned to. It has also produced an Infrastructure Development Plan, which identifies specific infrastructure needs for each area as well as strategic requirements. East Grinstead Town Council has contributed to this IDP and will continue to work with the District Council to keep it up to date.

Once the CIL framework is in place, monies received by the Town Council through CIL receipts (twenty-five percent of receipts from development within the Neighbourhood Plan Area), will be used to support the delivery of identified infrastructure projects.

8) Was the settlement boundary reviewed as part of the Neighbourhood Plan process?

The settlement boundary for East Grinstead was not reviewed as part of the preparation of the Neighbourhood Plan because the Plan does not identify land for development on the fringes/edges of the town. The Strategic Land Availability Assessment does not identify any suitable, available and achievable sites outside the built up area boundary: other than existing commitments. A boundary

review will take place through the preparation and conclusion of the District Wide Local Plan and, once concluded, through the review of the Neighbourhood Plan.

This will be undertaken with Mid Sussex District Council in fulfilment of its objectively assessed housing need and through the joint working arrangements established with Tandridge District Council under the duty to co-operate.

9) How has the deliverability of sites been assessed - With particular reference to Policy SS3?

The Neighbourhood Plan has relied on the District Council's Strategic Housing Land Availability Assessment (SHLAA) Interim Report of November 2015. All sites within and around East Grinstead have been assessed in accordance with the recommended process set out within Government Practice Guidance Note 2. The interim SHLAA includes specific parish chapters – the East Grinstead Chapter contains a full and thorough review of all available sites previously assessed, together with new sites presented by the community and the Town Council through the Call for Sites exercise. Each site is appraised against the agreed methodology having regard to its availability, deliverability, physical and environmental constraints and sustainability criteria. Conclusions are drawn on whether the site is suitable for inclusion or exclusion. These sites and the correlation with the adopted Local Plan formed the basis of identification through the Neighbourhood Plan.

The site specific policies (SS Policies) within the Neighbourhood Plan have been prepared as 'enabling' policies to establish a framework for redevelopment, to raise expectation and, importantly, to support the joint preparation of site/area specific development briefs, where appropriate, with the landowners and with the involvement of the District and Town Council's. Following the recent agreement of working arrangements, Tandridge District Council will be actively involved in the preparation of development briefs where sites lie on or near to the boundary with the adjoining authority. Work will commence on the preparation of the development briefs once the Neighbourhood Plan has been "made" and will continue through, and in support of, the review process.

Policy SS3 identifies the Imberhorne Lower School Site for redevelopment with a residential end use. The policy has been carefully framed with the input of West Sussex County Council, as Education Authority, and the Governors and Headmaster of the Lower and Upper Schools. The Town Council originally received written confirmation from the County Council in 2012 of the urgent need to re-organise the school into a single campus site at Windmill Lane: rendering the Imberhorne Lane site surplus to requirement. Its redevelopment will help to facilitate improvements to the Upper School site on Windmill Lane and, importantly, consolidate the school on a single unified campus.

Designs for the expansion of the Upper School site, including the incorporation of the Lower School site facilities, have been concluded and well received by the Education Authority and the Board of Governors. A further meeting was held with West Sussex County Council, the Town Council the Board of Governors of the School and the headmaster on at the end of 2015. This was held in support of the preparation of the Neighbourhood Plan and to refine and agree the policy for Imberhorne Lower School.

West Sussex County Council, as Education Authority, has advised the Town Council that the Lower School site will be made available within the next 5 – 10 years and education requirements can be met on the existing Upper School Site on Imberhorne Lane. This will legitimately be explored further through the review of the Neighbourhood Plan, along with the detail on implementation methods.

10) Having regard to Policy S8 please clarify how delivery of this open space has been assessed and is this provision essential to the open space requirements of the Neighbourhood Plan Area?

The land south of Birches Industrial Estate (Policy SS8) was identified through public consultation as having potential to be used for public open space – it is a local/community aspiration. Its provision is not essential to the open space requirements of the Neighbourhood Plan.

11) A number of representations have been made in connection with the evidence provided through the “Jubb” highways report. Has the County Highway officer agreed the conclusions of the Jubb highway report?

On the 8th June 2015 the Interim County Highways Manager at West Sussex County Council wrote to Mr. Matt Grist, Group Director of Jubb Consulting. The correspondence included the following paragraph:

“I can confirm that we will be including the Jubb East Grinstead and Surrounds November 2014 Survey and Review of Traffic Conditions Report and the Jubb Six-Day Supplementary Report of March 2015 in the technical evidence that we consider in relation to planning applications for East Grinstead.”

The County Council has agreed the conclusions of the highway reports.

12) How is the SANGS contribution quantified?

New housing development within 7km of the boundary of Ashdown Forest is required to mitigate the potential impact of recreational disturbance on this European protected site under the Habitats Regulations. The agreed approach to mitigation, as advised by Natural England, is for applicants to contribute towards Strategic Access Management and Monitoring (SAMM) measures on Ashdown Forest and Suitable Alternative Natural Greenspace (SANG), primarily the strategic SANG facility at East Court and Ashplatts Wood in East Grinstead. The strategies for SAMM and SANG can be viewed at <http://www.midsussex.gov.uk/planning-licensing-building-control/planning/ashdown-forest/> which includes details of how these contributions are calculated.

13) How have the current PD rights for conversion of buildings been taken into account in formulation of the policies relating to the conversion of existing buildings?

The permitted development rights for the conversion of buildings conveyed through Parts O, P, Q and R of Schedule 2, Part 3, of the Town and Country Planning (General Permitted Development) (England) Order, 2015 and are a statutory benefit. If planning permission is not required for the change of use of a building to an alternative use under the terms of the Order, the provisions of the Neighbourhood Plan Policies are not triggered. The new use benefits from deemed consent and falls outside of the scope of policy.

However, operational or physical works that are required to facilitate the change of use of a building, which require planning permission in their own right, will by necessity be assessed through the submission of a planning application. The operational works will be appraised against the provisions of Neighbourhood Plan Policy EG3, Promoting Good Design.

14) How has the need for the provision of new employment space been assessed and how has that been reflected in the policies relating to employment with particular reference to Policy SS5 Charlwoods Industrial Estate.

The most up-to-date evidence base for employment need/provision is contained within the District Council's assessment within the 'Burgess Hill Employment Site Study' 2011. Despite the title, this is a District Wide assessment – it was updated in 2014, to review changes in economic conditions. The study shows that the District's future employment needs can be met in full by the employment land allocation to the west of Burgess Hill. The 2014 review confirms that this allocation will meet '...employment growth needs arising in Mid Sussex District and help to meet un-met employment land needs arising in Neighbouring Authorities...'

The review of Charlwoods Industrial Estate is set against this backdrop. The 'Estate' is an older amalgam of manufacturing, storage, distribution and office uses that was established within the 1960' and 1970's – many units are vacant and parts of the estate are run-down. The combination of this, and the required access by large commercial and articulated vehicles, together with significant levels of street parking does not sit comfortably with the established residential areas on Charlwood's Road. Serious congestion and traffic conflicts are evident throughout the day: particularly at peak times.

Neighbourhood Plan Policy SS5 aims to establish a framework to support the future redevelopment and improvement of the area with a variety of uses: including smaller starter units. The policy has been developed with reference to the guiding principles set out in Paragraph 22, within the Section entitled "Building a Strong and Competitive Economy", of the National Planning Policy Framework. Here the framework seeks to '.. avoid the long term protection of sites allocated for employment use where there is not reasonable prospect of a site being used for that purpose...' Paragraph 22 continues, '... applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities..' The Town Council consider that there is an opportunity to improve and modernise the employment base at Charlwoods and, in so doing, significantly improve the environmental quality of area and address the current traffic and residential amenity conflicts.

The policy provides the facility to meet these aims – the process will be guided through the preparation of a development brief prepared. The brief will be prepared with input from Mid Sussex District Council.

15) Please clarify the approach taken to designated and non-designated Heritage assets as this relates to the Bluebell railway and why reference to the Bluebell Line does not appear within the text of a policy.

As drafted policy EG4 of the Neighbourhood Plan relates specifically to 'designated heritage assets'. The importance and local significance of The Bluebell Railway line came to light through public consultation. The Railway Line is not specifically mentioned in the policy, as it is not a designated heritage asset. However, the Town Council and the Neighbourhood Plan Working Group felt that the railway line was of sufficient local importance/interest to merit specific reference within the reasoned justification of the policy.