

# **Review of Policy 1: Local Gaps & Regulation 14 Pre-Submission Representations**

## **Hassocks Neighbourhood Plan**

Prepared for

Hassocks Parish Council

Prepared by

Dale Mayhew BA (Hons) BTP MRTPI

David Withycombe BSc (Hons), Msc, MLI (Member of the Neighbourhood Planning  
Working Group)

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**Appendix 1:** Mid Sussex District Council: Technical Report No.5, Strategic Gap Boundaries

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## **1. INTRODUCTION**

- 1.1. This document has been prepared for Hassocks Parish Council (HPC) following a review of representations received in response to the Regulation 14 Pre-Submission consultation on the Hassocks Neighbourhood Plan (HNP)
- 1.2. The purpose of the document is to:
- Provide an appraisal of higher tier guidance (national and strategic) on the use of gap policies;
  - Provide an appraisal of other examples of Neighbourhood Plan gap policies and feedback from relevant Examinations;
  - Provide an appraisal of relevant decisions, in particular Appeal and Secretary of State decisions in, and around Hassocks with respect to consideration of matters relating to the pre-existing gap designation; and
  - Review of submissions by interested parties with respect to proposed Local Gap designation; and
  - Review a number of individual land parcels in respect of their contribution to the purpose of their identification as part of the local gap.
- 1.3. The above actions have resulted in recommended changes to Policy 1: Local Gaps. These are to be considered by the Neighbourhood Plan Working Group (NPWG) prior to the preparation of the Submission HNP.
- 1.4. The Paper should be read in conjunction with “Revised Hassocks Neighbourhood Plan, Review of Policy 1: Burgess Hill Gap and Policy 2: Ditchling Gap and Hurstpierpoint Gap, October 2018.”

## **2. APPRAISAL OF HIGHER TIER GUIDANCE (NATIONAL AND STRATEGIC) ON THE USE OF GAP POLICIES**

### **National Planning Policy Framework, February 2019**

- 2.1. One of the core principles in the National Planning Policy Framework (NPPF) is that planning should recognise the intrinsic character and beauty of the countryside.
- 2.2. Paragraph 170 states planning policies and decisions should contribute to, and enhance the natural and local environment by:
- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
  - Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

- Minimising impacts on, and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

2.3. Paragraph 171 states plans should distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in the NPPF; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across Local Authority boundaries.

2.4. Paragraph 172 states great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited.

### National Planning Policy Guidance

2.5. National Planning Policy Guidance (NPPG) advises Local Plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes, but also the wider countryside.

2.6. In addition, the NPPG advises, where appropriate, Landscape Character Assessments should be prepared to complement Natural England's National Character Area profiles.

2.7. The NPPG advises Landscape Character Assessment is a tool to help understand the character and local distinctiveness of the landscape, and identify the features that give it a sense of place. It can help to inform, plan, and manage change, and may be undertaken at a scale appropriate to Local and Neighbourhood Plan-Making.<sup>1</sup>

### Mid Sussex District Plan

2.8. Mid Sussex District Plan (MSDP) was adopted in March 2018. It replaces the Mid Sussex Local Plan 2004 (other than saved Local Plan policies).

2.9. The MSDP does not apply to that part of the District within the South Downs National Park (SDNP). The South Downs National Park Authority (SDNPA) is preparing the South Downs Local Plan (SDLP) for those areas in the SDNP. Until such time as the South Downs Local Plan is adopted, any relevant general or site specific policy in the Mid Sussex Local Plan (MSLP) will continue to apply to development proposals in that part of the district within the SDNP.

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<sup>1</sup> Paragraph: 001 Reference ID: 8-001-20140306

- 2.10. A strategic objective of the MSDP is to promote well located and designed development that reflects the distinctive towns and villages, retains their separate identity and character, and prevents coalescence.
- 2.11. Policy DP12 relates to protection and enhancement of the countryside. It notes that:
- “the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains, and where possible, enhances the quality of the rural and landscape character of the District, and:*
- It is necessary for the purposes of agriculture; or*
- It is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document, or relevant Neighbourhood Plan.”*
- 2.12. The policy notes that the Mid Sussex Landscape Character Assessment, together with other documents and other landscape evidence (including that gathered to support Neighbourhood Plans), will be used to assess the impact of development proposals on the quality of rural and landscape character.
- 2.13. It notes that built-up area boundaries are subject to review by Neighbourhood Plans, or through a Site Allocations Development Plan Document produced by the District Council.
- 2.14. Policy DP13 relates to preventing coalescence. The policy notes that individual towns and villages in the district each have their own unique characteristics and it is important that their separate identity is maintained. It notes when travelling between settlements people should have a sense that they have left one, before arriving at the next.
- 2.15. The policy notes that provided it is not in conflict with Policy DP12: Protection and Enhancement of the Countryside, development will be permitted if it does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between settlements.
- 2.16. The policy notes that Local Gaps can be identified in Neighbourhood Plans or a Site Allocations Development Plan Document produced by the District Council, where there is robust evidence that development within the gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. It notes that evidence must demonstrate that existing local and national policies cannot provide the necessary protection.

#### **Mid Sussex Local Plan, Policy C2: Strategic Gap and Policy C3: Local Gaps**

- 2.17. In support of the MSLP, which includes Policy C2: Strategic Gap and Policy C3: Local Gaps, Mid Sussex District Council (MSDC) undertook a Technical Report to support the identification of strategic gap boundaries, entitled “Strategic Gap Boundaries”.
- 2.18. The Report confirms the West Sussex Structure Plan 1998 (not formally adopted), identifies seven such gaps within Mid Sussex District which are to be maintained and protected (Policy C5). These are:

- Burgess Hill and Hurstpierpoint/Keymer/Hassocks;
- Burgess Hill and Haywards Heath;
- Haywards Heath and Cuckfield;
- Haywards Heath/Lindfield and Scaynes Hill;
- Crawley and East Grinstead;
- Crawley and Pease Pottage; and
- East Grinstead and Ashurst Wood.

- 2.19. The Report explains how these boundaries have been defined in detail within the Mid-Sussex Local Plan.
- 2.20. In setting out the background, the Report confirms Strategic Gaps have played a major role in strategic planning policy within West Sussex since about 1980 (West Sussex Structure Plan 1980). They are areas of countryside between settlements where it is necessary to place firm restraint on new development to maintain their separate identity and amenity. Only land which it is necessary to keep generally free from development in order to secure Strategic Gap objectives on a long term basis should be included within the gap. The primary role of Strategic Gaps is to maintain the strategic settlement pattern in West Sussex. Those gaps of local rather than strategic importance, such as those between smaller settlements, are identified as Local Countryside Gaps in the Local Plan.
- 2.21. At the time of the Report, local countryside designations such as strategic gaps were recognised by the Government. In Planning Policy Guidance note 7 on the Countryside, local authorities are required to base their designations on an assessment of the contribution of each area and to review their function as part of the Local Plan process.
- 2.22. Policy C5 of the West Sussex Structure Plan 1998 (not formally adopted) states that the precise boundaries of Strategic Gaps will be defined in Local Plans. Paragraphs 7.19 to 7.21 of the Explanatory Memorandum of the Structure Plan outline the importance of the gaps and as highlighted by the panel, set out the criteria for defining the precise boundaries of the gaps.
- 2.23. The Strategic Gap boundaries defined within the MSLP have been assessed against this set of criteria together with the additional countywide advice drawn up by the County Council together with the individual Districts/Borough (Strategic Policy Implementation Note).
- 2.24. In defining the extent of the Strategic Gaps it was recognised that coalescence is a process and not an end state. Hence whilst development of a particular site may not in itself result in the coalescence of settlements it may contribute to their coalescence. This is a vitally important consideration because precedents could easily be set for development which eventually lead to coalescence. This is one of the points which is emphasised in paragraph 7.21 of the Structure Plan.

- 2.25. With respect to the Burgess Hill and Hurstpierpoint/Keymer/Hassocks, the Report confirms the gap consists of the area of attractive, generally open countryside between the southern built up limits of Burgess Hill and land to the north of the villages of Hurstpierpoint, Hassocks and Keymer. Much of the gap is prominent in views from the South Downs and is therefore particularly sensitive.
- 2.26. It confirms there are a number of north-south transport routes through the countryside linking the settlements. These include Cuckfield Road to the west (Burgess Hill- Hurstpierpoint), College Lane/Malthouse Lane (Burgess Hill- Hurst Wickham), A273 London Road (Burgess Hill- Hassocks), the London to Brighton railway line and Keymer Road/Ockley Lane (Burgess Hill- Keymer) to the east. There is also a network of public rights of way. The gap is therefore very accessible to the public offering numerous vantage points.
- 2.27. The Report confirms the western side boundary of the gap is defined by the Cuckfield Road from its junction with Pomper Lane to the built up boundary of Hurstpierpoint. The north-western boundary extends from the junction of Cuckfield Road/Pomper Lane and joins Jane Murray Way at its junction with Malthouse Lane. It then follows the built up limits of Burgess Hill until Keymer Road to the east, which marks the start of the eastern gap boundary.
- 2.28. Jane Murray Way provides a clear break between urban and rural landscapes. A major feature of the western side of the gap, to the south of this highway, is the impressive Hurstpierpoint College with its ancillary buildings and sports grounds. Otherwise this is an essentially rural area consisting of undulating fields bounded by hedgerows, some tree belts together with scattered residential and agricultural buildings.
- 2.29. To the south of the college is an area of agricultural land between Hurstpierpoint and Hurst Wickham. A belt of mature trees along the northern edge of Hurstpierpoint prevents any significant views into the village from the north and helps provide a soft edge. Distant views northwards, including of Burgess Hill are available from the fields adjacent to the tree line. These fields are visible from the north and meet the criteria for inclusion within the gap.
- 2.30. The gap boundary is contiguous with the northern built up area boundary of Hurstpierpoint with one exception. The area of land around the new development to the rear of St. George's House, is excluded from the gap. The gap boundary then follows the built up area boundary of Hurst Wickham, a distinct hamlet, which is almost separate from the main village of Hurstpierpoint itself. Whilst Hurst Wickham is a linear development, extending into the countryside, development in the triangular area of land immediately to the west would lead to the loss of a number of important trees and vegetation, thereby opening up views to the north. Development would also lead to the loss of an important open view, resulting in the loss of amenity and local identity for residents. The area therefore meets the criteria for inclusion within the gap.
- 2.31. The gap boundary follows the rear of the gardens to the east of Hurst Wickham; to the north of the curtilage of the dwellings fronting Wickham Hill and Hurst Road, Hurstpierpoint; and to the west of the dwellings facing London Road, Hassocks.
- 2.32. To the south of Belmont, there is a relatively well treed area where intervisibility between Burgess Hill and Hurstpierpoint is not possible. However, land to the north of Hassocks Road rises up towards the curtilages of dwellings facing the road. Consequently, there is clear intervisibility within large areas of this gap between Hurstpierpoint and Burgess Hill.

- 2.33. This is particularly noticeable from a wide area around Ham Farm. Both settlements can also be clearly seen from the area in the vicinity of the footpath which passes east-west through Friars Oak Golf Course.
- 2.34. While not all of the gap area affords intervisibility between settlements, open views of settlements are possible from a large proportion of it and it is important to include this area between Hurstpierpoint and Hassocks within the strategic gap.
- 2.35. The boundary continues to the east along a public footpath, on the opposite side of London Road, following the built up area of Hassocks. It crosses the railway line and runs to the rear of the curtilage of the dwellings in Grand Avenue and Mackie Avenue, before continuing along the built up area boundary of Keymer until it reaches the County boundary with East Sussex (Lewes District).
- 2.36. It then turns northwards and follows the County Boundary to the north so as to join the southern boundary of the built-up area for Burgess Hill where it runs to the south of dwellings fronting Folders Lane. The land to the east side of Ockley Lane is included within the gap as development within this area would seriously harm the sense of passing from one settlement to another along this road; this is particularly the case as one approaches Keymer.
- 2.37. A copy of the Report including a map of the Strategic Gap Boundary, is attached at Appendix 1.

#### South Downs National Park Local Plan

- 2.38. The SDLP is currently at Examination. Following a series of public hearings, the Inspector invited the SDNPA to consult on a schedule of main modifications, to the SDLP.
- 2.39. Consultation on the main modifications took place from Friday 01 February 2019 -Thursday 28 March 2019.
- 2.40. The Submission SDLP included Policy SD4: Landscape Character, which amongst other matters seeks to protect the individual identity of settlements and the integrity of predominately open and undeveloped land between settlements.
- 2.41. The supporting text of the policy states
- “the gaps between settlements protect the individual character and identity of towns and villages. They retain the open nature and the physical and, either real or perceived, visual separation between settlements. The land at the edge of settlements often forms part of the historic setting of the settlement and can include areas which have cultural importance. Public Rights of Way can often provide access to these areas and connections to the open landscape of the National Park beyond”.*
- 2.42. No modifications are proposed to Policy SD4.
- 2.43. The Inspectors Report of the SNLP is currently awaited.



### 3. APPRAISAL OF OTHER EXAMPLES OF NEIGHBOURHOOD PLAN GAP POLICIES AND FEEDBACK FROM RELEVANT EXAMINATION

- 3.1. As part of the preparation of the revised background paper, a review of Neighbourhood Plans has been undertaken to appraise other neighbourhood plans gap policies.
- 3.2. Set out below is a summary of the Examiner's feedback on proposed local gap policies in Neighbourhood Plans in the following areas:
- Hurstpierpoint and Sayers Common;
  - Ditchling, Westmeston & Streat Hurstpierpoint and Sayers Common Parish Neighbourhood Plan;
  - Thakeham; and
  - Storrington, Sullington and Washington.

#### Hurstpierpoint And Sayers Common Neighbourhood Plan

- 3.3. The Hurstpierpoint and Sayers Common Parish Neighbourhood Plan (HSCNP) was made in March 2015. It covers the period 2014 to 2031.
- 3.4. The neighbourhood plan area lies to the west of the parish of Hassocks.
- 3.5. The Submission HSCNP proposed to include Policy C3: Local Gaps and Preventing Coalescence, which defines Local Gaps and seeks to prevent coalescence.
- 3.6. As part of the Examination of the HSCNP, the Examiner considered whether the Policy met the Basic Conditions.
- 3.7. Set out below is an extract of the Examiner's Report in respect of Policy C3:

*"Mid Sussex Local Plan Policy C3 identifies areas of countryside that are particularly vulnerable to development pressure, but which have an important function with regards protecting local character.*

*Neighbourhood Plan Policy C3 permits development in the countryside, subject to it not resulting in coalescence or the loss of identity of neighbouring settlements. This approach is in general conformity with Mid Sussex Local Plan Policy C3.*

*Further to testing and robust consultation, it reflects the local community's strong support for the vision for the Neighbourhood Area, which seeks to retain a "village feel" and sense of place. This has regard to the Framework, which gives communities direct power to develop a shared vision for their neighbourhood.*

*The policy contributes to the achievement of sustainable development by protecting local character and supporting appropriate development. No modifications are proposed."*<sup>2</sup>

- 3.8. In light of the Examiners Report, Policy C3 forms part of the "made" HSCNP. The Policy, seeks to resist development which individually or cumulatively results in the coalescence and loss of

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<sup>2</sup> Hurstpierpoint and Sayers Common, Examiners Report, September 2014, page 18

separate identity of neighbouring settlements. In addition, it identifies local gaps between settlements to be protected.

3.9. The policy states :

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

*Hurstpierpoint and Hassocks; Sayers Common and Albourne; Hurstpierpoint and Albourne; Hurstpierpoint and Burgess Hill.”<sup>3</sup>*

### **Ditchling, Westmeston & Streat Neighbourhood Plan**

3.10. The Ditchling, Westmeston & Streat Neighbourhood Plan (DWSNP) was made in May 2018.

3.11. The neighbourhood plan area lies to the east of the parish of Hassocks.

3.12. The Submission DWSNP proposed to include CONS 8: Protect important gaps between settlements. The Policy seeks to prevent coalescence between Ditchling and the larger settlements of Keymer/Hassocks and Burgess Hill and to protect the local gap which separates them.

3.13. As part of the Examination of the DWSNP, the Examiner considered whether the Policy met the Basic Conditions.

3.14. With respect to CONS 8, the Examiner advised:

*The policy and its supporting text are appropriate. An amendment to the last sentence of the policy is desirable in the interests of clarity.*

*I Recommend: amend the final sentence of the policy to refer to the “South Downs Integrated Landscape Character Assessment and relevant local landscape character assessments”.<sup>4</sup>*

3.15. In light of the Examiners Report, Policy CONS 7: Protect important gaps between settlements forms part of the “made” DWSNP. The Policy seeks to support proposals for new development in the gap separating Ditchling and Hassocks/Keymer and Burgess Hill, either individually or cumulatively, where they conserve and where possible enhance the open landscape character of the gap, and do not reduce the physical gap between settlements.

3.16. The policy states :

*“Development proposals for new development in the gap separating Ditchling and Hassocks/Keymer and Burgess Hill, either individually or cumulatively, will only be supported where they conserve and where possible enhance the open landscape character of the gap, and do not reduce the physical gap between settlements. This will be informed by the South Downs*

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<sup>3</sup> Hurstpierpoint & Sayer Common Parish Council, Parish 2031 Neighbourhood Plan, Policy Countryside Hurst C3 Local Gaps and Preventing Coalescence

<sup>4</sup> Ditchling, Westmeston & Streat Neighbourhood Plan, Examiner's Report, January 2018, paragraph 83

### Thakeham Neighbourhood Plan

- 3.17. The Thakeham Neighbourhood Plan (TNP) was made in April 2017. It covers the period 2017-2031.
- 3.18. The Submission Thakeham TPNP proposed 4 Green Gaps known as Gaps: A; B; C; and D as part of Policy of the TPNP.
- 3.19. As part of the Examination of the TPNP, the Examiner considered whether the inclusion of four ‘green gaps’ in Policy 1 is adequately justified and whether the areas (marked A-D) on the Policies Map are sufficiently clearly defined.”
- 3.20. The Examiner’s Report, advised:
- “Policy 1 of the TPNP states that ‘proposals must not undermine the visual and physical integrity of the gaps between the built-up areas of ...’ and then names the adjacent parishes. In addition, the Report advises the supporting text in paragraph 4.17 of the TPNP does little more to expand or justify this policy approach except that it clarifies that one of the areas is ‘between the two halves of the village’ (of Thakeham).”*
- 3.21. In light of this, the Examiner’s Report stated:
- “there is no robust evidence to support the policy which would impose a significant constraint on development, contrary to national policy”.*
- 3.22. In addition, the Report advised:
- “it is also not clear what account has been taken of HDPF Policy 27 which provides a clear criteria-based policy for the consideration of development proposals which would lead to ‘settlement coalescence’.<sup>6</sup>*
- 3.23. in response to queries raised by the Examiner in respect of the proposed gaps, Thakeham Parish Council (TPC) submitted a response to matters raised. The Examiner’s Report confirms TPC provided a
- “good deal more information on the background and justification for two of the green gaps:*
- Area A between the High Bar Lane area of Thakeham and West Chiltington (parish boundary); and Area B which represents the gap, to the east of the B2139, between ‘The Street’ part of Thakeham and the new development at Abingworth Nursery.”<sup>7</sup>*
- 3.24. No further evidence was submitted in support of Area C and D. Given the lack of evidence, the Examiner concluded Area C and D are inadequately justified in the face of Government policy and therefore recommended the deletion of these areas.

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<sup>5</sup> Ditchling, Westmeston & Streat Neighbourhood Plan, April 2018, CONS 7 Protect important gaps between settlements

<sup>6</sup> Thakeham Parish Neighbourhood Plan to 2031, Examiner’s Report, November 2016, paragraph 3.30

<sup>7</sup> Thakeham Parish Neighbourhood Plan to 2031, Examiner’s Report, November 2016, paragraph 3.32

3.25. With respect to Area A, TPC provided a further description of the nature and function of the strip of countryside to the west of High Bar Lane to the boundary with West Chiltington parish (West Chiltington Common).

3.26. The Examiner's Report confirms:

*"a site for housing has been evaluated in the site assessment report but it is confined to the frontage to Threal's Lane with the woodland of High Bar Copse to the east so that, even if developed it would not lead to the coalescence of High Bar Lane with West Chiltington."*<sup>8</sup>

3.27. For these reasons, the Examiner considered that the designation of a 'green gap' in this location (Area A) serves little practicable value in preventing the two settlements from merging and that the application of normal countryside policies would suffice, including the application of the criteria in HDPF Policy 27.

3.28. With respect to Area B, the Examiner advised:

*"The development taking place at Abingworth Nursery will significantly alter the appearance of that area and reduce the openness of the area to the east of the B2139. I accept that there are local circumstances which justify a policy which seeks to prevent any coalescence between the new development and the old Thakeham village 'The Street' BUAB to the north. It is a local priority over and above the more strategic approach taken through HDPF Policy 27. The approach taken remains in general conformity with the HDPF. On the Policies Map, for the area to which the policy applies to clearly relate to features on the ground, the yellow colouring should extend to the field boundaries in the south-east corner"*.<sup>9</sup>

3.29. In light of the Examiners Report, Policy 1 forms part of the TNP.

3.30. The made TNP, January 2017, includes Thakeham 1: A Spatial Plan for the Parish. The policy, amongst other matters, identifies a green gap between Thakeham village ('The Street') and the new development at Abingworth Nurseries. The gap is indicated on the Policies Map as Green Gap A-The Street-High Bar Lane.

3.31. The Policy seeks to prevent development in the gap and states:

*"Proposals must not undermine the visual and physical integrity of the gap between the built-up area of Thakeham ('The Street') and the new development at Abingworth Nurseries as identified on the Policies Map"*.<sup>10</sup>

### **Storrington, Sullington & Washington Neighbourhood Plan**

3.32. The Storrington, Sullington & Washington Neighbourhood Plan (SSWNP) has recently undergone Examination.

3.33. The Examiner's Report was published in November 2018. This included a number of recommended changes to the SSWNP in order for the Plan to meet the Basic Conditions.

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<sup>8</sup> Thakeham Parish Neighbourhood Plan to 2031, Examiner's Report, November 2016, paragraph 3.34

<sup>9</sup> Thakeham Parish Neighbourhood Plan to 2031, Examiner's Report, November 2016, paragraph 3.33

<sup>10</sup> Thakeham Parish Neighbourhood Plan to 2031, January 2017, Thakeham1: A Spatial Plan for the Parish

- 3.34. In light of recommended changes, Horsham District Council (HDC) carried out further consultation on these issues during February-March 2019.
- 3.35. The Submission SSWNP, included Policy 9: Green Gaps. The objective of the policy was to identify particular areas that, if developed, could lead to coalescence between settlements.
- 3.36. The Examiner published issued “Initial Comments” in May 2018, which concentrated on the status of the qualifying body (QB). Further initial comments were published in June 2018, which advised the Examiner had concluded a hearing, dealing with some specific issues, would be beneficial. In addition, the Examiner advised of some issues which could be dealt with by an exchange of written representations.
- 3.37. Matters which the Examiner considered could be dealt by way of written submissions, included Policy 9: Green Gaps.
- 3.38. With respect to Policy 9, the Examiners advised that the Plan indicates:

*“the broad location of green gaps between Storrington and Sullington and Washington villages and between the 2 parishes and neighbouring parishes. I have not seen where these green gaps have been identified and the extent of the green gaps needs to be shown on a plan.”<sup>11</sup>*

- 3.39. The Examiner invited the QB to work with the LPA with a view to producing maps for examination that address these concerns. In response a Map was prepared to confirm the SSWNP Green Gaps and Views.
- 3.40. As set out above, the Examiners Report was published in November 2018. With respect to Policy 9, the Examiner’s Report advised:

*“I was initially concerned that the policy as written was too vague as it stated that the ‘Neighbourhood Plan identifies the broad location of green gaps between Storrington and Sullington and Washington Village and between these two parishes and other neighbouring parishes.’ It did not do that.”<sup>12</sup>*

- 3.41. In addition, the Examiner’s Report advised:

*“It is important to recognise that this is not a general countryside protection policy, but a policy which is to protect especially vulnerable areas from built development. The Qualifying Body has produced a Green Gaps and Views Plan. It appears to identify a significant number of green gaps where there is no chance of settlement coalescence, because there are no settlements to be coalesced with. The only “corridor” which I consider could be at risk of coalescence is between the northern edge of Storrington and West Chiltington. This gap would have the support of the West Chiltington PC”.<sup>13</sup>*

- 3.42. The Examiner’s Report included a number of recommended modifications which the Examiner considers are required to ensure the plan meets the Basic Conditions. This included, but is not limited to:

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<sup>11</sup> Storrington, Sullington and Washington Neighbourhood Plan, Further initial comments of the Independent Examiner, June 2018

<sup>12</sup>Storrington, Sullington and Washington Neighbourhood Plan 2018-2031, Examiner’s Report, November 2018, paragraph 117

<sup>13</sup>Storrington, Sullington and Washington Neighbourhood Plan 2018-2031, Examiner’s Report, November 2018, paragraph 118

*Reduce the number of green gaps to just one, between Storrington and West Chiltington*<sup>14</sup>.

3.43. In light of the Examiner's recommended modifications, HDC consulted on Modifications (including the modifications to Policy 9) during February-March 2019.

3.44. The consultation documents confirmed it was proposed Policy 9 would be amended to read:

*"Development between Storrington and West Chiltington will be resisted in line with Policy 27 of the Horsham District Planning Framework which seeks to prevent the coalescence of rural settlements."*<sup>15</sup>

3.45. Following the close of the consultation, HDC published the Decision Statement on 01 May 2019. This confirms:

*"All representations received have been considered and Horsham District Council has reached the conclusion no further examination is required in relation to the changes proposed by Horsham District Council in response to the Examiner's recommendations. In all other respects the Council remains in agreement with the Examiner's recommendations and it is therefore considered that the Storrington, Sullington and Washington Neighbourhood Plan meets the Basic Conditions and should proceed to referendum within accepted timescales".*<sup>16</sup>

3.46. At this time, no Referendum date has been set by HDC.

#### **4. APPRAISAL OF RECENT RELEVANT DECISIONS IN PARTICULAR APPEAL AND SECRETARY OF STATE DECISION IN AND AROUND HAS SOCKS WITH RESPECT TO CONSIDERATION OF MATTERS RELATING TO THE FORMER LOCAL PLAN GAP DESIGNATION**

##### **Land to the Rear of Friars Oak, East of London Road: DM/18/2342**

4.1. A planning appeal has been submitted by Rydon Homes Ltd for residential development of 130 dwellings and associated works, including change of use of land to form country open space on land to the rear of Friars Oak, east of London Road, Hassocks (LPA Planning Application Reference: DM/18/2342).

4.2. The planning application was refused by Mid Sussex District Council District-Wide Planning Committee at their meeting of 29th November 2018.

4.3. The appeal site is located immediately beyond the northern edge of the built-up area. It is located to the east of the A273 (London Road); west of the London to Brighton railway line (both routes of which run in a broadly north-south direction); and north of a residential area comprising properties on Shepherds Walk, and three cul-de-sac spurs known as The Bourne, Bankside, and The Spinney. To the north of the appeal site is generally agricultural land.

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<sup>14</sup> Storrington, Sullington and Washington Neighbourhood Plan 2018-2031, Examiner's Report, November 2018

<sup>15</sup> Modifications to the Submission Storrington, Sullington and Washington Neighbourhood Plan 2018-2031

<sup>16</sup> Horsham District Council, Decision Statement, May 2019

- 4.4. The appeal site comprises four arable fields typically delineated by existing hedgerows with a number of individual mature trees. The topography of the site is generally flat with a fall towards the western edge of the site, which is delineated by the meandering herring stream.
- 4.5. Access is predominantly from a point towards the southwest corner of the appeal site via an existing vehicular access, which crosses the herring stream. A further access point is located in the northwest corner of the site.
- 4.6. A Public Right of Way (PRoW) crosses the southern edge of the site in a broadly east-west direction from London Road, crossing the north-south mainline railway, to connect to the public footpath network to the east.
- 4.7. The current proposal comprises a resubmission of a scheme that was previously refused following a call-in of the application by the Secretary of State.
- 4.8. The previous planning application was submitted to Mid Sussex District Council in 2015 (LPA Reference: DM/15/0626).
- 4.9. It was subsequently reported to the Mid Sussex District Planning Committee on 13th October 2016 with an Officer recommendation planning permission be granted. Members resolved to approve the application at that meeting, subject to the completion of a satisfactory Legal Agreement, to secure the necessary affordable housing and infrastructure contributions. However, prior to the decision being issued, the application was called-in by the Secretary of State, for his own determination.
- 4.10. A public inquiry was held on 6th - 8th June 2017. The Planning Inspector issued a subsequent report dated 10th August 2017 recommending that the Secretary of State refuse planning permission.
- 4.11. The Secretary of State concurred with the Inspector's recommendation and refused planning permission in a Decision letter dated 1st March 2018.
- 4.12. The appeal was determined prior to the adoption of the current MSDP. Its predecessor, the Mid Sussex Local Plan (MSLP) defined the appeal site as falling within a countryside location, and part of the strategic gap between Hassocks and Burgess Hill. Policy C2 of the MSLP sought to limit development in such locations unless it was necessary for agricultural and other use which had to be located in the countryside, or it made a valuable contribution to the landscape and amenity of the gap and enhanced its value as open countryside, and would not compromise individually or cumulatively the objectives and fundamental integrity of the gap.
- 4.13. The Inspector's Report made clear that the appeal proposal was in conflict with both planning policy seeking to protect countryside, and planning policy seeking to protect the strategic gap. The Appeal Inspector considered at that time, the scheme conflicted with these policies and caused harm to the landscape character of the site and its surroundings. However, this carried reduced weight given the then housing need within the district.
- 4.14. The Appeal is ongoing. HPC have made representations as an "interested party". HPC consider the current appeal falls to be determined, amongst other things, against the more recently adopted MSDP.



- 4.15. HPC acknowledge the MSDP does not identify Strategic or Local Gaps within the district. Instead, Policy DP13 of the MSDP seeks to prevent coalescence. It notes that individual towns and villages in the district each have their own unique characteristics, and it is important that their separate identity is maintained. It thus notes that development that is not in conflict with Policy DP12 will be permitted where it also does not result in the coalescence of settlements which harms the separate identity and amenity of settlements, and would not have an unacceptably urbanising effect on the area between settlements.
- 4.16. Policy DP13 also notes that Local Gaps can be identified in Neighbourhood Plans, or Site Allocations Development Plan Documents where there is robust evidence that development within the gap would individually or cumulatively result in coalescence, and the loss of the separate identity and amenity of nearby settlements. It notes that evidence must demonstrate the existing local and national policies cannot provide the necessary protection.
- 4.17. The emerging HNP identifies Local Gaps within the parish. This includes land comprising the appeal site. HPC consider that the appeal site both individually and cumulatively, with other land, makes a material and important contribution to the separate identity and amenity of Hassocks, and avoiding coalescence with Burgess Hill to the north.
- 4.18. HPC consider the appeal proposal would result in substantial urban development over the significant majority of the appeal site. This would be harmful to the rural character and setting of the appeal site.
- 4.19. HPC have submitted that this harmful impact was acknowledged by the Planning Officers in their Committee Report. It acknowledges that there would be a 'significant change' at the local level from the scheme and that this would be regarded by many as a 'significant adverse impact' on the landscape.
- 4.20. The Officer's report considered this could nonetheless be ameliorated. In reaching their view, it was noted that some greenfield development would be necessary in order to meet the housing needs of the district. However, as detailed above, there is no such need to release this site, and any residual housing requirement should be met in a Plan-led environment.
- 4.21. The impact of the development would result both from the residential development that would take place, the significant change in ground levels to deliver the access road from the public highway (noting that the embankment would be some 1.75m above existing ground level) and other associated engineering works.
- 4.22. This impact would be appreciable both from within the site, in particular along the route of the Public Right of Way, as well as from beyond the site boundaries, including at points along London Road to the west, and land to the south. Whilst planting could seek to soften this impact, it is submitted that the substantive effect of the development would remain in perpetuity. It is submitted that this harm to landscape was acknowledged and reflected in the Inspector's report for the previous call-in application.
- 4.23. It is considered that the proposal has an unacceptably harmful effect on landscape character of the site, and its setting. Furthermore, HPC have submitted that the development would erode the gap between Burgess Hill and Hassocks, which is sought to be protected through Policy 1 of the emerging HNP.



## Land to the West of London Road: 13/03818

- 4.24. An application for residential development for 97 dwellings on land west of London Road was submitted to MSDC in November 2013 13/03818/OUT).
- 4.25. The application was refused in May 2014; and was the subject of an appeal which was dismissed in March 2015. This decision was challenged in the High Court and was subsequently quashed in February 2016. The appeal was therefore the subject of re-determination by the Secretary of State (SoS).
- 4.26. The Government appointed Inspector held a Public Inquiry in August 2016. The SoS allowed the appeal and planning permission was granted in March 2017.
- 4.27. As part of the determination of the appeal, the Inspector considered the principle and function of the Gap. In considering the main issues of the appeal, the effect the proposal would have on the character and appearance of the area in terms of landscape and the role of the site as part of a designated Local Gap was considered.
- 4.28. On this matter, the SoS agreed:
- “..that although policy C3 is out of date in so far as it impacts upon the supply of housing, it continues to serve an important planning function in preventing the coalescence of Hurstpierpoint and Hassocks and maintaining their separate identities and amenity, with no conflict with the thrust of the Framework.”<sup>17</sup>*
- 4.29. Furthermore the SoS concluded:
- “..that the principle of countryside protection under policy C1 [of the Mid Sussex Local Plan] can be given little weight since it is based on a development boundary that does not reflect current needs. However, Local Gap policy continues to serve an important planning function in preventing the coalescence of Hurstpierpoint and Hassocks and maintaining their separate identities and amenity.”<sup>18</sup>*
- 4.30. In allowing the appeal, it was concluded that the development would comprise a fairly modest extension of the existing built form of Hassocks which would not reduce the area between the settlements that is currently unaffected by urban influences. He further concludes that there are mitigating factors that would limit the degree of resultant coalescence and harm to the amenity and identity of the settlements, and that the adverse impact would not be to the extent of an undermining of the purpose of the Local Gap and change its character.
- 4.31. Notwithstanding the appeal being allowed, it was confirmed:
- “None of the witnesses for the appellant sought to challenge the need for a Local Gap policy between Hassocks and Hurstpierpoint in principle. The dispute lies over the extent of the delineation of the Gap and the contribution that the site makes to the Gap, its objectives and its integrity.”<sup>19</sup>*

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<sup>17</sup> Para 22, APP/D3830/W/14/2226987

<sup>18</sup> Para 30, APP/D3830/W/14/2226987

<sup>19</sup> Para 48, APP/D3830/W/14/2226987

## Land off College Lane, Hurstpierpoint: 13/01250/FUL

- 4.32. An application for residential development comprising 81 dwellings, access roads, car parking facilities,, footways, footpaths and associated infrastructure plus change of use of 4.3 hectares of land to information open space with landscape planning and other works was called in for decision by the SoS in December 2013.
- 4.33. The Inspector recommended that the application be refused. The SoS agreed with the Inspector's conclusion and recommendations.
- 4.34. As part of the determination of the appeal, the Inspector considered character and appearance, including Local Gaps as a main issue.
- 4.35. With regard to policy C3 (and the policy of similar intent included in the emerging NP), the SoS agreed with the Inspector that

*"...although policy C3 is out of date in so far as it impacts upon the supply of housing, it continues to serve an important planning function in preventing the coalescence of the settlements of Hurstpierpoint and Hassocks and maintaining their separate identities and amenity, with no conflict with the thrust of the Framework."*<sup>20</sup>

- 4.36. Furthermore the SoS agreed:

*"... that the Gap continues to serve a useful and much valued planning purpose (irrespective of the landscape capacity assessment of the site) and that an increase in built development would result in a small but nevertheless significant diminution of openness."*<sup>21</sup>

## 5. HASSOCKS NEIGHBOURHOOD PLAN REGULATION 14 PRE-SUBMISSION CONSULTATION

- 5.1. The Hassocks Neighbourhood Plan (HNP), and accompanying Sustainability Appraisal (SA) was subject to Regulation 14 Pre-Submission consultation for a six week period commencing 7th January 2019.
- 5.2. The consultation documents were available to view online on the dedicated HNP webpage. A hard copy of the documents were made available for inspection at the Parish Centre. Comments were invited by email and/or by post.
- 5.3. Stakeholders were alerted to the consultation via email alerts. Locally in the Parish, notices alerting residents and stakeholders to the consultation were placed on Parish notice boards. In addition, a notice was placed in the Parish magazine.
- 5.4. The consultation closed on the 18th February 2019.

## 6. SUMMARY OF REPRESENTATIONS RECEIVED

- 6.1. A total of 63 representations were received in response to the Regulation 14 Pre-Submission Consultation.

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<sup>20</sup> Paragraph 14, APP/D3830/V/13/2211499

<sup>21</sup> Paragraph 14, APP/D3830/V/13/2211499

- 6.2. Representations were received from a variety of stakeholders. These can be summarised as follows:
- 41 representations from local residents;
  - 8 representations from statutory consultees; and
  - 14 representations from developers/agents acting on behalf of landowners.
- 6.3. The majority of representations received were in respect of Policy 2: Local Green Space which set out support for the proposed designation of Local Green Space and in particular, Land to the north of Shepherds Walk (LGS1). A number of these representations considered that no further housing was needed in Hassocks.
- 6.4. The remaining representations received were primarily in respect of:
- Policy 1: Local Gaps;
  - Policy 7: Development in Conservation Areas;
  - Policy 14: Residential Development Within, and Adjoining, the Built-Up Area Boundary of Hassocks;
  - Policy 18: Affordable Housing; and
  - Chapter 8: Transport.

## **7. REVIEW OF SUBMISSION BY INTERESTED PARTIES WITH PARTIES WITH RESPECT TO PROPOSED LOCAL GAP DESIGNATION**

- 7.1. Set out below is a summary of representations received from local residents, statutory consultees and developers/agents on behalf of landowners in respect of Policy 1: Local Gaps:
- 0 representations were received from local residents;
  - 1 representation was received from statutory consultees; and
  - 3 representations were received from developers/agent acting on behalf of landowners.

### **Mid Sussex District Council**

- 7.2. MSDC advised that the Local Gap boundary designation is, essentially, contiguous with the settlement boundary and includes some land that is surrounded by development or has been identified in the recent appeal decision at Friars Oak as not necessary to preserve settlement identity and prevent coalescence.
- 7.3. MSDC consider the Background Paper 'Review of Policy 1 Burgess Hill Gap and Policy 2 Ditchling Gap and Hurstpierpoint Gap' provides general assessment of the character and sensitivity of the landscape that is proposed to be included in the Local Gap, the detail of where the boundary should be drawn in light of this work has not been clearly justified, i.e. Background Paper explains some land is well contained and views are enclosed.

- 7.4. In order for this policy designation to be robust and have credibility in its application, MSDC recommended that further assessment is carried out or conclusions provided to identify the areas of land that are entirely necessary to preserve the integrity of the Local Gap and maintain the separate identity of settlements. MSDC consider this can then be used to support where the Local Gap Boundary should be drawn.

#### **Response to Mid Sussex District Council**

- 7.5. In light of representations received, a review of Policy 1: Local Gaps and its extent was undertaken as part of the appraisal of the Regulation 14 comments and consideration of amendments to the HNP prior to the preparation of a Regulation 16 Submission HNP.
- 7.6. The scope of the review is set out above under paragraph 1.2.
- 7.7. The review of planning applications and Neighbourhood Plan has confirmed the identification of local gaps in planning terms is accepted by the Planning Inspectorate and is in line with the requirements of the NPPF.
- 7.8. The extent of the Gap has therefore been subject to a detailed assessment by reference to 8 sub character areas in order to determine whether all land shown on the Regulation 14 HNP Proposals Map should remain as part of Policy 1 Local Gap.
- 7.9. The review concludes that the case for inclusion of a Local Gap policy remains robust. It does however, identify some land parcels for removal.
- 7.10. The results of the review are set out in Section 8/9 below.

#### **Recommended Changes to Submission Hassocks Neighbourhood Plan**

- 7.11. No changes are recommended to the wording of Policy 1: Local Gaps.
- 7.12. Recommended changes are made in respect of the Proposals Maps, see Section 8/9 below.

#### **Evison & Company**

- 7.13. Representations advised it was considered the boundary has been drawn too widely by including the land between the Barratt's site and the rear of houses at Stone Pound.
- 7.14. It is considered, the land promoted by Evison & Company and adjacent land adjoins the built-up area of Hassocks on three sides and does not fulfil the principal criterion of MSDP Policy DP13: Preventing Coalescence. It is considered the land is an infill site between two parts of Hassocks and should be redrawn to omit the site from the defined Local Gap.

#### **Response to Evison & Company**

- 7.15. In light of representations received, a review of Policy 1: Local Gaps and its extent was undertaken as part of the appraisal of the Regulation 14 comments and consideration of amendments to the HNP prior to the preparation of a Regulation 16 Submission HNP.
- 7.16. The scope of the review is set out above under paragraph 1.2.

- 7.17. The review of planning applications and Neighbourhood Plan has confirmed the identification of local gaps in planning terms is accepted by the Planning Inspectorate and is in line with the requirements of the NPPF.
- 7.18. The extent of the Gap has therefore been subject to a detailed assessment by reference to 8 sub character areas has been undertaken in order to determine whether all land shown on the Regulation 14 HNP Proposals Map should remain as part of Policy 1 Local Gap.
- 7.19. An assessment has been carried out on Area 1: Land west of Stonepound Crossroads. The assessment confirms this part of the Local Gap includes the existing development along Hurst Road and the fields located between Hurst Road and the development at Ham Fields (Saxon Mills).
- 7.20. The October 2018 review concluded that the gap between Hassocks and Hurstpierpoint was of particular sensitivity due to the grant of permission for development at Ham Fields. There has also been infill development on Hurst Road.
- 7.21. The fields west of London Road and south of Ham Fields provide a break in development and allow views to the wider countryside. Breaks in development are considered of particular importance in maintaining the rural character of a settlement like Hassocks, in particular in the context of the growth of the settlement (see view below).
- 7.22. No changes to the area covered by Policy 1 are proposed in Area 1 for the following reasons:
- The Local Gap between Hassocks and Hurstpierpoint is already much reduced;
  - There has been infill development on Hurst Road, which impinges on the Gap;
  - The few breaks allowing outward views to countryside are assessed as being of particular importance to maintaining the rural character of Hassocks.

### Recommended Changes to Submission Hassocks Neighbourhood Plan

- 7.23. No changes are recommended to the wording of Policy 1: Local Gaps and/or the Proposals Map with respect to Area 1: Land west of Stonepound Crossroads.

### Gladman

- 7.24. Representations advise that the Policy does allow for development within the defined Gaps, if said development would not compromise the objectives of the Gaps.
- 7.25. Representations consider this a strategic policy beyond the remit of Neighbourhood Plans that would have the effect of imposing an almost blanket restriction on development around Hassocks.
- 7.26. It is considered it would effectively offer the same level of protection as Green Belt land without undertaking the necessary exceptional circumstances test for the designation of new areas of Green Belt.
- 7.27. Representations submitted that new development can often be delivered on the edge of settlements without leading to the physical or visual merging of settlements, eroding the sense of separation between them or resulting in the loss of openness and character.

- 7.28. Representations question whether the purpose of the proposed gap designations, particularly if this would prevent the delivery of otherwise sustainable and deliverable housing sites from coming forward.
- 7.29. Representations consider blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

### Response to Gladman

- 7.30. In light of representations received, a review of Policy 1: Local Gaps and its extent was undertaken as part of the appraisal of the Regulation 14 comments and consideration of amendments to the HNP prior to the preparation of a Regulation 16 Submission HNP.
- 7.31. The scope of the review is set out above under paragraph 1.2.
- 7.32. The review of planning applications and Neighbourhood Plan has confirmed the identification of local gaps in planning terms is accepted by the Planning Inspectorate and is in line with the requirements of the NPPF.
- 7.33. The extent of the Gap has therefore been subject to a detailed assessment by reference to 8 sub character areas has been undertaken in order to determine whether all land shown on the Regulation 14 HNP Proposals Map should remain as part of Policy 1 Local Gap.
- 7.34. The review concludes that the case for inclusion of a Local Gap policy remains robust. It does however, identify some land parcels for removal.
- 7.35. The results of the review are set out in Section 8/9 below.
- 7.36. In response to representations which advise new development can often be delivered on the edge of settlements without leading to the physical or visual merging of settlements, the HNP includes Policy 14: Residential Development Within and Adjoining the Built-Up Area Boundary of Hassocks.
- 7.37. The Basic Conditions are set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order (or Neighbourhood Plan).
  - Having special regard to the desirability of preserving any listed building, or its setting, or any features of special architectural or historic interest, that it possesses, it is appropriate to make the order. This applies only to Orders.
  - Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
  - The making of the order (or Neighbourhood Plan) contributes to the achievement of sustainable development.

- The making of the order (or Neighbourhood Plan) is in general conformity with the strategic policies contained in the Development Plan for the area of the Authority (or any part of that area).
- 7.38. In light of the requirement for the HNP to be in general conformity with the strategic policies of the MSDP, and in considering Policy 14: Residential Development Within and Adjoining the Built-Up Area Boundary of Hassocks, particular regard has been had to MSDP Policy DP6.
- 7.39. MSDP Policy DP6: Settlement Hierarchy, sets out support for development within towns and villages with defined built-up area boundaries. The Policy states that outside of the defined built-up area boundaries, the expansion of settlements will be supported where:
- The site is allocated in the District Plan, a Neighbourhood Plan, or subsequent Development Plan Document, or where the proposed development is for fewer than 10 dwellings; and
  - The site is contiguous with an existing built-up area of the settlement; and
  - The development is demonstrated to be sustainable, including by reference to the settlement hierarchy.
- 7.40. Policy 14: Residential Development Within and Adjoining the Built-Up Area Boundary of the HNP is reflective of this higher tier policy.
- 7.41. HPC seek to plan positively for the future of the Parish over the Plan period and, therefore, in line with the MSDP Policy DP6, support further windfall development within the built-up area boundary; and outside of the built-up area boundary, where this is on land that lies outside of the SDNP, and subject to a number of criteria.
- 7.42. Given the historic supply of windfall development within the Parish, and the positive approach to limited development outside of, but contiguous with, the built-up area boundary, it is anticipated this will facilitate the delivery of further residential development over the Plan period, in excess of the minimum housing requirement figure set out in the District Plan.
- 7.43. It is therefore considered the policy balances the delivery of housing with the protection of the setting of Hassocks and its rural hinterland and represents sustainable development.

### **Recommended Changes to Submission Hassocks Neighbourhood Plan**

- 7.44. No changes are recommended to the wording of Policy 1: Local Gaps.
- 7.45. Recommended changes are made in respect of the Proposals Maps, see Section 8/9 below.

### **Sigma on behalf of Rydon**

- 7.46. Representations advise no substantial evidence supports the Neighbourhood Plan in its allocation of this gap and as such the proposed policy should be deleted or at least the boundaries of the Gap, as shown on the proposals map require to be properly assessed and re-drawn.
- 7.47. Land at Friars Oak currently makes no material contribution to the actual or perceived separation between Burgess Hill and Hassocks. The Strategic Gap Policy should therefore be redrawn to allow the land lying to the west of the railway and east of London Road to be excluded from the Gap designation to reflect a new allocation for housing or at least to allow for reasonable settlement

expansion in the future to meet housing need and to make the Gap policy, if it is considered to be justified, more credible, flexible, reasonable and less likely to be overridden on appeal.

### **Response Sigma on behalf of Rydon**

- 7.48. In light of representations received, a review of Policy 1: Local Gaps and its extent was undertaken as part of the appraisal of the Regulation 14 comments and consideration of amendments to the HNP prior to the preparation of a Regulation 16 Submission HNP.
- 7.49. The scope of the review is set out above under paragraph 1.2.
- 7.50. The review of planning applications and Neighbourhood Plan has confirmed the identification of local gaps in planning terms is accepted by the Planning Inspectorate and is in line with the requirements of the NPPF.
- 7.51. The extent of the Gap has therefore been subject to a detailed assessment by reference to 8 sub character areas has been undertaken in order to determine whether all land shown on the Regulation 14 HNP Proposals Map should remain as part of Policy 1 Local Gap.
- 7.52. An assessment has been carried out on Area 4: Land North of Friars Oak Fields and East of London Road.
- 7.53. In reviewing Area 4, regard has been had to the Inspector's decision at the Appeal was concerned with whether the gap would still function if the land at Friar's Oak Fields were to be developed and, therefore, would no longer form part of the Gap.
- 7.54. It is considered similar arguments could be presented in relation to many areas of land on the settlement edge. This is not the same point as an assessment as to whether the land currently contributes to the perception of the Gap between the settlements.
- 7.55. Friar's Oak Fields does form an important element to the settlement edge and, therefore, the identity of the existing settlement of Hassocks. It is currently an area of open countryside on the settlement edge and in this respect contributes to the prevention of the coalescence of the existing settlements.
- 7.56. The review, therefore recommends that the land north of Friar's Oak Fields, and the other land within Area 4 north of the settlement edge, should be retained within the Local Gap Policy 1.
- 7.57. There is, however, a small parcel of land within the existing residential area included within the Gap. This area is proposed for removal from Policy 1 as it lies within the existing residential area. See Section 8/9 below for land parcel proposed for removal.

### **Recommended Changes to Submission Hassocks Neighbourhood Plan**

- 7.58. No changes are recommended to the wording of Policy 1: Local Gaps.
- 7.59. Recommended changes are made in respect of Area 4: Land North of Friars Oak Fields and East of London Road, see Section 8/9 below.



## 8. REVIEW OF A NUMBER OF INDIVIDUAL LAND PARCELS IN RESPECT OF THEIR CONTRIBUTION TO THE PURPOSE OF THEIR IDENTIFICATION AS PART OF THE LOCAL GAP.

- 8.1. A review of the extent of the Gap area has been undertaken to determine whether all land shown on the Regulation 14 HNP Proposals Map should remain as part of Policy 1: Local Gaps.
- 8.2. A total of 8 character areas have been identified for review and assessment. The areas are illustrated on the Proposals Map in Figure 1.

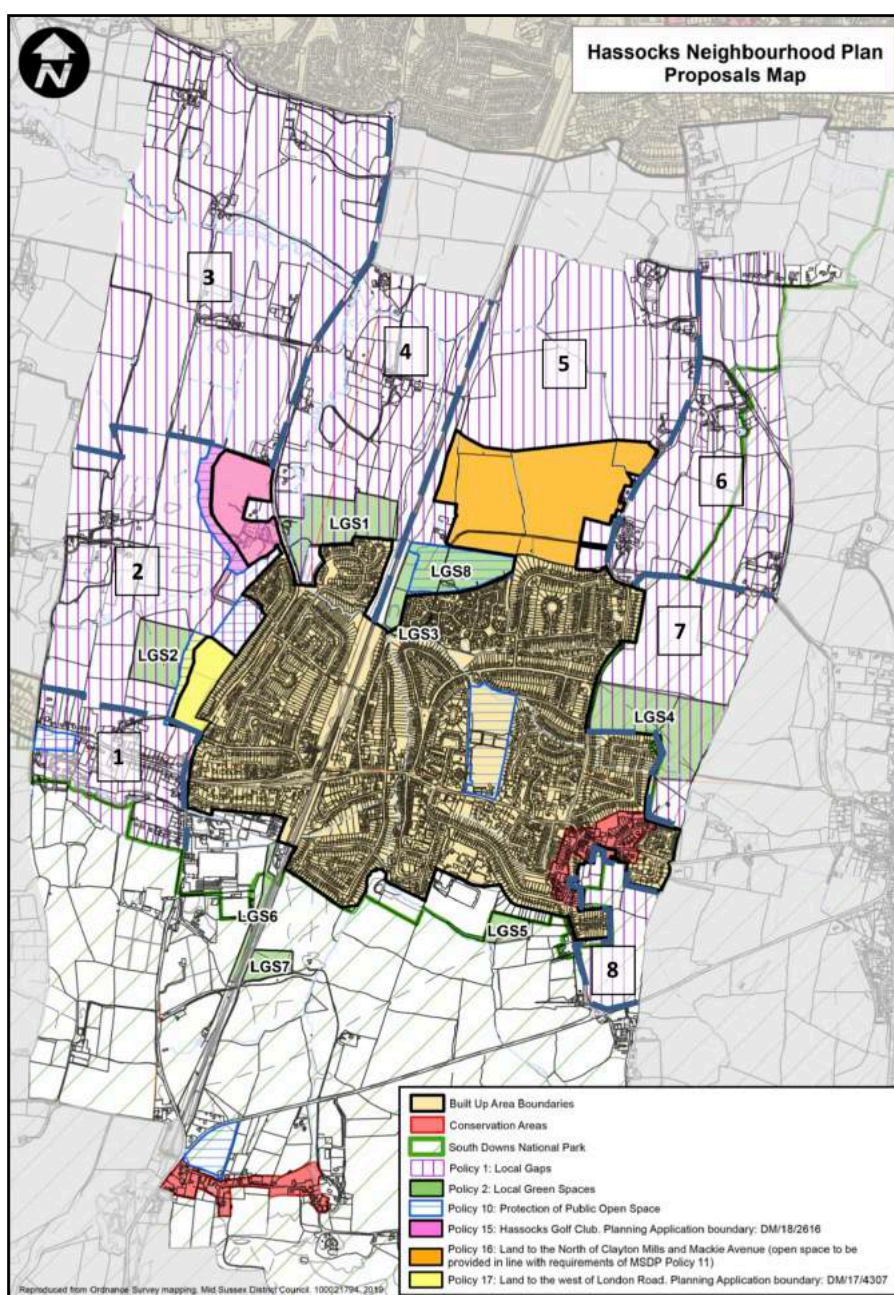


Figure 1: Local Gaps Policy Review Sub Character Areas

### Area 1: Land west of Stonepound Crossroads

- 8.3. This part of the Local Gap includes the existing development along Hurst Road and the fields located between Hurst Road and the development at Ham Fields (Saxon Mills). The October 2018 review concluded that the gap between Hassocks and Hurstpierpoint was of particular sensitivity due to the grant of permission for development at Ham Fields. There has also been infill development on Hurst Road.
- 8.4. The fields west of London Road and south of Ham Fields provide a break in development and allow views to the wider countryside. Breaks in development are considered of particular importance in maintaining the rural character of a settlement like Hassocks, in particular in the context of the growth of the settlement (see view below).



*Figure 2: View from the Gap from London Road, just North of Ham Fields*

- 8.5. No changes to the area covered by Policy 1 are proposed in Area 1 for the following reasons:
- The Local Gap between Hassocks and Hurstpierpoint is already much reduced;
  - There has been infill development on Hurst Road which impinges on the Gap; and
  - The few breaks allowing outward views to countryside are assessed as being of particular importance to maintaining the rural character of Hassocks.



## Area 2: Land to the west of London Road

- 8.6. Much of this land lies within the reduced Local Gap between Hassocks and Hurstpierpoint. The case for retention of the majority of this land remains as set out in the October 2018 paper. This more detailed assessment has identified two areas of land included in the original Gap policy which it is concluded are not essential to the integrity of the gap and could, therefore, be removed from the area covered by Local Gap Policy 1, without affecting the purpose of the policy. These are shown on Figure 1.
- 8.7. Land in Area 2 proposed for removal from Policy 1 Local Gap:
- Belmont Recreation Ground – protected as Open Space;
  - Land at Friars Oak Farmhouse



*Figure 3: Belmont Recreation Ground*

## Area 3: Land to the north of Hassocks Golf Club and west of London Road

- 8.8. The proposed area of the Local Gap extends north from the approved development site at the Golf Club. All of this area retains a strong rural character and forms an important function in the perception of the separation between the settlements of Hassocks and Burgess Hill. For these reasons all land shown on the Proposals Map is recommended to be retained within the Gap.

## Area 4: Land north of Friars Oak Fields and east of London Road

- 8.9. The Inspector's decision at the Appeal was concerned with whether the gap would still function if the land at Friar's Oak Fields were to be developed and, therefore, would no longer form part of the Gap. In reality similar arguments could be presented in relation to many areas of land on the settlement edge. This is not the same point as an assessment as to whether the land currently contributes to the perception of the Gap between the settlements.

- 8.10. Friar's Oak Fields does form an important element to the settlement edge and, therefore, the identity of the existing settlement of Hassocks. It is currently an area of open countryside on the settlement edge and in this respect contributes to the prevention of the coalescence of the existing settlements. This review, therefore recommends that the land north of Friar's Oak Fields, and the other land within Area 4 north of the settlement edge, should be retained within the Local Gap Policy 1.
- 8.11. There is, however, a small parcel of land within the existing residential area included within the Gap. This area is proposed for removal from Policy 1 as it lies within the existing residential area.



*Figure 5: Land at Friars Oak Fields Proposed for Retention Within the Local Gap Policy 1*

## Area 5: Land north of Clayton Mills

- 8.12. The site allocation on land north of Clayton Mills and west of Ockley Lane has markedly reduced the extent of the Local Gap in this location. The retention of the remaining areas of land within the Local Gap to prevent coalescence is therefore of heightened importance. Two small areas of land, currently shown as within the gap, are largely landlocked as a consequence of the site allocation. These are land within the residential curtilage of Woodside and the two small fields to the west of Ockley Manor. For these reasons it is recommended that these two areas of land are removed from the Local Gap Policy 1 as shown on Figure 1.
- 8.13. Land in Area 5 proposed for removal from Policy 1 Local Gap:
- Land at Woodside; and
  - Two fields to the west of Ockley Manor and Ockley Lane



*Figure 6: Fields to the West of Ockley Manor and Ockley Lane*

#### Area 6: Land East of Ockley Lane and north of Oldlands Mill

- 8.14. All of this area retains a strong rural character and forms an important function in the perception of the separation between the settlements. It is, therefore, recommended that all land with Area 6 is retained with Local Gap Policy 1.



*Figure 7: Open Countryside Within Area 6*

#### Area 7: Land east of Ockley Lane and south of Oldlands Mill

- 8.15. The October 2018 assessment concluded that this land was essential to the perception of the separate identity of the settlements of Hassocks and Ditchling. The vast majority of the land is seen in important views from land around Oldlands Mill and when travelling between the two settlements on local rights of way and Keymer Road.



*Figure 8: View Across the Hassocks/Ditchling Gap*



- 8.16. This assessment concludes that the vast majority of this land remains important to the prevention of coalescence and the protection of the separate identity of the villages of Hassocks and Ditchling. The one exception is the small parcel of land at Streamside which is predominantly domestic curtilage and is enclosed by high fencing and hedging. This area of land does not contribute to any significant degree to settlement identity and prevention of coalescence and it is recommended that this be removed from the area covered by Local Gap Policy 1.
- 8.17. Land in Area 7 proposed for removal from Policy 1 Local Gap:
- Land at Streamside and the adjacent footpath



*Figure 9: Land at Streamside*

### Area 8: Land south of Ockley Lane and east of Lodge Lane

- 8.18. This area of land comprises areas of grazing land and a graveyard. As identified in the October 2018 assessment this land is considered of particular importance in providing the setting to the Keymer Conservation Area, which includes Keymer Church and a number of listed properties.
- 8.19. It provides an important break between existing development with outward views from Keymer Road and the Church over open land to the South Downs (see below). Breaks in development such as this, providing views to countryside are important to the perception of Hassocks as a rural settlement.
- 8.20. The land is therefore assessed as being of particular important to the retention of settlement identity, in particular with regard to the setting to the Keymer Conservation Area. For these reasons it is recommended that all land within Area 8 is retained in the Local Gap Policy 1.



*Figure 10: View Across Area 8 From Keymer Road*



*Figure 11: View to Keymer Church from the Graveyard Within Area 8*



## 9. LAND PROPOSED FOR REMOVAL FROM THE LOCAL GAP

- 9.1. In light of the results of the Assessment, please see Proposals Map below which identifies land for removal from Local Gap.

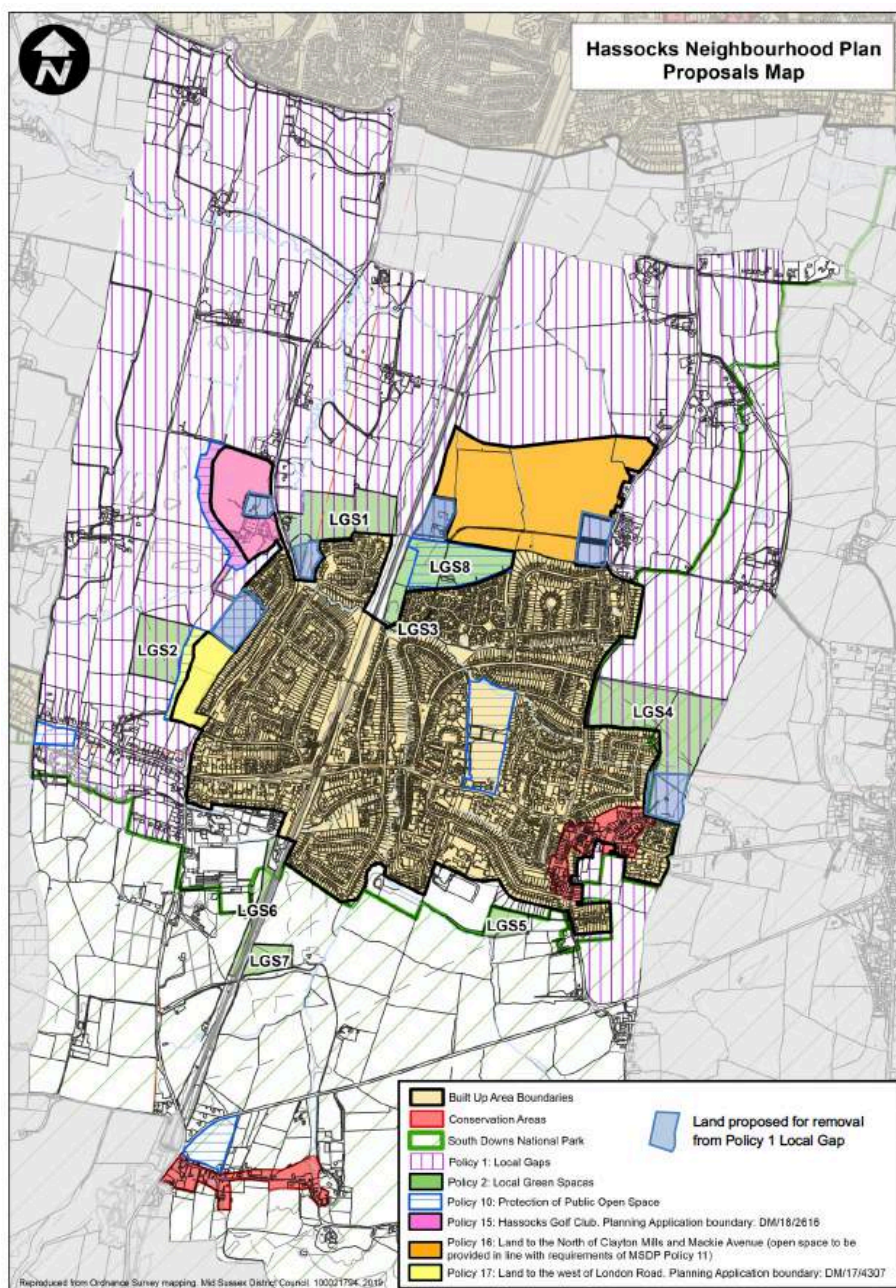
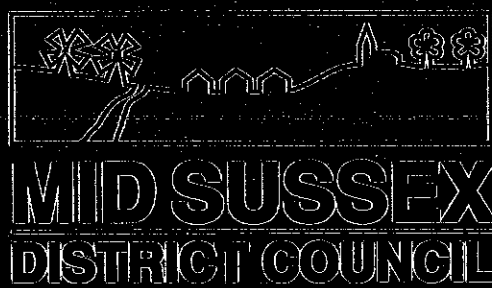


Figure 12: Land proposed for removal from Policy 1: Local Gaps

## **APPENDIX 1**

**(Mid Sussex District Council: Technical Report  
No.5, Strategic Gap Boundaries)**



MID SUSSEX LOCAL PLAN

DEPOSIT DRAFT

TECHNICAL REPORT No.8

# STRATEGIC GAP BOUNDARIES

AMENDMENTS INCLUDED FROM  
1st MAY 2001 (D & T Committee)  
23rd JUNE 2001 (Cabinet)

# MID SUSSEX LOCAL PLAN DEPOSIT DRAFT

## TECHNICAL REPORT

### STRATEGIC GAP BOUNDARIES

#### 1.0 INTRODUCTION

1.1 Strategic Gaps are listed in the Structure Plan. The current version, West Sussex Structure Plan 1998 (not formally adopted), identifies seven such gaps within Mid Sussex District which are to be maintained and protected (Policy C5). These are:

- Burgess Hill and Hurstpierpoint/Keymer/Hassocks
- Burgess Hill and Haywards Heath
- Haywards Heath and Cuckfield
- Haywards Heath/Lindfield and Scaynes Hill
- Crawley and East Grinstead
- Crawley and Pease Pottage
- East Grinstead and Ashurst Wood.

1.2 The boundaries of Strategic Gaps are defined by Local Plans. This technical report explains how these boundaries have been defined in detail within the Mid-Sussex Local Plan.

#### 2.0 BACKGROUND

2.1 Strategic Gaps have played a major role in strategic planning policy within West Sussex since about 1980 (West Sussex Structure Plan 1980). They are areas of countryside between settlements where it is necessary to place firm restraint on new development to maintain their separate identity and amenity. Only land which it is necessary to keep generally free from development in order to secure Strategic Gap objectives on a long term basis should be included within the gap. The primary role of Strategic Gaps is to maintain the strategic settlement pattern in West Sussex. Those gaps of local rather than strategic importance, such as those between smaller settlements, are identified as Local Countryside Gaps in the Local Plan.

2.2 The evolution of Strategic Gap policy and the evaluation of its success has been well documented by West Sussex County Council in a technical report 'Mind the Gap' (March 1999).

2.3 The Panel Report (May 1997) following the Examination in Public into the Deposit Draft version of the West Sussex Structure Plan, considered Strategic Gaps.

The Panel commented:

"1.58. We accept that the environmental constraints identified in the (Environmental Capacity) study are not all of equal weight. In particular, we think that the concept of the Strategic Gap is one that has been over-used and we heard evidence that in local plan preparation there is a tendency to draw the boundaries of Strategic Gaps more tightly than is strictly necessary.

1.59. We are satisfied that in principle Strategic Gaps have a proper planning function both to prevent the coalescence of settlements and to help maintain the character of the county as one of small to medium size free-standing towns. In that context they

provide an amenity role, but as we see it, they have not been defined for the express purpose of protecting the landscape or countryside, but rather to restrain development and to prevent the coalescence of settlements. There are other appropriate policies in the Deposit Draft Structure Plan (DDSP) which can be used if land adjacent to urban boundaries needs to be protected from development.

- 1.60. We believe that the DDSP in Policy C5(b) and the supporting text in para 8.21 gives clear advice on the definition of the boundaries of the Strategic Gaps, but WSCC may well wish to consider whether additional guidance should be given to the district councils on this issue."

2.4 It can be seen that the Panel supported the principle of Strategic Gaps but were somewhat critical of the tendency to draw boundaries more tightly than was necessary. All Strategic Gap boundaries within Mid-Sussex have, therefore, been thoroughly reviewed during the preparation of the Local Plan. The test for development in the gaps as contained in C5, has also been amended in light of the panel's comments. The 'compelling circumstances' test has been deleted. A copy of policy C5 is attached to this report at Appendix 1 with a copy of the corresponding Local Plan policy at Appendix 2.

2.5 It should also be noted that local countryside designations such as strategic gaps are recognised by the Government. In Planning Policy Guidance note 7 on the Countryside local authorities are required to base their designations on an assessment of the contribution of each area and to review their function as part of the Local Plan process

### **3.0 DEFINING THE GAPS**

3.1 Policy C5 of the West Sussex Structure Plan 1998 (not formally adopted) states that the precise boundaries of Strategic Gaps will be defined in Local Plans. Paragraphs 7.19 to 7.21 of the Explanatory Memorandum of the Structure Plan outline the importance of the gaps and as highlighted by the panel, sets out the criteria for defining the precise boundaries of the gaps. These are important paragraphs and are therefore set out in full below:

"7.19 The settings of towns and villages are as important as the buildings and spaces which comprise their urban environment, and, if the individual character of a place is to be retained, its setting must be given close attention. A clear visual break seen when passing from place to place gives a recognisable structure to a group of settlements, establishing in travellers' minds that they are arriving somewhere else. Very importantly, it helps to maintain the "sense of place" for residents of (and visitors to) the communities on either side. Past decisions about which land should be released for development have usually sought to prevent the coalescence of existing built up areas: this must continue.

7.20 The list in the policy includes those gaps which are of clear strategic significance. Additional gaps of more local importance are defined in some Local Plans.

7.21 Strategic gap boundaries should be defined in Local Plans to identify the land which contributes to the gap's objectives, and to omit other land (which is still to be treated as open countryside and not, unless so indicated in the Local Plan, to be regarded as a reserve for future development). Regard should be had to the danger of cumulative erosion of the gap. The gap boundary should as far as possible follow some recognisable physical feature: lengths of it may be identical to the built up area boundary if it is evident that all land outside that boundary contributes to the objectives of the policy. Regard should also be had to the development requirements of this Structure Plan, although other options for accommodating the required development which do not infringe the Strategic Gap or other constraints should be preferred. If necessary, the County Council and the District Councils will draw up further advice to guide the implementation of this policy and to assist its defence at Local Plan Inquiries.'

3.2 The Strategic Gap boundaries defined within the Local Plan have been assessed against this set of criteria together with the additional countywide advice drawn up by the County Council together with the individual Districts/Borough (Strategic Policy Implementation Note). In summary these criteria are:

- The main objectives of strategic gaps as defined in the West Sussex Structure Plan are to prevent the coalescence *and* retain the separate identity and amenity of settlements.
- Only land which it is necessary to keep generally free from development in order to secure the objectives of strategic gaps on a long term basis should be included within them.
- Travellers (by all forms of transport ) should be aware of a clear visual break when passing between settlements, providing them with the sense that they have left one settlement before they enter the next.
- The gap boundary should as far as possible follow some recognisable physical feature (e.g. a road, footpath, hedgerow, stream, field boundary etc) In some instances however it may be necessary to follow an administrative boundary which may not in itself follow a recognisable physical feature.
- Gap boundaries should coincide with built-up area boundaries if it is evident that all land outside that boundary contributes to the objectives of the policy.
- Regard should be had to the development requirements of the Development Plan
- The fact that some gaps are wider than others is of no significance in itself.
- An absence of existing urban activity within the gap is the ideal, although this may not always be realistically achievable.
- Intervisibility; land between settlements from which it is possible to see a built -up part of both settlements is likely to meet the objectives of the policy and is generally therefore included within the strategic gap. (The contrary position does not however apply. There are many sites within the gaps from which it is not possible to see from settlement to settlement due for example to topography, tree belts etc which still serve the objectives of the gaps).

3.3 In defining the extent of the Strategic Gaps it was recognised that coalescence is a process and not an end state. Hence whilst development of a particular site may not in itself result in the coalescence of settlements it may contribute to their coalescence. This is a vitally important consideration because precedents could easily be set for development which eventually lead to coalescence. This is one of the points which is emphasised in paragraph 7.21 of the Structure Plan (see 3.1 above).

3.4 It is important to note that the planning policy for development in the countryside generally (WSSP 1998 C1) and that for strategic gaps (WSSP 1998 C5) have differing aims and objectives. A proposal for development within a strategic gap will, by definition, lie outside a built up area and will therefore be tested against policy C1 and then against policy C5. Just because an application site may lie in countryside outside a strategic gap does **not** mean that it is reserved for future development. Proposals will still need to meet the tests of policy C1.

#### 4.0 **Burgess Hill and Hurstpierpoint / Keymer / Hassocks (Map A)**

4.1 The gap consists of the area of attractive, generally open countryside between the southern built up limits of Burgess Hill and land to the north of the villages of Hurstpierpoint, Hassocks and Keymer. Much of the gap is prominent in views from the South Downs and is therefore particularly sensitive.

- 4.2 There are a number of north-south transport routes through the countryside linking the settlements. These include Cuckfield Road to the west (Burgess Hill- Hurstpierpoint), College Lane/Malthouse Lane (Burgess Hill- Hurst Wickham), A273 London Road (Burgess Hill- Hassocks), the London to Brighton railway line and Keymer Road/Ockley Lane (Burgess Hill- Keymer) to the east. There is also a network of public rights of way. The gap is therefore very accessible to the public offering numerous vantage points.
- 4.3 The western side boundary of the gap is defined by the Cuckfield Road from its junction with Pomper Lane to the built up boundary of Hurstpierpoint. The north-western boundary extends from the junction of Cuckfield Road/Pomper Lane and joins Jane Murray Way at its junction with Malthouse Lane. It then follows the built up limits of Burgess Hill until Keymer Road to the east, which marks the start of the eastern gap boundary.
- 4.4 Jane Murray Way provides a clear break between urban and rural landscapes. A major feature of the western side of the gap, to the south of this highway, is the impressive Hurstpierpoint College with its ancillary buildings and sports grounds. Otherwise this is an essentially rural area consisting of undulating fields bounded by hedgerows, some tree belts together with scattered residential and agricultural buildings.
- 4.5 To the south of the college is an area of agricultural land between Hurstpierpoint and Hurst Wickham. A belt of mature trees along the northern edge of Hurstpierpoint prevents any significant views into the village from the north and helps provide a soft edge. Distant views northwards, including of Burgess Hill are available from the fields adjacent to the tree line. These fields are visible from the north and meet the criteria for inclusion within the gap.
- 4.6 The gap boundary is contiguous with the northern built up area boundary of Hurstpierpoint with one exception. The area of land around the new development to the rear of St. George's House, is excluded from the gap. The gap boundary then follows the built up area boundary of Hurst Wickham, a distinct hamlet, which is almost separate from the main village of Hurstpierpoint itself. Whilst Hurst Wickham is a linear development, extending into the countryside, development in the triangular area of land immediately to the west would lead to the loss of a number of important trees and vegetation, thereby opening up views to the north. Development would also lead to the loss of an important open view, resulting in the loss of amenity and local identity for residents. The area therefore meets the criteria for inclusion within the gap.
- 4.7 The gap boundary follows the rear of the gardens to the east of Hurst Wickham; to the north of the curtilage of the dwellings fronting Wickham Hill and Hurst Road, Hurstpierpoint; and to the west of the dwellings facing London Road, Hassocks.
- 4.8 To the south of Belmont, there is a relatively well treed area where intervisibility between Burgess Hill and Hurstpierpoint is not possible. However, land to the north of Hassocks Road rises up towards the curtilages of dwellings facing the road. Consequently, there is clear intervisibility within large areas of this gap between Hurstpierpoint and Burgess Hill. This is particularly noticeable from a wide area around Ham Farm. Both settlements can also be clearly seen from the area in the vicinity of the footpath which passes east-west through Friars Oak Golf Course.
- 4.9 While not all of the gap area affords intervisibility between settlements, open views of settlements are possible from a large proportion of it and it is important to include this area between Hurstpierpoint and Hassocks within the strategic gap.
- 4.10 The boundary continues to the east along a public footpath, on the opposite side of London Road, following the built up area of Hassocks. It crosses the railway line and runs to the rear of the curtilage of the dwellings in Grand Avenue and Mackie Avenue, before continuing along the built up area boundary of Keymer until it reaches the County boundary with East Sussex (Lewes District).

- 4.11 It then turns northwards and follows the County Boundary to the north so as to join the southern boundary of the built-up area for Burgess Hill where it runs to the south of dwellings fronting Folders Lane. The land to the east side of Ockley Lane is included within the gap as development within this area would seriously harm the sense of passing from one settlement to another along this road; this is particularly the case as one approaches Keymer.

## **5.0 Haywards Heath and Burgess Hill (Map B)**

- 5.1 This gap covers the area of countryside between Haywards Heath and Burgess Hill. These are two of the larger settlements within the District and it is particularly important therefore to protect their separate identities. The Haywards Heath Local Plan allocates a significant area of land to the south west of the town for new development together with a relief road. This development, which has planning permission but is not yet built, extends development within the gap. It is important that no further incursions are made.
- 5.2 There are three main north-south transport links between the towns. These are at Isaac's Lane, which forms the western gap boundary, the London-Brighton railway line which divides the gap on a north-south axis, and Rocky Lane/Valebridge Road. These routes allow good views through the gap and contribute to the clear sense of having left one settlement and entered the other.
- 5.3 The gap has an essential rural quality characterised by irregularly shaped fields bounded by hedgerows, significant areas of woodland and scattered farm and residential buildings. Whilst not specially designated for its quality, the landscape is attractive in its own right and is important to the settings of the settlements. Land immediately north of Burgess Hill, to the west of the railway line, is designated as a local nature reserve (Bedelands Farm), with a West Sussex Site of Nature Conservation Importance at Big Wood and Valebridge Pond.
- 5.4 There is no settlement-settlement intervisibility due to extensive woodland belts and the topography of the landscape. There are however positions within the gap from which it is possible to view both settlements together. At Brooklands Farm for example, which is sited on rising land, commanding views over Burgess Hill to the south are possible together with views of the south east side of Haywards Heath and Stockwell Court, a block of flats in the town centre.
- 5.5 The western boundary of the gap follows Isaac's Lane, the proposed link to the relief road, and the new estate road to the edge of the built-up area. From here the boundary follows the northern limits of phase 1 of the south west sector joining the relief road just to the west. The boundary follows the line of the relief road, thereafter the boundary is contiguous with the southern built up area boundary for Haywards Heath with one exception. Rookery Farm is excluded from the gap as it does not meet the criteria for strategic gap designation.
- 5.6 To the eastern side of the gap, a significant amount of land between the settlements which would otherwise be included within the gap, is located within the county of East Sussex (Lewes District). The eastern boundary is therefore somewhat artificial as a result. It follows the county boundary and Valebridge Road to join with the northern built up limits of Burgess Hill.
- 5.7 The southern boundary of the gap generally follows the built up area boundary, with the exception of a small area of open land between the football ground and Freeks Lane, joining up with the western boundary at Isaac's Lane.
- 5.8 Land to the eastern side of Burgess Hill, in the vicinity of World's End, whilst designated as a strategic gap in the adopted Burgess Hill Local Plan 1992, does not contribute to preventing coalescence with Haywards Heath. It is therefore excluded from the gap.

## **6.0 Haywards Heath and Cuckfield (Map C)**

- 6.1 At its closest point, in the vicinity of Hatchgate Lane, the gap between the built up areas of Haywards Heath and Cuckfield is just some 0.5km. To the south along the A272 (Butlers Green/Tylers Green) the gap, whilst wider, is fragmented with lengths of frontage



development to both sides of the road. The gap is therefore sensitive to new development and is viewed by a significant number of people travelling along the busy A272. There is therefore no divergence between the built up boundary and the strategic gap boundary at these points.

- 6.2 The widest part of the gap, in the countryside around Horsgate Farm, to the south of Hanlye Lane is of a completely different character. It has an open rural quality, essentially free from motor traffic and widely visible particularly from the eastern side of Cuckfield and the higher land to the north around Hanlye Lane which demarcates the northern boundary to the gap. The gap is criss-crossed by a network of public rights of way making it widely accessible on foot.
- 6.3 The eastern gap boundary follows the built up boundary of Haywards Heath with the exception of a very small area of land between Nos. 101 and 103 Penland Road which makes no contribution to the objectives of gap policy. Similarly the western gap boundary generally follows the built up area boundary of Cuckfield with two exceptions. Firstly the area around the new primary school at Glebe Road is excluded from the gap and secondly the small field and car park to the east of the Baptist Chapel at Polestub Lane is excluded from the gap as the area is enclosed by development on three sides with the fourth side defined by mature trees. It does not contribute to gap objectives and is therefore excluded.
- 6.4 To the south of the A272 the situation is complicated by the permitted, but as yet unbuilt, residential development and relief road to the south of Bolnore Road. The southern gap boundary follows Bolnore Road until it meets Reading Wood which is included within the Strategic gap. From here it follows the edge of the proposed development to the proposed new section of estate road and thence to the roundabout south west of Bolnore House, along the A273 Isaac's Lane, crossing this and then continuing around the southern side of woodland at Chownes Mead. It then returns to the built up area of Cuckfield via Copyhold Lane, Tylers Green and Broad Street. The gap is important to the settings of both settlements and should be kept free from development to protect their separate identities,

## **7.0 Haywards Heath/Lindfield and Scaynes Hill (Map D)**

- 7.1 A major feature of the gap between Haywards Heath/Lindfield and Scaynes Hill is the A272 (Lewes Road) primary traffic route. This links the settlements at their narrowest point and divides the gap along an east-west axis. When travelling through the gap in either direction whether by car or on foot there is a strong sense of leaving one settlement and arriving at the next. This asset is important to protect. Whilst not subject of any special landscape designation, such as an AONB (the High Weald AONB starts just north of Great Walstead School) the land within the gap has a strong rural landscape quality.
- 7.2 Land to the north of the A272 is characterised by attractive open countryside having undulating fields bounded by hedgerows and tree belts. A network of public rights of way crosses the land. Other important physical features which characterise this part of the gap include the small hamlet of Walstead, which straddles Scamps Hill, and a significant area of woodland known as Costells Wood, which borders the western built up limits of Scaynes Hill.
- 7.3 Along the southern side of the A272, in the vicinity of Colwell Lane, there is frontage development with undulating fields and woodland behind. These latter areas are essentially free from development apart from scattered farm buildings such as at Eastland Farm, close to Scaynes Hill. There is no intervisibility between settlements possible due to the topography of the area, particularly its undulating nature and wooded areas such as Costells Wood.
- 7.4 The gap's southern boundary follows Ham Lane to the east, various field boundaries and the county boundary with East Sussex (Lewes District) until it joins with the built up area boundary at Colwell Lane to the west.
- 7.5 The western gap boundary is generally contiguous with the built up area boundary of Haywards Heath/Lindfield. The only exception is a small area of land at the north-west corner where part of a local nature reserve is excluded as it does not contribute materially to the objectives of strategic gap policy. It follows a short section of the A272 at Colwell Lane, Lyoth Lane, Gravelye Lane and a tributary of the river Ouse to the south east of Noah's Ark Lane.

There is a clear change in character from the urban to a rural landscape at the gap boundary and land within the gap here provides an important and attractive rural setting to Haywards Heath/Lindfield.

- 7.6 Land to the north of Scamps Hill is included within the gap despite the recommendation of the Inspector following the inquiry into the Haywards Heath Local Plan in 1993. It is considered that this area of land, which lies between the settlements, does contribute to the primary objective of strategic gap policy.
- 7.7 The eastern boundary to the gap is contiguous with the built-up area of Scaynes Hill. It is drawn around the housing developments at Costells Edge, St. Augustines Close/Roseleigh Gardens, Lewes Road and Ham Lane. The buildings and some land at Ham Lane Farm, whilst outside the built up area, are excluded from the gap as they do not contribute to the objectives of gap policy. Land west of the boundary would accord with the objectives of strategic gap policy and is for that reason included within the gap.
- 7.8 The north eastern side boundary follows a public footpath through Costells Wood, along field boundaries and a further footpath at Little Walstead Farm.

#### **8.0 East Grinstead and Crawley (Map E)**

- 8.1 This gap includes the area of land bordered to the west by the substantial town of Crawley and to the east by East Grinstead. The area is essentially rural in character although it does contain some areas of more intensive built development. The villages of Copthorne, Crawley Down and Turners Hill each have a built up area boundary defined in the Local Plan and whilst physically sited between the two main settlements, they are excluded from the gap for purposes of planning policy. The gaps between these villages and the larger settlements are however vital components of the wider gap.
- 8.2 The gap is widely accessible and visible to the public both by vehicular transport and on foot/bike through a network of roads and other Public Rights of Way. Important routes include, amongst others, the Worth Way public bridleway and national cycle route which links Crawley and East Grinstead following the line of a dismantled railway and the A 264 and B 2110. The settlements each have their own strong individual identity which Strategic Gap policy seeks to protect. The accessibility of the gap helps to foster this sense of place in the eyes of the general public through its contribution to the clear sense of having left one settlement and entered the next and the perception of the existence of the gap generally.
- 8.3 The northern boundary of the gap excludes the curtilages of the houses, and tennis club, on the Crawley Down Road in an easterly direction. It then generally follows the administrative boundary with Surrey County Council (Tandridge District) until it reaches Copthorne. Copthorne is excluded from the gap for the reasons explained above.
- 8.4 The western gap boundary is formed by the M23 motorway until it meets the B2036, Balcombe Road, as it passes through Worth Forest. This area of land, to the south of Majors Hill, is included within the High Weald Area of Outstanding Natural Beauty in recognition of its special landscape quality. It is the only part of this gap so designated. The southern boundary follows Paddockhurst Road which lies on a ridge providing extensive views over the undulating countryside to the south and some views over woodland to Crawley and Gatwick airport to the north west. The boundary continues east of Turners Hill along East Street and Turners Hill Road until it meets the built up area boundary for East Grinstead.
- 8.5 In addition to the three villages mentioned above there is inevitably development between settlements. These small areas of low density development which do not have designated built up area boundaries and are therefore located within the gap. To the north of Crawley Down for example there is low density residential development in woodland settings at Cuttinglye Wood and Furnace Wood. To the east of Turners Hill there is a substantial mobile home park at Home Wood, with a small relatively modern development at Newlands Park east of Copthorne. There is also some commercial development such as the Rowfant Business Park at the former brickworks to the south west of Crawley Down, with a site occupied by Colas adjacent. Both these sites are located adjacent to substantial areas of

woodland. There are also small pockets of commercial development adjacent to the motorway at Wakehams Green garden centre and the hotel, offices and fitness centre at Crabett Park.

- 8.6 However, these developments, due to their relatively small areas or the extent to which they are dominated by integral and surrounding woodland, do not override the dominantly rural character of the gap which is created by large areas of woodland such as at Worth Forest, Rowfant and Copthorne Common. The rural aspect is also enhanced by the open fields, woodland belts and associated agricultural buildings in the gap generally but particularly between East Grinstead and Crawley Down around Imberhorne Farm and Tilkhurst Farm, and Home Farm to the west of Crawley Down.

#### **9.0 Pease Pottage and Crawley (Map F)**

- 9.1 This gap covers the part of the narrow tract of land between the village of Pease Pottage and Crawley which falls within Mid Sussex District. The northern part of the gap, which consists predominantly of woodland, lies within the Borough of Crawley. It is characterised essentially by open land mainly used for recreational purposes including a golf course and driving range. To the west there is a small woodland area with some built development associated with the golf club and offices within the former meteorological station. To the east there is limited residential development fronting Brighton Road with a field and woodland to the west. There are no public highways or other public rights of way through the land, a large proportion of which is designated High Weald AONB.

- 9.2 This is a particularly narrow and development sensitive gap having a depth ranging from just some 100m to 500m. It is important to protect the gap from further development to maintain the separate identity of Pease Pottage. For this reason the southern gap boundary is contiguous with the built up boundary of Pease Pottage. This southern boundary of the gap is extended slightly westwards to the boundary with Horsham District, so as to include the area of land around Horsham corner.

- 9.3 The western limit to the gap follows the administrative boundary of Mid Sussex-Horsham northwards until it meets the Mid Sussex -Crawley boundary which forms the northern limit to the gap. The area north of the district boundary within Crawley Borough is designated as Strategic Gap, similarly the land to the west of the district boundary within Horsham District is designated as Strategic Gap. The eastern boundary includes the part of Brighton Road within Mid-Sussex and the open land to the western side of the motorway. This latter area is included within the gap as it meets the objectives of strategic gap policy.

#### **10.0 East Grinstead and Ashurst Wood (Map G)**

- 10.1 This gap covers the area of countryside between the south eastern side of East Grinstead and the western side of Ashurst Wood. It is characterised by attractive undulating fields bounded by hedgerows with areas of woodland. The landscape is of particularly high quality hence the majority of the gap is designated as lying within the High Weald AONB. The gap contains a number of substantial buildings, such as Herontye and Brockhurst, which contribute to its character. A network of public rights of way cross the gap, including Forest Way which follows the line of a dismantled railway. These paths provide good public access providing widespread views thereby adding to the public awareness of the gap.

- 10.2 A major feature of the gap is the busy A22 (Lewes Road) which forms part of the strategic County highway network and links the settlements. This runs along a ridge dividing the gap on a south east-north west axis. There is a ribbon of residential development projecting from the town towards Ashurst Wood, along the northern side of Lewes Road. This is bounded to the north by a public footpath with fields at Worsted Farm beyond. There is a similar area of development along both sides of Lewes Road projecting from Ashurst Wood towards East Grinstead. Whilst predominantly residential in character it includes the significant office development at Wealden House. Both of these areas of development are excluded from the built up areas of their respective settlements and designated as Countryside Areas of Development Restraint. Due however to the extent of development so close to the settlement

boundaries these areas do not contribute to the objectives of Strategic Gap policy and are therefore excluded from the gap.

- 10.3 The area of land along the Lewes Road between these developments, in the vicinity of Truscotts Manor, is, with the exception of land at The Spinney, the 'last field' before the settlements coalesce. The protection of this area from development is therefore of paramount importance.
- 10.4 The gap is very narrow in parts having a width ranging from just some 250m along Lewes Road, some 1km along its SW boundary, to some 1.8km along its NE boundary. As such the south west boundary has been drawn coincidental with the built up area of East Grinstead with the exception of the ribbon of development along Lewes Road referred to above.
- 10.5 The southern boundary is formed by the stream known as Luxfords Brook, which flows between Harwoods Lane to the west and the sewage works. The boundary follows a short section of Luxfords Lane and then a public footpath across fields to the south of Wealden House. Fine views towards East Grinstead are possible from this area with St.Swithun's church being particularly prominent. The boundary envelops the ribbon of development along Lewes Road to the north west of Ashurst Wood mentioned above. It thereafter follows the defined built up area of the village until it reaches the County boundary with East Sussex (Wealden District) at Maypole Road.
- 10.6 The eastern boundary follows the County boundary northwards across fields to the west of Stoke Brunswick school, a public bridleway through Pitlands Wood/Fowl Wood west of Shovelstrode Farm, a public footpath west of Pitlands Wood and a stream which joins the western boundary of the gap adjacent to the residential development at The Dell.

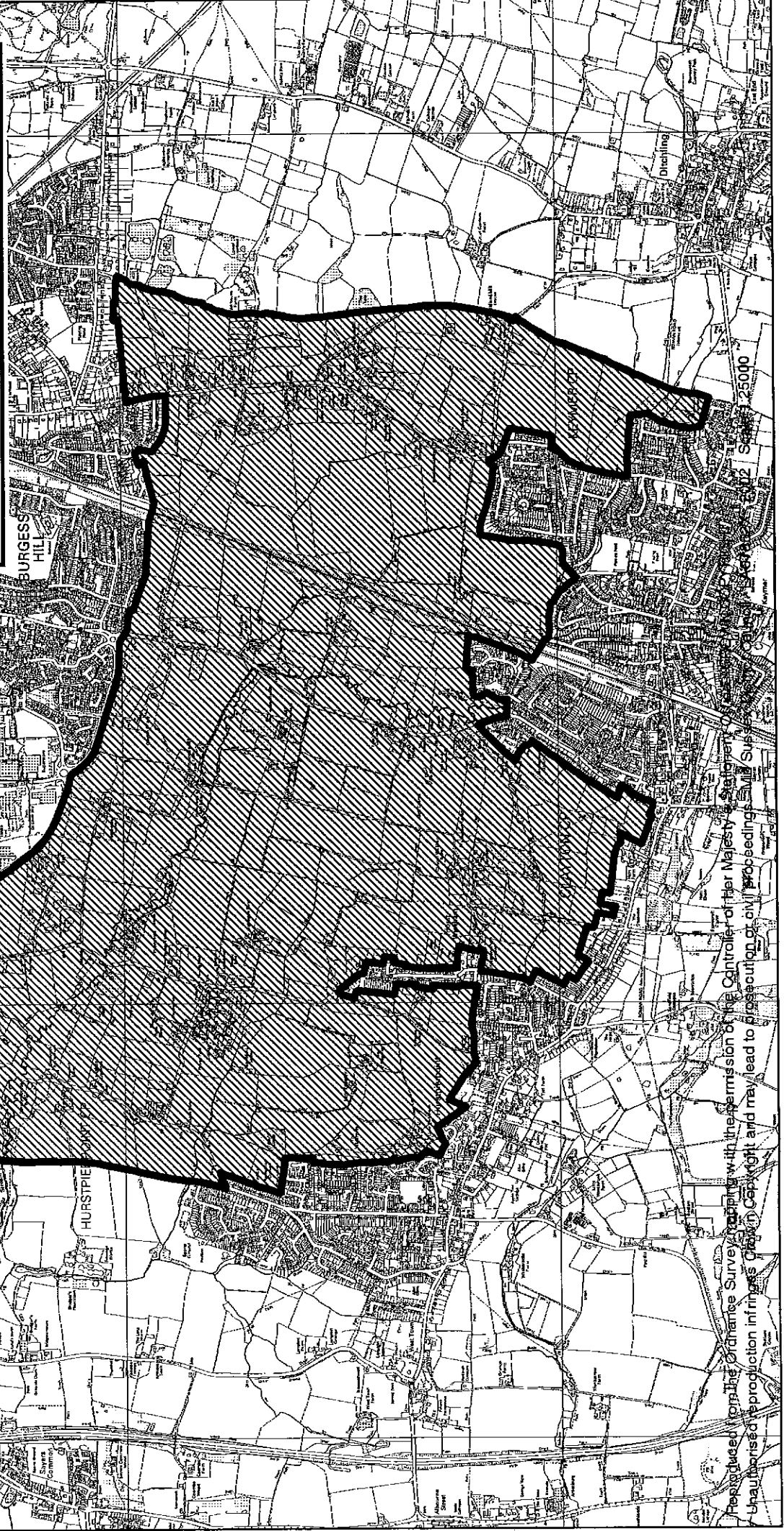
**This Technical Report was originally approved by Development and Transport Committee on 5<sup>th</sup> April 2000 as a background paper to the Mid Sussex Local Plan. Various amendments agreed at Development and Transport Committee on 1<sup>st</sup> May 2001 have been incorporated into this updated Technical Report.**

**MID SUSSEX LOCAL PLAN  
TECHNICAL REPORT No.8**

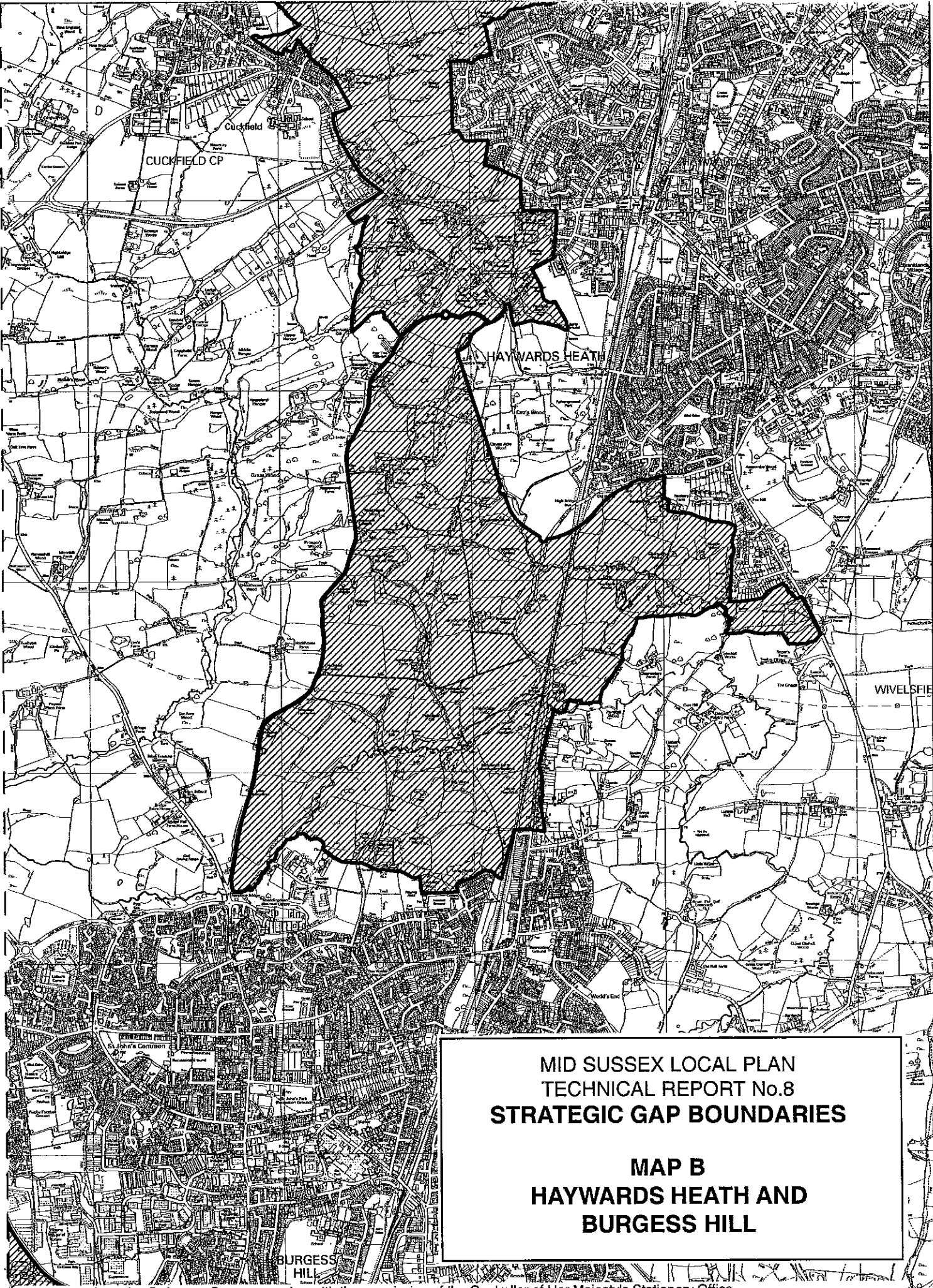
**STRATEGIC GAP BOUNDARIES**

**MAP A**

**BURGESS HILL & HURSTPIERPOINT  
KEYMER / HAS SOCKS**

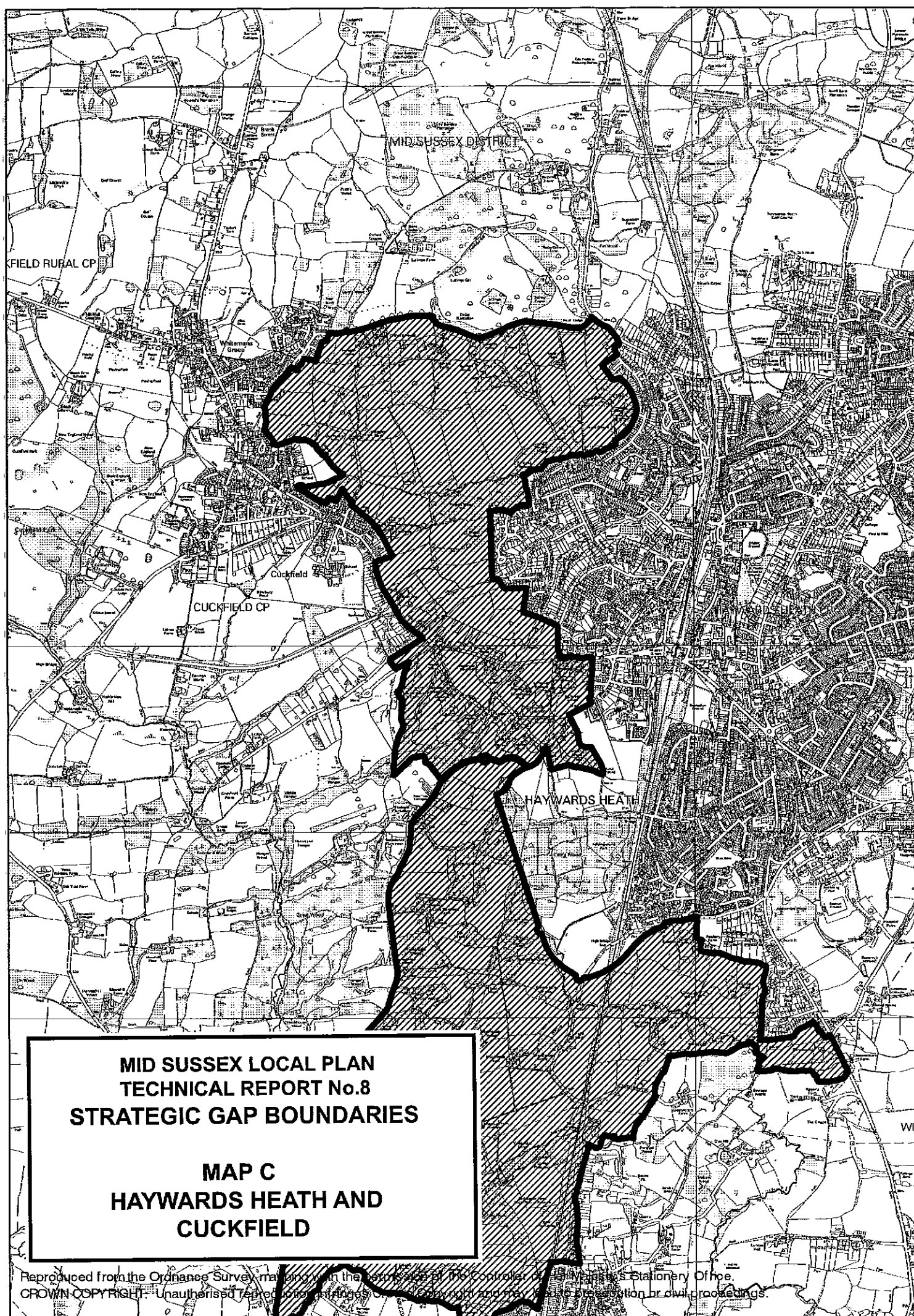






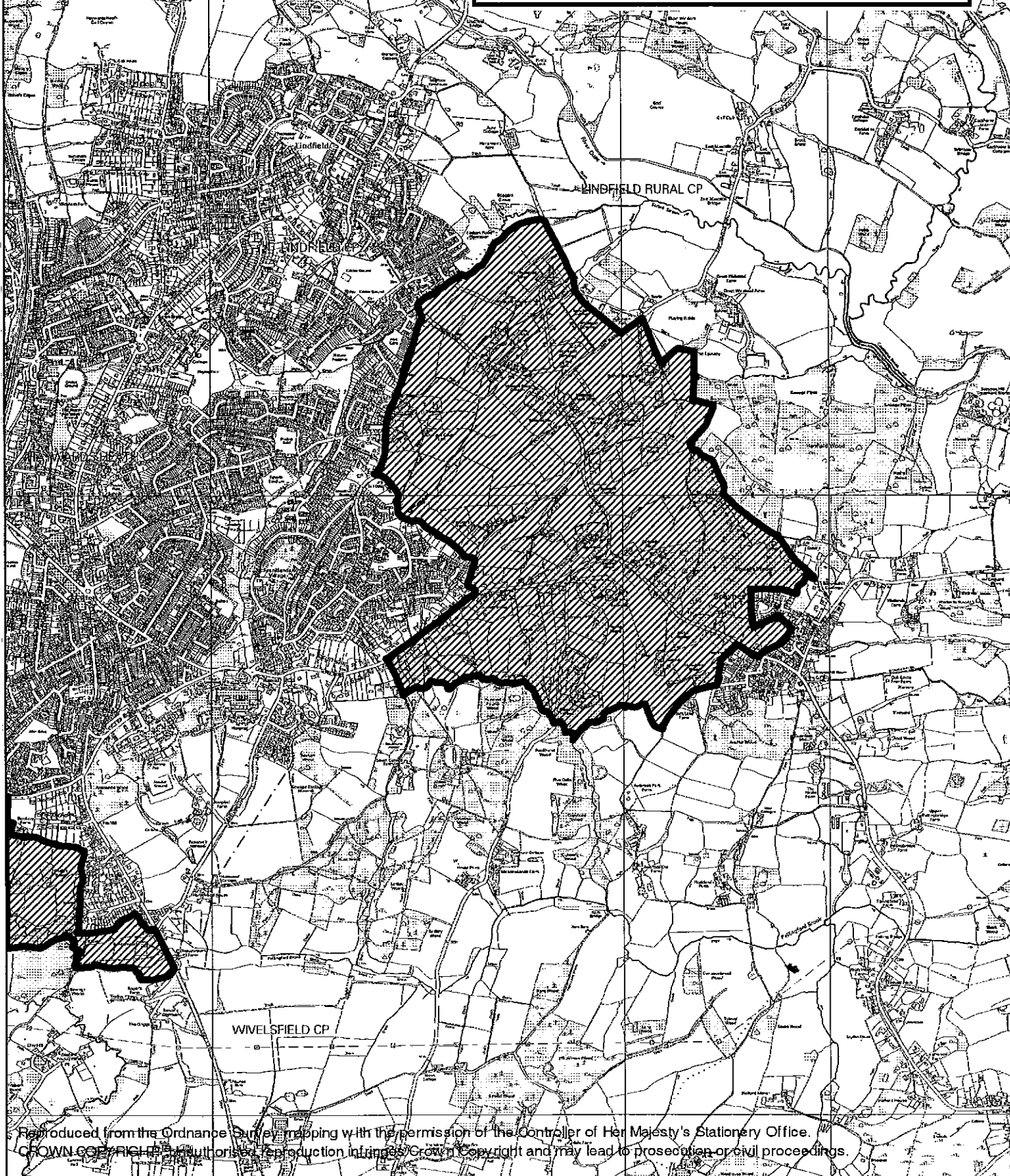
**MID SUSSEX LOCAL PLAN  
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STRATEGIC GAP BOUNDARIES**

**MAP B  
HAYWARDS HEATH AND  
BURGESS HILL**

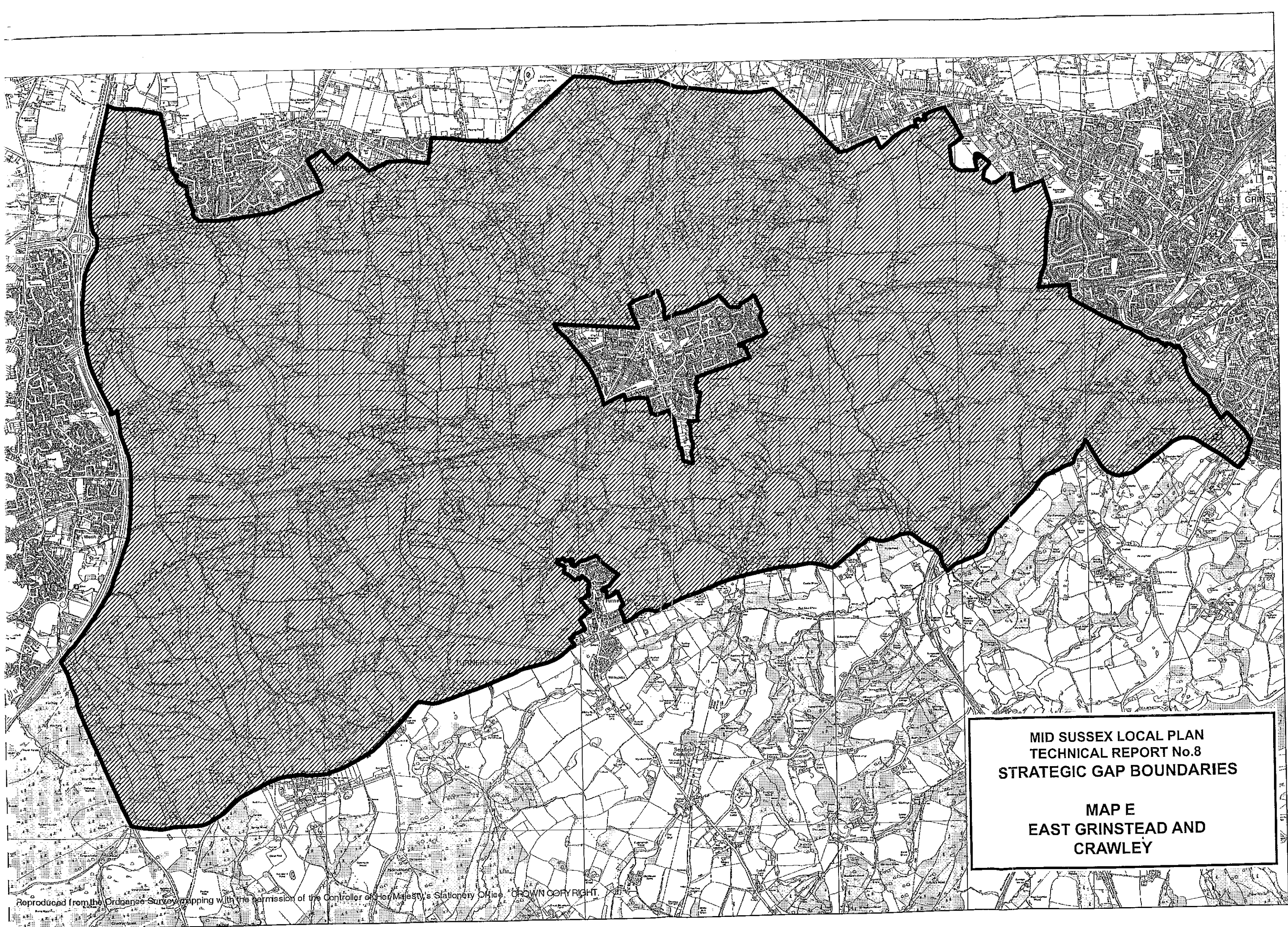


**MID SUSSEX LOCAL PLAN  
TECHNICAL REPORT No.8  
STRATEGIC GAP BOUNDARIES**

**MAP D  
HAYWARDS HEATH / LINDFIELD  
AND SCAYNES HILL**



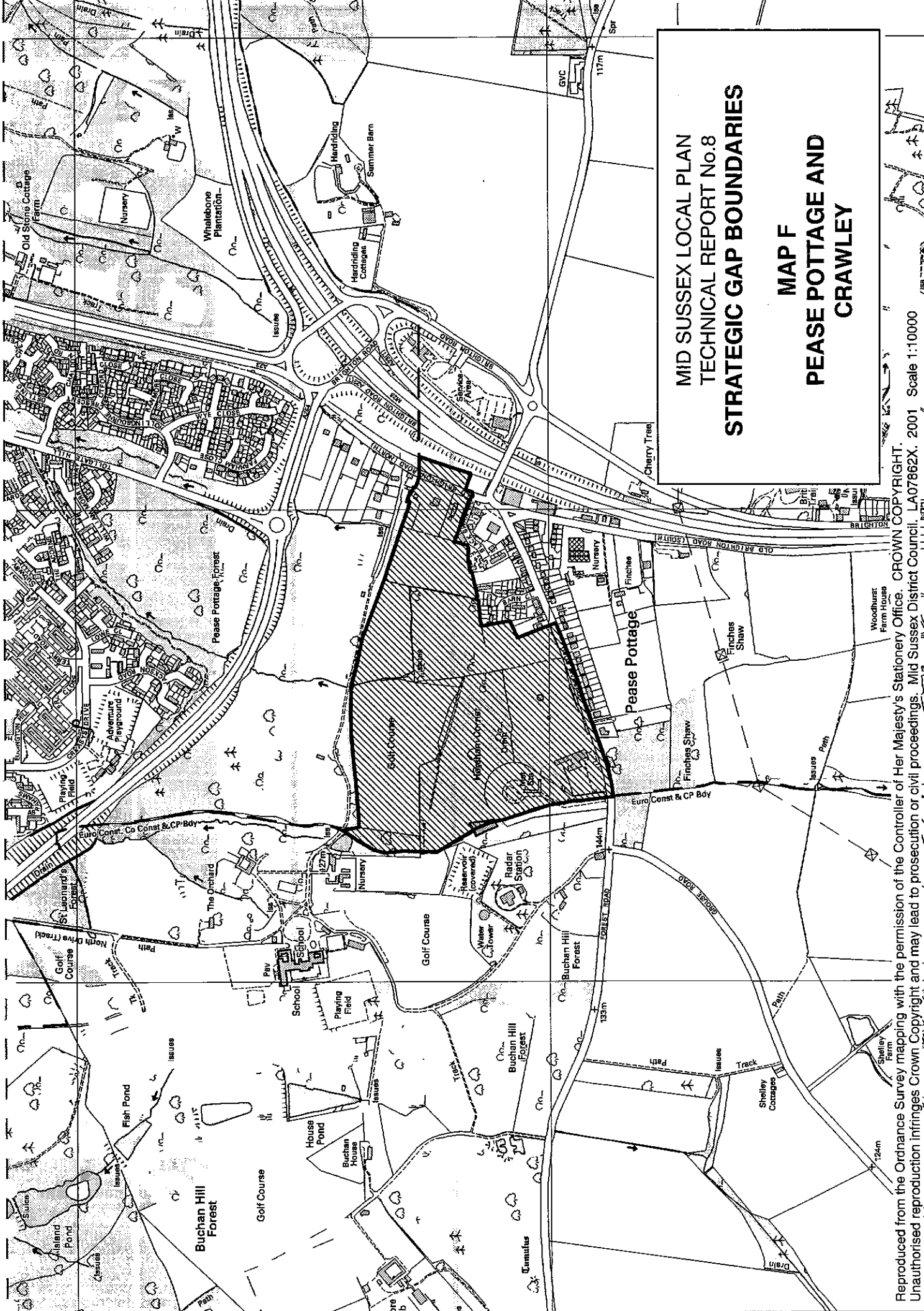




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STRATEGIC GAP BOUNDARIES

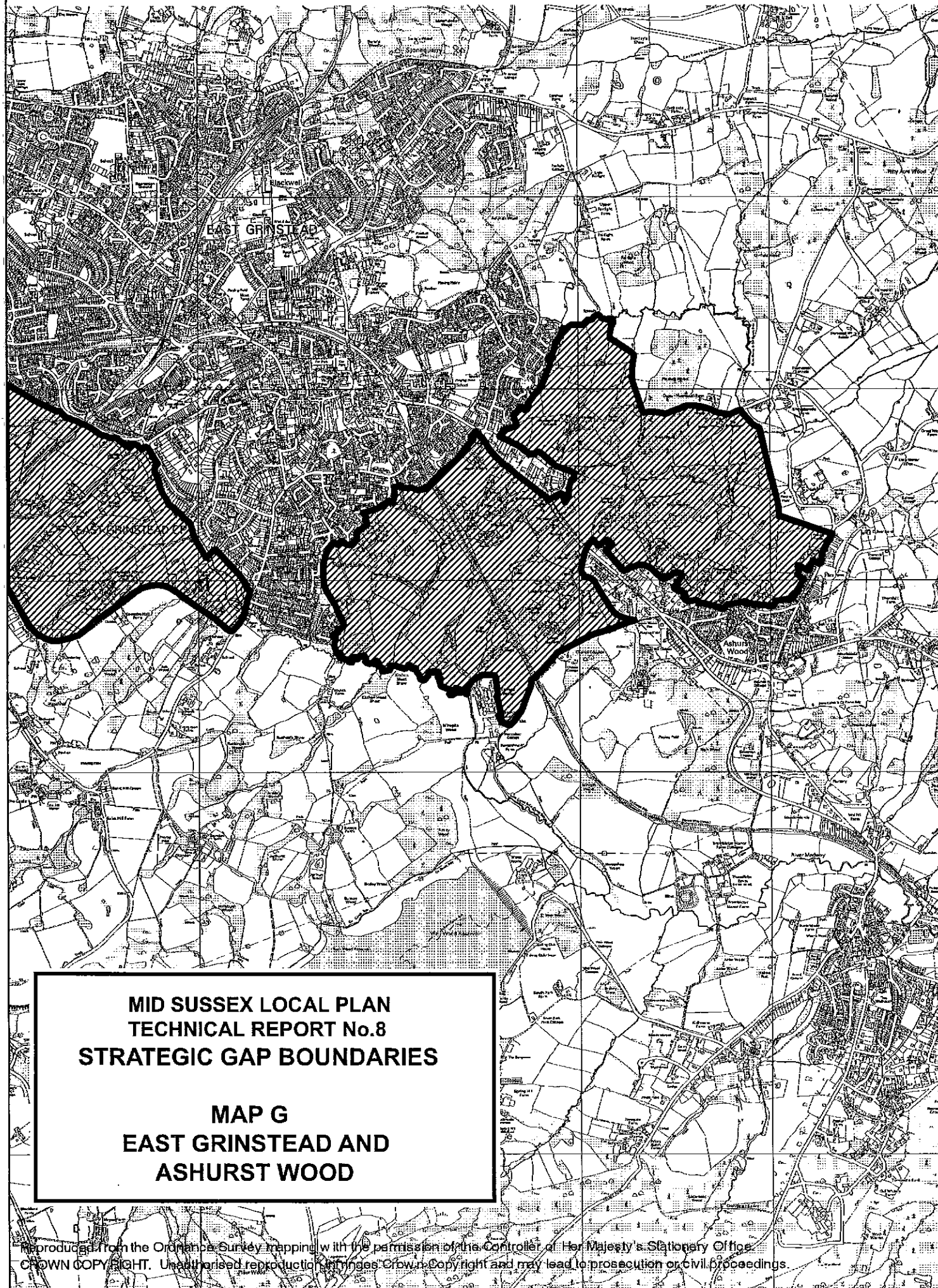
MAP E  
EAST GRINSTEAD AND  
CRAWLEY

# MID SUSSEX LOCAL PLAN TECHNICAL REPORT No.8 **STRATEGIC GAP BOUNDARIES** **MAP F** **PEASE POTTAGE AND CRAWLEY**



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**MID SUSSEX LOCAL PLAN  
TECHNICAL REPORT No.8  
STRATEGIC GAP BOUNDARIES**

**MAP G  
EAST GRINSTEAD AND  
ASHURST WOOD**



# WEST SUSSEX STRUCTURE PLAN, 1998

(not formally adopted)

This Plan has been subject to the necessary statutory procedures and public consultation and has been approved by the County Council.

However, the Secretary of State for the Environment, Transport and the Regions has directed the County Council not to adopt the Plan unless Policy H1 is modified or the direction is otherwise withdrawn.

Therefore, the 1993 Structure Plan remains the approved Structure Plan for West Sussex until this Plan - with or without further modification - is formally adopted. In the meantime this Plan is a material consideration in planning decisions in West Sussex.

Further copies of the Plan may be obtained from the County Planning Department, telephone 01243 777610.

John Kilford  
County Planning Officer  
County Hall  
Chichester  
West Sussex  
PO19 1RL

*February 1998*



#### (4) Strategic gaps

7.18

C5 (a) Within the policy framework set by policy C1, strategic gaps will be maintained and protected between

Emsworth and Chichester,  
Chichester and Lavant,  
Chichester and Bognor Regis,  
West Wittering and East Wittering,  
Bracklesham Bay and Selsey,  
Selsey and Pagham,  
Middleton-on-Sea and Littlehampton,  
Arundel and Littlehampton,  
East Preston and Ferring,  
Ferring and Worthing,  
Worthing and Sompting/Lancing,  
Lancing and Shoreham,  
Burgess Hill and Hurstpierpoint/Keymer/Hassocks,  
Burgess Hill and Haywards Heath,  
Haywards Heath and Cuckfield,  
Haywards Heath/Lindfield and Scaynes Hill,  
Crawley and East Grinstead,  
Crawley and Gatwick Airport/Horley,  
Crawley and Pease Pottage,  
East Grinstead and Ashurstwood,  
Horsham and Crawley, and  
Horsham and Southwater.

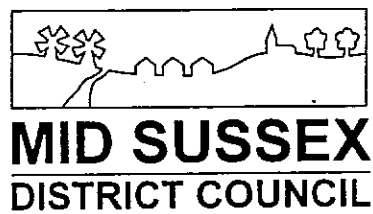
(b) The precise boundaries of strategic gaps will be defined in Local Plans, with the objectives of preventing coalescence and retaining the separate identity and amenity of settlements and protecting the undeveloped coastline. Land between the settlements listed but not within the strategic gaps will be subject to policy C1. Only land which it is necessary to keep generally free from development in order to secure the objectives of strategic gaps on a long term basis should be included within them and therefore, in determining the boundaries, account will be taken of the development requirements of this Structure Plan.

(c) Planning applications for development within a strategic gap will be subject to the most rigorous examination because of the possible impact of the proposed development on the gap. Development will be permitted only if:

- (i) it is demonstrated to be necessary to meet the requirements of, or is consistent with, other policies of the Development Plan; and
- (ii) it would not compromise individually or cumulatively the objectives and fundamental integrity of the strategic gap.

- (d) Opportunities will be sought to conserve and improve the landscape and amenity of the strategic gaps to enhance their value as open countryside. Extensive development for recreational purposes may be permitted where such development will improve the landscape and wildlife habitats and will not involve substantial buildings or large areas of hardstanding.

- 7.19 The settings of towns and villages are as important as the buildings and spaces which comprise their urban environment, and, if the individual character of a place is to be retained, its setting must be given close attention. A clear visual break seen when passing from place to place gives a recognisable structure to a group of settlements, establishing in travellers' minds that they are arriving somewhere else. Very importantly, it helps to maintain the "sense of place" for residents of (and visitors to) the communities on either side. Past decisions about which land should be released for development have usually sought to prevent the coalescence of existing built up areas: this must continue.
- 7.20 The list in the policy includes those gaps which are of clear strategic significance. Additional gaps of more local importance are defined in some Local Plans.
- 7.21 Strategic gap boundaries should be defined in Local Plans to identify the land which contributes to the gap's objectives, and to omit other land (which is still to be treated as open countryside and not, unless so indicated in the Local Plan, to be regarded as a reserve for future development). Regard should be had to the danger of cumulative erosion of the gap. The gap boundary should as far as possible follow some recognisable physical feature: lengths of it may be identical to the built up area boundary if it is evident that all land outside that boundary contributes to the objectives of the policy. Regard should also be had to the development requirements of this Structure Plan, although other options for accommodating the required development which do not infringe the strategic gap or other constraints should be preferred. If necessary, the County Council and the District Councils will draw up further advice to guide the implementation of this policy and to assist its defence at Local Plan Inquiries.
- 7.22 Once the gap boundary has been defined, all development proposed within the gap - even small scale development - should not be allowed unless it is shown to be necessary and would not compromise the objectives of the strategic gap policy. In essence, only development which may become necessary once all other options have been exhausted but would not compromise the fundamental integrity of a gap should be allowed within that strategic gap. If any proposed development fails to meet this prerequisite, then neither the possibility that visual impact will be limited nor the intention that a proposed development will be low density and well landscaped will make it consistent with the objects of policy C5. The point is that a strategic gap should be more than just a visual break if the separate identities of settlements are to be retained: ideally there should be an absence of urban activity. Development which means that people will live or work or create road traffic movement will inevitably reduce the perception of the gap. Of course, if the development is proved to be necessary, everything possible should be done to make it harmonise with the landscape.
- 7.23 The fact that some gaps are wider than others has no significance in principle for the way that policy C5 should be put into practice: the aim is to prevent all of them dwindling to the breadth of the last field. However, it will be necessary to address in Local Plans the special characteristics of particular gaps. Some, for example,



# **MID SUSSEX LOCAL PLAN REVISED DEPOSIT DRAFT**

**AUGUST 2001**

Environment Directorate  
Mid Sussex District Council  
'Oaklands'  
Haywards Heath  
West Sussex  
RH16 1SS

Telephone : 01444 458166  
Fax : 01444 477461

**C1** Outside built-up area boundaries, as detailed on the Proposals and Inset Maps, the remainder of the plan area is classified as a Countryside Area of Development Restraint where the countryside will be protected for its own sake. Proposals for development in the countryside, particularly that which would extend the built-up area boundaries beyond those shown will be firmly resisted and restricted to:

- (a) proposals reasonably necessary for the purposes of agriculture or forestry;
- (b) ~~in appropriate cases, proposals for new small-scale uses in rural buildings~~ of a scale consistent with the building's location;
- (c) in appropriate cases, proposals for the extraction of minerals or the disposal of waste;
- (d) in appropriate cases, proposals for quiet informal recreation and/or tourism related developments;
- (e) proposals for facilities which are essential to meet the needs of local communities, and which cannot be accommodated satisfactorily within the built-up areas;
- (f) proposals for which a specific policy reference is made elsewhere in this Plan; and
- (g) proposals which significantly contribute to a sense of local identity and regional diversity.

RD 03.04

3.23 One of the key functions of built-up area boundaries around settlements, as defined on the Proposals Map and its insets, is to protect the adjoining countryside from unnecessary development. All proposals for development in the countryside will therefore be considered against the above policy. In certain locations, however, additional policies of protection are required. These are set out below.

### Areas with Special Qualities

3.24 Those areas of countryside which have special qualities are the Strategic and Local Gaps, Areas of Outstanding Natural Beauty, the Best and Most Versatile Agricultural Land and Areas of Ecological Importance. Importance for Nature Conservation.

RD 03/05

### Strategic Gaps

3.25 The setting of towns and villages are as important as the buildings and spaces within them to their overall character. A clear visual break between settlements gives them a recognisable structure. If development was to occur in such areas it could lead to the coalescence of settlements and the loss of their individual identity and amenity. Retaining these gaps is, therefore, an important objective of both Local and Structure Plan policy.



- 3.26 Policy C5 of the West Sussex Structure Plan 1998 (Not Formally Adopted) lists those gaps which are strategically important in the County. In this District seven such gaps have been identified. It is for the Local Plan, however, to define the precise boundaries.
- 3.27 The Secretary of State has previously made it clear that the purpose of strategic gaps is to prevent coalescence of settlements and to retain their separate identity and amenity and that, in order to achieve these objectives, their boundaries need not necessarily coincide with the boundaries of the built-up areas. A thorough review of every gap has been undertaken in preparing this plan. A Technical Report has been prepared which identifies the detailed assessment criteria and boundaries. The areas included within the strategic gaps are those which the Local Planning Authority considers should be generally kept free from development in the long term in order to secure the objectives of strategic gaps. Intervening villages which have built-up area boundaries are excluded from the strategic gaps, but the gaps between these villages themselves are vital components of the overall strategic gap. Hamlets or groups of buildings, where such boundaries have not been defined will be considered as part of the countryside within the gap.
- 3.28 Development proposals within the strategic gaps will be subject to the most rigorous examination because of the possible impact of such development on the objectives of strategic gaps. Strict control will be applied to ensure that the openness of the strategic gaps will not be compromised by the cumulative impact of such developments. Where possible the Local Planning Authority will seek opportunities to conserve and enhance the landscape and amenity of the strategic gaps.

**C2 The Local Planning Authority will safeguard the strategic gaps between:  
Strategic gaps have been defined and will be safeguarded between:**

RD 03.06

- ☐ Burgess Hill and Hurstpierpoint/Keymer/Hassocks;
- ☐ Burgess Hill and Haywards Heath;
- ☐ Haywards Heath and Cuckfield;
- ☐ Haywards Heath/Lindfield and Scaynes Hill;
- ☐ Crawley and East Grinstead;
- ☐ Crawley and Pease Pottage; and
- ☐ East Grinstead and Ashurst Wood

as defined on the Proposals Map and its Insets, with the objectives of preventing coalescence and retaining the separate identity and amenity of settlements.

RD 03.07

Development will not be permitted in these within the strategic gap areas unless:

RD 03.08

- (a) it is reasonably necessary for the purposes of agriculture, or some other use which has to be located in the countryside;
- (b) it makes a valuable contribution to the landscape and amenity of the gap and enhances its value as open countryside; and
- (c) it would not compromise individually or cumulatively the objectives and fundamental integrity of the gap.

