

## **SEEKING SECTION 106 FUNDS FOR TRAFFIC MITIGATION MEASURES - 1 February 2024**

### **1 Introduction**

- 1.1 Traffic has long been an issue of great concern to residents of the Beacon Parishes. The Beacon Parishes Traffic Study (covering Ditchling, Westmeston and Streat) was commissioned to review traffic in the Beacon Parishes and to formulate proposals to mitigate its adverse impact. It was funded from Section 106 contributions made available by East Sussex County Council (ESCC) and Lewes District Council (LDC).
- 1.2 The consultants for the study, Motion, issued their Phase 2 Report in 2023. This includes detailed proposals for traffic mitigation with feasibility layouts and approximate costings. The individual parishes are now considering which proposals they wish to take forward.
- 1.3 Funding will be a major issue, and funding bodies will wish to know which proposals have community support. A public exhibition and consultation was therefore held on 3 February 2024 in Ditchling Village Hall. This was for Ditchling residents to give their views on the proposals and which to prioritise.
- 1.4 Potential sources of funding include:
  - 1.4.1 ESCC Local Transport Improvement fund (£3 million annually)
  - 1.4.2 ESCC 'Community Match Funding' (maximum £50,000 contribution per project)
  - 1.4.3 CIL funds (ESCC, LDC and South Downs National Park)
- 1.5 There may also be opportunity to seek further Section 106 funds from the developers of the many residential developments expected on sites in Hassocks, Burgess Hill, Haywards Heath and Wivelsfield to the north and west of the Beacon Parishes. These developments will add further traffic to the existing highway network.<sup>1</sup> Some of this additional traffic will inevitably go through Ditchling, Westmeston and Streat: from Wivelsfield and Haywards Heath to the north, it will go towards Brighton and Lewes; from Hassocks and Burgess Hill to the west, it will go towards Lewes and east Brighton.
- 1.6 Planning applications for major residential developments require a transport assessment assessing, amongst other matters, the impact of the additional highway traffic generated. Currently, the capacity of the existing highway network is considered, but not the amenity and well-being of residents in adjacent settlements affected by traffic from the developments.
- 1.7 In this respect, the transport assessments submitted ignore relevant local and national policies which should be taken into account when the application is determined, including policies in:
  - 1.7.1 The National Planning Policy Framework (2023)
  - 1.7.2 Mid Sussex District Plan 2014-2031 (adopted 2018)
  - 1.7.3 Lewes Adopted Joint Core Strategy 2010-2030 (2016)

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<sup>1</sup> Motion advises that, as a rule of thumb, each new dwelling is estimated to result in 0.5 additional trips during morning and evening peak times.

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- 1.8 Mid Sussex District Council and Lewes District Council are currently reviewing their local plans. Regrettably, draft documents make little reference to mitigating the negative impact of increased traffic resulting from new residential developments.
- 1.9 Policies in the South Downs Local Plan (2019) are not reviewed as major residential developments are unlikely to be within the National Park boundary.

### **2 National Planning Policy Framework (2023)**

- 2.1 The aim of the National Planning Policy Framework (NPPF) is to achieve sustainable development, with its three interdependent objectives (economic, social and environmental). The social and environmental objectives are defined as:
- b) a social objective – to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided...and by fostering well-designed, beautiful and safe places...support communities' health, social and cultural well-being; and*
  - c) an environmental objective – to protect and enhance our natural, built and historic environment...<sup>2</sup>*
- 2.2 Traffic impact is dealt with in more detail in the paragraphs dealing with Sustainable Transport, including:
- 104 Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*
    - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains;*
  - 114 In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*
    - d) any significant impacts from the development...on highway safety can be cost effectively mitigated to an acceptable degree.*
  - 111 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

### **3 Mid Sussex District Plan (adopted 2018, currently under review)**

- 3.1 Policy DP21 Transport deals with mitigating the impact of traffic generated by new development, excerpts from which state:
- Decisions on development proposals will take account of whether:*
- The scheme provides appropriate mitigation to support new development on the local and strategic road network, including the transport network outside*

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<sup>2</sup> NPPF, December 2023, paragraph 8.

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*of the district, secured where necessary through appropriate legal agreements;*

- *The scheme avoids severe additional traffic congestion, individually or cumulatively, taking account of any proposed mitigation;*
- *The scheme protects the safety of road users and pedestrians, and
  - *The scheme does not harm the special qualities of the South Downs National Park...through its transport impacts.**

### **4 Lewes Adopted Joint Core Strategy 2010-2030 (2016)**

- 4.1 The Lewes Adopted Joint Core Strategy 2010-2030 still applies whilst a new local plan is developed. Traffic impact is dealt with in Core Policy 13 – Sustainable Travel. The objectives of the policy relevant to traffic impact are discussed in an introductory paragraph:

*7.118 Growth in the number and distance of journeys made by private car will therefore increasingly conflict with the local planning authority's aspirations for environmental enhancement, economic growth and a better quality of life for residents.*

- 4.2 Core Policy 13 covers travel as a whole. Those parts dealing with traffic impact include:

*The local planning authority will work with East Sussex County Council and other relevant agencies to encourage and support measures that promote...create safer roads, reduce the environmental impact of traffic movements, enhance the pedestrian environment, or facilitate highway improvements.*

### **5 Conclusion**

- 5.1 This review shows that national and local planning policy includes policies seeking mitigation of negative impact of increased traffic on affected communities. But, judging by transport assessments currently being submitted in support of planning applications, local planning authorities (Lewes and Mid Sussex) and statutory consultees (ESCC and WSCC Highways) when considering traffic impact, are mainly concerned with the capacity of the existing highway network to accept additional motorised traffic. Little, if any, attention is paid to the amenity, safety and well-being of residents in affected communities or to the safety of non-motorised road users.
- 5.2 It is therefore essential to persuade local planning authorities to consider these other traffic impacts when determining applications and to require financial contributions to mitigate the negative consequences of the inevitable increase in traffic.
- 5.3 Recent statements from the Government indicate that there is a willingness at national level to promote financial contributions from developers to soften negative impacts of major developments. This should work in our favour.
- 5.4 Achieving change to elicit further Section 106 contributions will therefore require political support from other local councils, from our and neighbouring communities' representatives on Lewes and Mid Sussex District Councils and on ESCC and WSCC, and from our MPs.

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5.5 In a call with members of the Traffic Committee, our MP, Maria Caulfield, was encouraging about multiple funding sources. She recommended waiting until we had specific proposals before applying for funding, but this need not stop us lobbying local planning authorities (Mid Sussex and Lewes) regarding Section 106 funds.

### **6 Proposed next steps:**

- 6.1 Contact to be made with Hassocks and Wivelsfield Parish Councils to suggest a joint programme to seek Section 106 funds for traffic mitigation measures.
- 6.2 Allied to this, local county and district councillors should be contacted and their support requested.