

## Mid Sussex District Plan 2021-2039

Examination (Stage 1) by Miss Louise Nurser BA (Hons) Dip UP MRTPI

Hearing Statement submitted by WILD (Respondent Number 1191800)

### Matter 4: Transport

WILD's response to consultation raised concerns regarding Transport in our section on infrastructure (Section 5.4), and regarding 20-minute neighbourhoods in Section 4 and Appendix B. We stand by our original submission, but wish to respond further with regard to the questions in this Matter, covering:

- Specific questions raised by the inspector;
- What changes relating to this Matter would need to be made to make the plan sound.

References are to the submitted Plan and the September 2023 version of the NPPF.

#### **Question 44**

It is evident that the Council did not consider transport issues from the earliest stages of plan making. Had they done so, the transport study would have been completed in a timely way and used to inform assessment of reasonable options and sites. Moreover, West Sussex County Council would not have submitted a holding objection, and National Highways would not have made the response summarised in question 45. Their concerns should have been explored at an earlier stage, and addressed in the final draft of the submitted plan.

We take the requirements of paras 104-106 of the NPPF in turn:

- 104a) The potential impact of development on the transport networks is still unclear. Please see National Highways' concerns, identified above, and our analysis of the transport modelling in response to Question 46.
- 104b) The Council has failed to locate significant development in urban centres close to the London/Brighton mainline, particularly Haywards Heath.
- 104c) The Local Cycling and Walking Plan currently relates only to the three major towns and has not been updated. No analysis has been undertaken of the safety and feasibility of walking and cycling routes around the significant sites, with the result that there will be higher than desirable self-containment; more private car journeys; and significant additional cost if this gap in infrastructure is to be addressed.
- 104d) The failure to assess active travel requirements properly and to understate private car use will lead to significant additional environmental impact.
- 105 The failure to understand and respond appropriately to the difference between urban and rural areas is a significant gap in the Plan. We cover this under a separate heading below: in addition please see our response to Question 38. The need to travel will not be limited and a genuine choice of transport modes will not be offered.

- 106a The relevant criteria in the site selection methodology contain only one reference to cycling, for example.
- 106b Strategies and investments are not aligned - please see our response to Question 49. Other relevant authorities and agencies were not involved in a timely way.
- 106d) We take as our example policy DPSC3, which describes active travel within the site but refers only to a single cycle route from the site to Burgess Hill. In their response to Reg.19 consultation, West Sussex County Council questioned the viability of this: "Future cycle routes between Sayers Common and Burgess Hill are aspirational and not currently priorities in the transport plan. As no feasibility has been carried out and there are significant challenges to overcome, it is not clear at this point that it is a deliverable scheme." In any case, a single route would not be appropriate for a development of this size and location, or be sufficient to meet the expectations of the NPPF that self-containment should be avoided, a choice of transport modes should be offered, and connectivity to neighbouring areas should be provided. Henfield is the same distance from the site as Burgess Hill, but no active travel route has been considered - despite the fact that it would be within the catchment of the all-through school named in the policy. In any case, the costs would be prohibitive - see our response to Question 48. The map at Appendix 1 grades routes surrounding DPSC3-7 by nationally accepted 'bikeability' standards and shows that most users with access to a car will continue to use it to travel locally because only experienced cyclists will regard local roads as safe for use.

#### Urban and Rural Differences

The difference in transport requirements between rural and urban areas is significant, particularly in the context of 20-minute neighbourhoods, which is a central plank of the Council's spatial strategy. Recognition that there is a difference between these areas is noted on page 19 of the Plan. However, no account is taken there (or in DPT1) of the warning given in the TCPS guide Page 50: "More generally, there is growing awareness that active travel in rural areas is difficult and sometimes dangerous. Rural roads usually have no pavements, and the large lorries and farm equipment that use them deter many people from cycling on them." Nor is the difference explored adequately in the Transport Report (see our response to Question 46) or properly addressed in the site selection criteria. Criterion 9 covers impact on the road network; Criterion 10 deals with public transport. Criteria 11-14 cover access to facilities. The criteria do not reference the relevant requirements in the NPPF noted above.

#### **Question 45**

National Highways identified 3 options. We have assumed the Council's response is c). However, no such ambitious package of measures has been identified. This question raises issues which are explored specifically in subsequent questions:

- Travel demand management (Question 46)
- Behaviour change (Question 46)
- Sustainable transport, which we interpret as active travel and public transport (Question 44)

- Interventions, which we interpret as investment in transport infrastructure and the 'monitor and manage' approach (Question 45, 50)
- The effectiveness of the infrastructure delivery plan (Question 50)

We propose to deal with these in more detail in our response to the questions listed above, but in summary the Council's response, taken as a whole, is not sufficient or based on sound evidence, does not provide an adequate response to option c) and raises serious questions of financial viability. Please see our response to Questions 48 & 49 regarding the approach to 'monitor and manage' and whether it is likely to be effective and properly integrated into the Plan. The main flaw in the current Plan with regard to transport infrastructure is that the spatial strategy requires very high levels of spend to support isolated greenfield significant sites; the relevant transport and infrastructure policies do not adequately capture or respond to this challenge; and as we point out in response to Question 48, the tension between viability and sustainability is unresolved - early investment in infrastructure is required, but is unlikely to be delivered.

#### **Question 46**

The transport evidence is not robust, justified or consistent with national policy. Largely but not exclusively as a result of the COVID pandemic, predictions about future travel patterns are difficult to make. In these circumstances, it is both unreasonable and unsound to base modelling on extreme scenarios - in this case, using assumptions which exceed those accepted nationally on likely reductions in car use.

We have the following points to make about the SYSTRA Scenario 5 report dated 26 January 2024 (those asterisked can be found only in the main report, not the Non-Technical Summary):

- \*At section 2.7.4 the report says, "urban and rural have been separated. As no rural sites were available for extraction in TRICS, 'Edge of Town' has been considered as 'Rural'". Mid Sussex is a rural district with a main highway bisecting it. The study simply doesn't have the data to capture these characteristics. This issue could and should have been addressed by additional field surveys, given the importance of the issue.
- At 3.3, the report states that Mid Sussex could have a higher home working population than the south east and the UK as a whole. This is because Mid Sussex has a lower than average number of out of work benefit claimants and a higher percentage of residents employed in SOC groups 1-3. Therefore, an additional 5% reduction on all local plan sites has been assumed, and a further 15% on significant sites. (3.3.2. -3.3.3). Scenario 6 (dated 10 August 2024) doubles down, without giving a reason for doing so: a 20% reduction is now assumed for all Local Plan sites (3.3.3). But no logical connection is made between the social category status information and likely car use. In fact, the different SOC profile is more likely to suggest that a higher proportion of the population have access to a car. Moreover, the Council's own Sustainable Economy Strategy District Profile states that 35% of employed residents commute out of the district, and 23% of employees commute in.
- \*A 1-2% reduction has been applied to large/medium sites to account for changes in employment distribution, and urban extensions receive a further 1% because they

will receive the benefit of existing services (3.3.9-10). Retail and employment trips have been reduced by 5% (3.3.4). If we take DPSC3, described as an urban extension even though it is not (the clarification in the report is that urban extension means non rural), there are no existing services; and the services to be provided - a care home, an all through school - will lead to a net increase in trips, on the part of staff, visitors and, in the case of the school, staff and students who will not all be resident within the development.

- \*Section 3.4.8 following summarises evidence from other studies. But the experience of Aberdeen, Lambeth, Outer London and Newcastle are not relevant to a largely rural district.
- The report makes assumptions about distance based trip reductions without showing how these will be achieved. As we point out elsewhere, for behavioural change to be effective, preferred alternatives have to be available from the beginning; but given the switch to 'monitor and manage', and the likely cost of the necessary infrastructure, this is unlikely to happen. Instead, the significant sites are adjacent to the M23 and A23, where ease of access is likely to encourage and embed car use.

#### **Question 47**

Please see our response to Reg.19 consultation regarding 20-minute neighbourhoods and rural settings. There is no evidential or policy basis to support the Council's approach, which is a fundamental misapplication of 20-minute neighbourhoods and results in innumerable issues. Moreover, the Council's application of 20-minute neighbourhoods to rural areas results in inappropriately dense pockets of development in rural and unsustainable areas, which the Council seeks to justify by reference to the development itself (ie it will create a 20-minute neighbourhood). This fails to meet the stated objective of the Plan to make existing settlements more sustainable.

In the submission draft, the Council has expanded the section in the Plan which describes the 20-minute neighbourhood concept (Chapter 3, P.17-20). But there is still no evidence for the successful application of this concept in a rural setting. Instead, the Council says, "until such time that the Council develop their own guidance, best practice guidance, including the TCPA 20-minute neighbourhood guide... will be used to inform consideration of planning applications". But the TCPA guide offers no evidence for rural settings, merely hypotheses, which the Council repeats. What the Council is saying here is that they will make it up as they go along. That is not justified, or effective.

The question also covers the issue of existing settlements in lower tier categories, and a tension between low density development and a 20-minute neighbourhood. On the first point, please see our response to Question 36. On the second point, please see our response to Question 38. Density, described as compactness in the TCPA guide, is one of the three essential characteristics of a successful 20-minute neighbourhood. In an urban setting, to which the TCPA guide evidence relates, typical density is approximately 75 dwellings per hectare net. If DPSC3 were fully built out, density would be no more than 22 dwellings per hectare, probably rising to 30-40 dwellings net of public open space and non-residential infrastructure - ie half the density common to urban areas. But if DPSC3 were

developed in this way, it would be out of character with the landscape and the nature of the adjacent villages.

#### **Question 48**

The mechanism proposed by WSCC in response to consultation and adopted by the Council to manage transport impact is through the establishment of a monitoring group in line with the proposed shift from 'predict and provide' to 'monitor and manage' and, presumably, through the IDP. We do not know what this mechanism would look like in practice because the IDP update, which should contain it, has not yet been produced. However, to be truly effective the proposed mechanism would need to embrace all the interventions identified by National Highways in their third option, which we summarise in the first paragraph in our response to question 45; and that in turn suggests a large group of varied stakeholders managing a complex agenda: as the Council points out in the IDP, it controls little of the tools of infrastructure itself. 'Monitor and manage' is likely to improve the chances of viability but reduce the chances of sustainability - for example through behavioural change.

The costs of mitigation are significantly understated (see our response to Questions 46 & 44). Nor has any provision for transport been made in the VA(P. 114). By contrast our viability study, cited in response to Question 33, provides an estimate for highway improvements of £20m. Our active travel study estimates the cost of improving just two cycle routes out of DPSC3 to national standards would cost c.£5m, for which no provision is made - see Appendix 1 (the total indicative figure for transport infrastructure in the IDP is £7m, P.62).

As to sustainability, this question, and the two following, point to an unresolved, fundamental tension between resourcing and sustainability. Put simply, it is too expensive to create from scratch a sustainable 20-minute neighbourhood in a rural setting which is some distance from an urban centre: in other words, the impressive list of commitments documented but not fully costed in the IDP will give way before para 2.4 in the document: "development contributions should not undermine delivery".

By default, residents in our example DPSC3-7 would inevitably rely on private cars, given the proximity of the A23/M23.

#### **Question 49**

Please see our responses to Questions 45, 46 & 48. In short, there is no certainty that sufficient mitigation is capable of being achieved. The Council's decision to adopt the monitor and manage strategy outlined by WSCC is in conflict with the emphasis on the timely delivery of infrastructure in the leader's covering letter to the Secretary of State; the significant site policies; and Objective 6: "To ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities". Nor is it supported by the proposed change to the NPPF currently under consultation, which requires a positive, vision led approach to transport. For the 'monitor and manage' approach to be properly integrated, Objective 6 would need to be revised and the wider implications of the shift away from 'predict and provide' explored, not least because the impact on the case for sustainability and viability needs to be reassessed. But there is no evidence that this has been done, or that the Council sees that it should be done.

### **Question 50**

For the reasons given in response to earlier questions in this Matter, we see no evidence that the policies are justified, effective and consistent with national policy. They would result in an unacceptable impact on the highway network. In terms of the named policies, please see our responses to Question 47 (DPT1) and Question 48 (DPT2&3, and DPI1,12, 13 & 18). The Council's response to issues raised through Reg.19 consultation and our own analysis of both the transport study and the proposed mitigations shows that there is highly likely to be a failure to manage down severe impacts and actively support sustainability to the level required. The IDP promises detail (1.5) by the time of Reg.19 consultation (3.4) but has not done so. If the IDP does not properly reflect the work needed and is unclear about how and when the mitigations will be resourced - as it currently is - then it will not be effective.

### **Question 51**

Our responses to questions 44-50 demonstrate that the following changes are necessary:

- The site selection process fails to take proper account of transport issues and the requirements of 20-minute neighbourhoods, and will need to be revised
- The Council has not responded adequately to the National Highways challenge and must do so
- In consequence, a number of policies in the Plan (including those referred to in question 50) require revision
- The transport modelling is over ambitious in its assumptions and not tuned to the circumstances of a largely rural district. It should therefore be revised to reflect national guidance and undertake more studies to ensure it properly reflects the rural nature of the district and some of the significant site allocations
- There is no workable definition to support the categorisation of settlements and nothing in the site selection process to demonstrate what an appropriate level of sustainability is; how settlements rank when compared against it; where priorities lie; and how sustainability can meaningfully be achieved in each case
- Transport mitigations and sustainability requirements should be properly assessed and costed
- The Council's Objective 6 should be reviewed in the context of the move to 'monitor and manage', and the implications of doing so properly understood and explicitly addressed.
- A revised IDP should set out the full cost of mitigations and other requirements and set out an agreed delivery mechanism which is fit for purpose
- The VA will need to be revised to take account of transport infrastructure

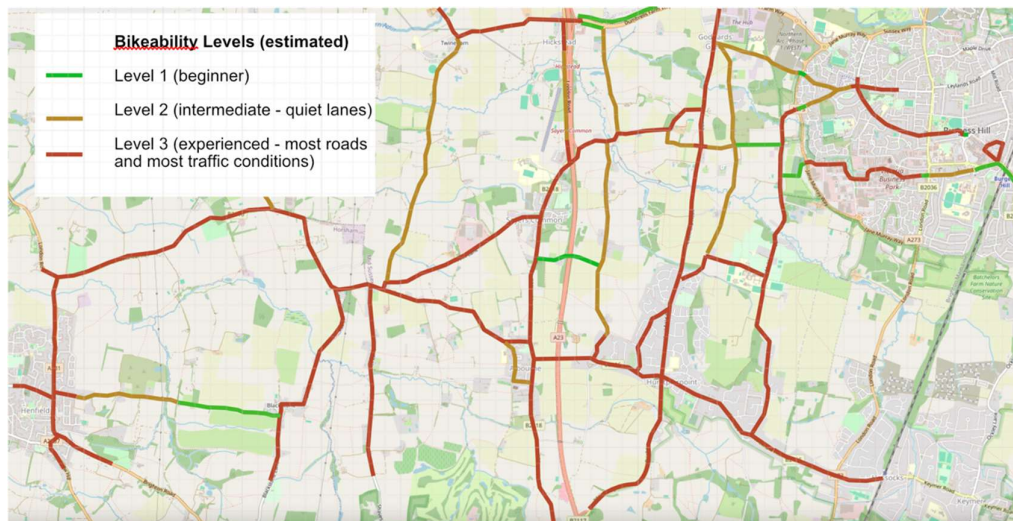
# Appendix 1 - Active travel

In February 2024, WILD submitted a Regulation 19 response to the submission draft Local Plan in respect of the proposed allocation of a major development site south of Reeds Lane at Sayers Common (proposed policy DPSC3). The rural site is situated to the southwest of the village of Sayers Common, some 4km west of Hurstpierpoint, 8km by road east of Henfield and 8km west of Burgess Hill.

This extract from our supplementary report on Active Travel is intended to:

- further question the site allocation in respect of its co-location with other settlements and local service centres, discussing the site's evident isolation
- provide supplementary information, adding detail to the Regulation 19 submission on the topic of active travel both in and of itself and in relation to the concept of a 20-minute community

## Bikeability thresholds for DPSC3 road network



## Costs of cycle routes out of DPSC3

As part of this study, we also provided a high-level strategic assessment of the cost of providing the active travel infrastructure necessary to help deliver the assumed 14% reduction in car travel for trips of 1-3km and 10% reduction over 3-5km. This requires quite a comprehensive network on which traffic levels need to be managed to make them acceptable for cyclists whose skills and confidence match Level 2 Bikeability training.

A comprehensive network of safe, inviting routes would include (contributions towards) the following links:

### **Route 1**

- DPSC3 to Henfield and Burgess Hill Station (the section between DPSC3 and Burgess Hill Station is identified in DPSC3(9a)).
- DPSC3 to Burgess Hill via the B2118 / A23 junction and Mill Lane, including new cycleways through Sayers Common. Contributions towards upgrading NCN20 on the B2118 between Hickstead Lane and Albourne would be an essential component.

### **Route 2**

- DPSC3 to Hurstpierpoint and Hassocks via Albourne Road.
- DPSC3 to Hurstpierpoint and Hassocks via Langton Lane.

Costs vary between local authorities. In the initial stages of LCWIP preparation only broad estimates are required, and so we have prepared some broadly costed estimates for two main routes which pass through the proposal site. These connect Henfield with Burgess Hill, and the site with Hurstpierpoint and Hassocks.

We have assumed that to deliver the infrastructure necessary to meet the definition of **sustainable development** the developer should fund the entire route between Henfield and Burgess Hill, in partnership with other developers and large-scale allocations. The developer should also fund the entire route between the proposed site allocation and Hurstpierpoint and contribute towards the onward connection to Hassocks, some of which has already been delivered in part.

Using examples, we have estimated current costs, where necessary utilising the Bank of England's Inflation Calculator to provide a reasonable indicative ballpark price per metre, multiplied by distance. There may be some per-metre cost differences between a short distance and a long distance, or different or difficult terrains, but we have not accounted for this.

The assumptions we have used are:

- Construction of a segregated cycleway will be price per square metre x width x distance. From a recent project completed by Hegsons Design Consultancy (UK) Ltd and ActivePlanning, a new 3-5m wide cycle path using footway construction was cost estimated at £75 per square metre (type 1 and surfacing material) plus £25,000 site supervision and 15% contingency (not including VAT).
- Provision of a quiet lane. An Internet search found a document prepared by Swale District Council which produced a cost of £200,000 for 40kms of quiet lane constructed following DfT guidance and advice from CPRE. This equated to £5,000 per km, recalculated using the Bank of England's inflation calculator at £12,000 at 2024 prices (rounded).

The cost of this infrastructure totals approximately **£5,279,000**