

To: Brown, Kerr <KERR.BROWN@planninginspectorate.gov.uk>

Sent: 05 July 2022 08:28

Subject: APP/C1435/W/22/3293970 - Hindsland, Eastbourne Road, Lower Willingdon, BN20 9NU

Public Inquiry Date 5TH July 2022

Planning Application Number: WD/2021/0594/MEA

pins Ref: APP/C1435/W/22/3293970

Appeal by Danescroft (FREOF V Willingdon) LLP FOR REFUSAL OF PLANNING AGAINST WEALDEN DISTRICT COUNCIL FOR: Outline application with all matters reserved except for access (excluding internal estate roads beyond the access to serve the medical centre plot) for demolition of existing vacant dwelling and erection of up to 180 no. dwellings and medical centre together with all parking, servicing and on-site open space at Hindsland, Eastbourne Road, Lower Willingdon, BN20 9NU.

Dear Sir,

With reference to the above planning appeal, the Inspectorate will have been provided with our formal response to planning application WD/2021/0594/MEA which I attach for ease of reference. National Highways have not sought to object to the proposals but to provide a conditional response which ties any permission to a necessary highway mitigation scheme at the A27/A22 Cop Hall Roundabout shown on the Intermodal Transportation Ltd.'s drawing No. IT432/SK/13 "*POSSIBLE CAPACITY IMPROVEMENT ON COPHALL RBT*" or other such scheme of works to substantially similar effect. I can confirm this is our current view of the Appeal proposals.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network in England (SRN). The SRN is a critical national asset and as such National Highways is required^[1] to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Within National Highways, the Spatial Planning Team act as the statutory consultee on behalf of the Department for Transport Secretary of State. We will be concerned with proposals that have the potential to impact on the safe, reliable and/or efficient operation of the SRN (the tests set out in DfT C2/13, especially paras 8 to 11 and MHCLG NPPF2021 especially paras 110 to 113), in this case particularly within the vicinity of the A27 Trunk Road at its junction with the A22 Hailsham Bypass known locally as the Cop Hall Roundabout, Polegate, East Sussex by virtue of the traffic attracted to, generated by or rerouted as a result of Appeal proposals.

To assist the Inquiry I set out briefly our reasoning behind the condition.

- The Appeal Site forms part of a Strategic Development Area (Policy WCS4) – SD4: Land at South Polegate and East Willingdon within the currently adopted Wealden Core Strategy with a provision for at least 700 no. dwellings. The allocation is not site-specific and there is no 'redline' identifying the extent of the allocation area. Instead, the adopted Core Strategy includes a Figure that has a red shaded area for the urban extension. There is no disagreement that we are aware of that the Appeal site does not form part of the Strategic Development Area SD4.

- The Mornings Mill Farm site which was considered at Appeal (ref: APP/C1435/W/19/3230484) held between 1-11 October 2019 by the Inspector Louise Phillips MA (Cantab) MSc MRTPI, accepted that the impacts of the Appeal site on the SRN, which then included the land at Hindsland, Eastbourne Road, Lower Willingdon, BN20 9NU, could be mitigated by works at Cop Hall Roundabout Para's 20, 21 and 33 Appeal decision 13 December 2019 (attached).
- *DfT Circular 02/2013 'THE STRATEGIC ROAD NETWORK AND THE DELIVERY OF SUSTAINABLE DEVELOPMENT'* requires that *'whilst capacity enhancements should normally be addressed at the plan-making stage, such measures may be considered at the time when individual planning applications are submitted, subject to the over-riding principle that delivery of the adopted Local Plan proposals should not be compromised'* (para 33) and that *'where a development will be brought forward in phases, any mitigation needs will be assessed based on the opening of the final phase. However it may be necessary to implement some mitigation measures in line with the opening of certain phases of development according to the impacts that they generate'*. As the Hindsland site is part of the Strategic Development Area SD4 it should therefore be linked to the required mitigation at Cop Hall Roundabout.
- The Mornings Mill site (App Ref: WD/2021/0174/MEA) for 'OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR THE MEANS OF ACCESS FROM EASTBOURNE ROAD FOR THE COMPREHENSIVE DEVELOPMENT OF A MIXED-USE URBAN EXTENSION COMPRISING UP TO 700 DWELLINGS INCLUDING AFFORDABLE HOUSING, 8,600 SQ.M. OF EMPLOYMENT FLOORSPACE, MEDICAL CENTRE, SCHOOL, COMMUNITY CENTRE, RETAIL, PLAYING FIELDS, CHILDREN'S PLAY SPACE, ALLOTMENTS, AMENITY OPEN SPACE, INTERNAL ACCESS ROADS, CYCLE AND FOOTPATH ROUTES, AND ASSOCIATED LANDSCAPING AND INFRASTRUCTURE' is now at Appeal (Appeal Ref: APP/C1435/W/22/3297419) and therefore should be taken into account as it forms the remaining part of the Strategic Development Area SD4 and proportionately impacts the highway network in the same way as the Hindlands Appeal site.
- Whilst it may be argued that the impacts of the Appeal site could be accommodated in their own right and therefore do not have a severe impact on the safe and efficient operation of the SRN, we remain concerned that this argument could be made for any smaller allocation of development within a much larger allocated site where cumulatively the impacts of the totality of development would have a severe impact.

I trust that this is of assistance and confirm our position in relation to the Appeal proposals. If you have any questions regarding our response, please contact us at planningse@nationalhighways.co.uk and we would be happy to attend the Inquiry should the Inspector require.

Kind regards

David

David Bowie

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