MATTER 8: POLEGATE AND WILLINGDON AND STONE CROSS AREA STRATEGY (WCS2, WCS3, WCS4)

Main Issue – Whether the strategy for the Polegate and Willingdon and Stone Cross area, including the Strategic Development Areas, is soundly based and deliverable.

Summary of Response – As outlined in Matter 2 the settlement hierarchy incorrectly categorises Polegate and Stone Cross. This affects the strategy proposed in relation to these settlements. The strategy fails to consider reasonable alternatives such as the provision of additional housing in Polegate and fails to consider specific sites. It is submitted that the strategy for Polegate/Willingdon and Stone Cross is not based on robust evidence and did not consider reasonable alternatives. It is, therefore, 'unsound', as defined by Planning Policy Statement 12.

A) Have reasonable alternatives to the strategy been considered?

1.1 No. As it is submitted that reasonable alternatives to the overall strategy have failed to be considered under Matter 1 for the reasons set out within that submission, it is evident that reasonable alternatives to the strategy for Polegate/Willingdon and Stone Cross were not properly considered.

1.2 The South East Plan (SEP) seeks to direct most development to South Wealden (including Polegate), as part of its spatial strategy for the Sussex Coast Sub Region, specifically through policy SCT5. The policy further requires that "most of the development should be focussed on existing towns...where necessary, by new land allocations as sustainable extensions to existing towns". Policy SCT7 ii requires the focus for delivering economic and social regeneration to be on the Eastbourne – Hailsham area to optimise the employment and housing in sustainable and strategically accessible locations along the A22.

1.3 It is not apparent that the CS or the evidence base has adequately assessed provision based on this spatial strategy, which evidently represents a reasonable alternative to the spatial strategy presented. This strategy would preference a higher provision of housing within the market town of Polegate.

1.4 A further failure to consider reasonable alternatives is associated with the amount of housing proposed in Polegate/ Willingdon compared with that proposed in Stone Cross. As outlined in Matter 2, Polegate/ Willingdon and Stone Cross are not properly categorised by the Settlement Hierarchy within the CS, which forms a key element of the spatial strategy.

1.5 Polegate/Willingdon should be regarded as a district centre and Stone Cross should be downgraded to a local service centre. As stated in paragraph 5.5 of the CS, the distribution of housing is guided in the CS by the settlement hierarchy and the strategic objectives. Given that the settlement hierarchy is poorly defined and does not properly categorise one of the towns of the District, it is submitted that the basis for the distribution of housing and the overall strategy for Polegate/Willingdon and Stone Cross is not appropriate, justified or reasonable.

1.6 The Core Strategy proposes 700 new dwellings in Polegate/Willingdon and 650 dwellings in Stone Cross/Westham. As outlined in Matter 2, Stone Cross is not as well serviced or as accessible as Polegate/Willingdon (see plan in Appendix 3). In addition, the population of

Polegate/Willingdon is about 2.5 times the population of Stone Cross. It is submitted that the proposed housing distribution is unreasonable and that the earlier stages in the development of the Core Strategy do not indicate that this is the appropriate or justified strategy.

1.7 The assessment of infrastructure constraints, principally through SWETS, also fails to consider alternatives to the overall quantum of development within the Polegate/Willingdon and Stone Cross area, as well as alternative spatial distribution of development. Neither is there a comparative assessment to demonstrate the resultant distribution will result in a more sustainable form of development and meet policy aspirations specifically in terms of SEP Policy T1 ii, iii, iv, vii (c and d), in terms of:

- achieving a rebalancing of the transport system in favour of sustainable modes;
- fostering an improved and integrated network of public transport services;
- reducing average journey lengths;
- prioritising investment to facilitate urban renewal and renaissance to achieve a more sustainable pattern of development and improving overall levels of accessibility.

1.8 A further example of the failure to consider reasonable alternatives to the strategy is the omission of a site that was previously allocated as PW1 under the Non-Statutory Wealden Local Plan 2005 (NSWLP).

1.9 In summary, the strategy for Polegate/Willingdon and Stone Cross was not based on the consideration of reasonable alternatives. Sufficient account has not been taken of the level and spatial distribution of housing outlined in the SEP. The settlements are incorrectly categorised within the settlement hierarchy, a key element of the spatial strategy, which skews the housing distribution. Reasonable, previously allocated sites were also prematurely eliminated from the process, in preference for less sustainable and less accessible sites.

B) Is there a clear audit trail showing how and why the preferred strategy was arrived at?

1.10 No. Given that there is no clear audit trail for the overall strategy proposed within the CS as outlined and evidenced in Matter 1, it is evident that the same audit trail is insufficient in determining how and why the preferred strategy for the individual areas was arrived at.

1.11 The link between the evidence base and the preferred strategy is unclear. The issues and options set out in the first stage of the process were not brought forward to the Spatial Options Development stage. In addition, following the announcement of the abolition of Regional Spatial Strategies, the Core Strategy does not appear to build on the foundations of the previous stages of development. The disjunct between the stages is not clearly audited and therefore, the reasoning behind the final approach is not apparent. This is exemplified by the divergence between the evidence in relation to housing need and the proposed housing policies.

C) Have the infrastructure implications of the strategy clearly been identified and supported by the evidence base? Is it clear who is going to deliver the required infrastructure and by when?

AND

D) Has the impact of the strategy on the Strategic Road Network been adequately assessed and is there a reasonable prospect that the transport infrastructure required is deliverable?

1.12 No. The infrastructure implications of the strategy have not been clearly identified or supported by the evidence base, and it is not evident that the required infrastructure is going to be delivered or who is going to deliver it. There is insufficient evidence to support the conclusion that there is a reasonable prospect of the required infrastructure being delivered.

1.13 It was evident from the exploratory meeting that the deliverability of infrastructure provision in terms of necessary highway improvements had not been adequately evidenced within the CS evidence base as the Council was required to utilise as evidence the S.106 and unilateral undertakings presented by Pelham Holdings for its appeal ref APP/C1435/A/10/2130580 in its response to the inspector's concerns, in order to demonstrate that the required infrastructure was indeed deliverable (Paragraph 10.3).

1.14 This evidence, however, merely demonstrates that the proposed development on the PW1 site was able to deliver those infrastructure requirements and does not demonstrate whether deliverability would be achievable or justified under alternative development scenarios.

1.15 This is particularly relevant in terms of the potential for the proposed distribution of development within the Polegate/Willingdon and Stone Cross area to meet the same conditions as resulted in the acceptability of the proposals arising at the PW1 site. It is not evident that the distribution of development proposed at Stone Cross specifically would be able to achieve these same conditions, as the development is more remote from the facilities within Polegate, including the train station, and is also not aligned with the same level of bus service provision, including the proposed quality bus corridor.

1.16 Development on SD4 would also compromise journey times on local highways, east of Polegate, through an increase in the levels of traffic on these highways as a result of the development, which would adversely affect local public service transport provision.

E) Is the strategy sufficiently flexible to respond to an unexpected change in circumstances?

1.17 No. Given that the overall strategy is not considered to be sufficiently flexible to respond to an unexpected change in circumstances as outlined in submissions made to Matter 1, it is evident that the individual area strategies are not going to be sufficiently flexible to respond to unexpected changes in circumstances. This is due principally to the fact that the CS is not able to accommodate predicted housing need and is unlikely to therefore cope with unforeseen circumstances.

1.18 The CS has failed to consider reasonable alternatives to the quantum and distribution of development, both across Wealden as a whole and within the Sub Region, and failed to consider reasonable alternative strategic sites to deliver development within the Polegate/Willingdon and Stone Cross area. The inflexibility of the strategy at a local level is indeed likely to be amplified further, owing to increase in the potential for specific constraints, or their amelioration, to affect specific areas.

F) Is SD4 justified and deliverable?

AND

G) Is SD5 justified and deliverable?

AND

H) Is SD6 justified and deliverable?

AND

I) Is SD7 justified and deliverable?

1.19 No. As the CS has failed to consider reasonable alternatives to the quantum or distribution of development, both across Wealden as a whole and within the Sub Region, and has failed to consider reasonable alternative strategic sites to deliver development within the Polegate/Willingdon and Stone Cross area, including site PW1, the sites identified as strategic sites within the CS cannot be considered to be justified.

1.20 Evidence submitted by Pelham Holdings in representations to the CS in support of the inclusion of the NSWLP PW1/Honey Farm site, have also outlined potential constraints with regards to the proposed allocation of sites SD4 to SD7 which call into question the justification for inclusion of these sites as opposed to the reasonable alternative site PW1.

1.21 It has not been adequately demonstrated that the reasons for exclusion of the SD4 (Morning Mill Farm) allocation from the NSWLP have been overcome to justify the sites inclusion above that of the previously preferred PW1 Site within the NSWLP.

J) Is there appropriate justification for the phasing of housing at SD4 from 2019?

1.22 No. The CS has failed to consider reasonable alternatives to the quantum or distribution of development, both across Wealden as a whole and within the Sub Region, and has failed to consider reasonable alternative strategic sites to deliver development within the Polegate/Willingdon and Stone Cross area, including site PW1.

1.23 As the resultant impact of alternative distributions of development have failed to be adequately assessed, the justification for bringing forward development from 2019 on site SD4 may not be appropriate under an alternative scenario.

1.24 The phasing of housing on site SD4 from 2019 cannot therefore be considered to be justified at this juncture.

K) Have reasonable alternatives to SD4, SD5, SD6 and SD7 been considered – omission sites?

1.25 No. The site currently allocated within the NSWLP as site PW1 represents a reasonable alternative site to the Strategic Sites identified in the CS, and has failed to be properly considered as such, both within the evidence base for the CS and the CS document itself.

1.26 The SHLAA (published March 2010) and the SHLAA Addendum (published October 2010) provide a summary of reasons why the site has been determined to be unsuitable. Principally these reasons are based upon highway, landscape and heritage constraints.

1.27 The CS does not generally provide an analysis of sites that were not included within it. However, paragraph 6.27 refers to the PW1/ Honey Farm site and states that the development of the site was dependent on the Folkington Link and the provision of community infrastructure, which will not now be delivered. In addition, the allocation of the South Downs as a National Park is cited as a constraint.

1.28 However it is evident from the NSWLP that the site was not solely dependent upon an off line improvement to the strategic highway network (the Folkington Link) as the NSWLP states itself that "Clearly, in the event of the Secretary of State favouring an 'on-line' improvement, then further consideration would need to be given to the feasibility of alternative access arrangements" (Paragraph 17.17).

1.29 In addition, notwithstanding the appropriateness of the SHLAA to consider existing policy constraints to the delivery of specific sites (paragraph 2.7) (other than those specific constraints highlighted in the methodology for undertaking the assessments), it is apparent that the reasons cited for excluding the PW1 site were considered by the inspector in the appeal ref APP/C1435/A/10/2130580. These constraints, and specifically those relating to landscape and heritage, were largely determined by the inspector, and later by the SOS, not to present sufficient reason to warrant refusal of that application (letter of 17 May 2011 [Appendix 2 of this Matter]). Indeed the Council itself conceded that the National Park and the AONB are afforded equivalent protection through National Policy; the listing of the Wooton Manor/historic garden was in fact undertaken prior to the allocation of the PW1 site and the site was allocated by the Council in full knowledge of these matters. It should also be noted that the site is not in the Pevensey Levels Hydrological Catchment Region[1] and surface water will not drain into the levels.

1.30 Through the application and appeal on the PW1 site, Pelham Holdings considered one alternative to the access arrangements for the site which, while supported by both the HA and ESCC at the aforementioned appeal, was found to be lacking by the inspector. This was however owing to the provision and specific design of foot/cycle bridge crossings over the A27.

[1] Appendix 1 of Appropriate Assessment (Hydrology Local to the Pevensey Levels (September 2010)

1.31 The CS fails to consider the otherwise appropriate and highly sustainable location of the PW1 site in the absence of very specific highway constraints. Alternative access arrangements for the PW1 site have not been considered or assessed through the CS or its evidence base. Neither has the effect of alternative distributions of development within the CS on the highway network been considered. The CS does not take account of the strategy and objectives of the SEP, including the provision of sustainable urban extensions to existing towns and the overwhelming level of housing need specifically within the Sussex Coast sub region. It is evident that the effect of inclusion of the PW1 site merited more detailed assessment by the Council than the CS and the evidence base provides for owing to its ability to provide for a highly sustainable form of development.

1.32 Such assessment should have considered the effects of provision of site access and at grade crossings to the A27 within the SWETS report, in order to determine whether the perceived issues and constraints remained, or whether an identifiable quantum of development could be successfully achieved on the site. Further consideration should have also been given to:

- the delivery of alternative infrastructure provision or improvements in the absence of the Folkington Link;
- the effect of these on the highway network, including the improvements identified as being required to the highway network through SWETS and the IDP;
- the effect of the delivery of alternative sustainable transport modes, including the quality bus corridor.

1.33 A final assessment should also have been made to determine whether the overall benefits of the site, and the meeting of identified policy requirements, outweighed any residual highway impacts. This assessment should finally consider whether the inconveniencing of road users should outweigh the provision of otherwise highly sustainable housing and services.

1.34 In the absence of such appropriate assessment being undertaken by the Council in relation to these specific highway considerations, Pelham Holdings has subsequently commissioned a further assessment of the acceptability of providing alternative access arrangements to the PW1 site from the A27, incorporating improved provision for pedestrian and cycle access to and from the site (Appendix 1 of this Matter). The assessment takes account of SWETS and the proposed junction improvements (Non Statutory Wealden Local Plan Policy TR3) and concludes that appropriate access to the site can be gained and also improves the flow of traffic on the strategic road network.

1.35 The perceived constraints identified by the SHLAA in relation to the PW1 site can be addressed or mitigated. It is considered that detailed issues should be addressed at a later date in the planning process and it was not appropriate to eliminate a site that is allocated under a current plan, without further analysis.

1.36 It is submitted that the PW1 site at Polegate is a reasonable alternative to the proposed development sites in the Core Strategy, particularly those in the Stone Cross area (Figure 8 of the Core Strategy). The PW1 site is eminently preferable to the development of sites in Stone Cross, which are not as well serviced or as accessible. Given that Polegate is a preferably location for development and that many of the reasons for eliminating PW1 from

the process can be addressed, it is considered that these reasonable alternatives were not properly considered.

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APPENDIX 1: PETER BRETT ASSOCIATES – ACCESS DELIVERABILITY

TECHNICAL NOTES

Job Name:	Honey Farm (PW1), Polegate
Job No.:	25967-001
Note No.:	001 (v006)
Date:	15/12/11
Subject:	Access Deliverability
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Introduction

1.1 The following note summarises the technical work that has been completed to demonstrate the deliverability of access to development at the Honey Farm site in Polegate (referred to as the PW1 site in this note). The figure below illustrates the general location of the proposed site.



1.2 The basis of assessment contained within this note is a residential development of 250 units. Reference has been made to a previous planning application submitted for a larger residential development at PW1, and the assessment parameters agreed with Highway Officers where relevant. The basis of assessment has also been informed by a recent meeting between PBA and the Highways Agency (HA) and discussions with East Sussex County Council (ESCC).

1.3 The site size being promoted would be suitable for a residential development of 250 units. This is a significant departure in site size from the planning application previously submitted for 520 units (ref planning application 2008/2180). Whilst a vehicular access strategy was

agreed with Officers for planning application 2008/2180, those proposals would not be appropriate, both in terms of location and scale, to serve a development of around 250 units now being promoted. Therefore, a revised access strategy has been developed to demonstrate access, and deliverability of this, to the site.

1.4 The key objectives of this technical note are twofold :

- To demonstrate the pedestrian and cycle connectivity that can be delivered between the site and Polegate town centre.
- To demonstrate that highway access and mitigation measures can be delivered to provide vehicular capacity without compromising the operation of the strategic highway network.

Liaison with Highways Agency

1.5 At a recent meeting between PBA and representatives of the HA (the A27 Route Performance Manager, the Case Officer and Technical Consultant) the following was advised by the HA.

- Although the starting position will always be a policy objection from the HA for direct development access onto the trunk road (the A27 in this case) a graduated approach would be taken by the HA in assessing a site access location.
- A further starting position for the HA would be that the developer would need to demonstrate a “nil detriment” solution in achieving an access. Therefore, the “with development” scenario should offer at least the same level of service to trunk road traffic as the “without development” scenario.
- A signal controlled access to the site would be preferred to a roundabout access by the HA – although this does not mean the principle of an access is agreed at this stage.
- The HA are content with the TR3 schemes in principle to deliver sufficient highway capacity to release housing development within Wealden.

1.6 From the meeting it is apparent that the HA is being consistent with elsewhere (ie A2 at Whitfield) that they will refer to their policy of no direct access from the Trunk Road Network in the first instance. However, if a site is allocated on the basis of an access junction onto the Trunk Road Network, and this is sustained through the EiP process, then the HA will accept the Core Strategy position. This has happened for proposed development at Whitfield, near Dover, where the now adopted Core Strategy allocates a housing site with direct access onto the A2 trunk road.

1.7 Planning application 2008/2180 also proposed direct access onto the trunk road network at Cophall roundabout for an initial phase of 400 houses and this principle was considered acceptable by the HA.

Proposed access strategy

1.8 The following is proposed as an access strategy :

- A signal controlled site access junction on the A27 corridor on the section that connects Cophall roundabout to the north and the A27 / A2270 signal controlled junction to the south.
- Mitigation of development traffic at the signal controlled junction to the south.
- Mitigation of development traffic at Cophall roundabout to the north.
- Walking and cycling connectivity across the A27 corridor via the site access junction and in accordance with current design guidance.

- Demonstration of at least nil detriment to strategic traffic journeys on this corridor.

1.9 The access strategy therefore seeks to provide connectivity of the site with Polegate town centre whilst maintaining an appropriate level of service for strategic highway journeys.

Modelling methodology

1.10 Whilst ESCC are currently preparing the South Wealden and Eastbourne Transport Strategy (SWETS) model, it is understood from liaison with Officers at ESCC that this tool is not likely to be available for use until the New Year. Once available it would be expected that the SWETS model would be the Local Authorities development control tool of choice to assess highway impact of development. However, until that time it has been necessary to adopt the methodology principles agreed for the 2008 planning application and 2011 planning appeal.

1.11 Information has therefore been drawn from planning application 2008/2180 and the planning appeal against refusal of this, heard earlier this year. The purpose of referring to the previous application is to review parameters that were agreed with Highway Officers at ESCC and the HA and which are still considered to be relevant and applicable.

Traffic generation rates

1.12 The Transport Assessment Report (TAR) submitted in support of application 2008/2180 defines the vehicular trip generation rates summarised in Table 1 (at the rear of this note). These trip generation rates were agreed with the Highway Authorities at the time of writing the TAR. The agreed Highways and Transport Statement of Common Ground (SoCG) lodged for the planning appeal recognises that these trip generation rates are "*on the high side of what might now be considered normal*".

1.13 In addition, and subsequent to planning application 2008/2180 being submitted, further analysis of trip generation rates was completed by the Transport Consultant through reference to trip rates adopted for other Non Statutory Wealden Local Plan (NSWLP) sites at Shepham Lane and Dittons Road. The Dittons Road application was tested at Public Inquiry and its trip generation rate of 0.58 two way trips per unit per peak hour was proposed as a revised trip generation rate for PW1, Polegate. This revised trip generation rate was accepted by the Highways Agency as suitable for a sensitivity test and potentially for adopting as an assessment trip generation rate.

1.14 The adoption of a Residential Travel Plan at this site would also contribute towards minimising traffic generation rates through promotion of a range of sustainable transport measures. It would be expected that any residential development proposal at this location would be accompanied by a Residential Travel Plan.

1.15 On this basis, the adoption of the Table 1 trip generation rates within this note is considered a particularly robust parameter assumption.

Traffic distribution

1.16 The TAR submitted in support of planning application 2008/2180 assumed sole access for an initial phase of 400 units via Cophall roundabout to the north. In this scenario all development vehicles must use the Cophall roundabout and of these a proportion were assumed to head to and from the south and thus also pass through the A27 / A2270 junction. Therefore some development vehicles were assumed to pass through both junctions.

1.17 An access from a new junction on the A27 (as now proposed) would result in development vehicles either passing through the Cophall roundabout to the north or the A27 / A2270 junction to the south, but not both. The proposed access strategy therefore reduces the potential impact by development traffic at the Cophall roundabout junction.

1.18 Adopting the revised development quantum and access assumptions summarised above it is possible to make the following statements:

- The proposed number of units (250) would generate fewer development vehicles, and hence less of an impact, than the 520 previously applied for.
- An access on the A27 via a new site access junction would result in fewer development vehicles passing through the Cophall roundabout, compared to planning application 2008/2180, for the same number of residential units. For example, the 250 units now proposed would result in less impact at Cophall roundabout than say 250 units accessed directly from Cophall roundabout as would have been the case under the previous access strategy.
- Assuming the new access strategy, no development vehicles would need to pass through both Cophall roundabout and the A27 / A2770 junction as would have been the case under the previous access strategy.
- The proposed 250 units will have a reduced impact on the Cophall roundabout compared to the 400 units assessed to be accessed directly from Cophall roundabout. Therefore the 2008 TAR would have assessed a more onerous traffic impact scenario at Cophall roundabout than now being proposed.

1.19 For the purpose of this assessment, and to consider a worst case scenario, the increase in delay predicted within the TAR for a sole access at Cophall roundabout (for 400 units) has been adopted for the 250 residential units now being assessed and accessed to the south. This will be an overestimation of the delay caused by 250 units at Cophall roundabout, but facilitates a robust assessment.

1.20 In addition to making a robust assumption for the impact at the Cophall roundabout to the north, the assessment completed within this note assumes that all of the development traffic heads to and from the A27 / A2270 signal controlled junction to the south. In this manner, account is taken of the worst case scenario for interaction between the site access junction and the junction to the south. On reaching the A27 / A2270 junction the development traffic is assumed to distribute in the same proportion as the background traffic.

1.21 The distribution assumptions above ensure a worst case scenario is individually assessed for both the Cophall roundabout to the north and A27 / A2270 junction to the south and therefore collectively for the corridor between these two junctions.

Forecast horizon

1.22 The forecast horizon typically requested by the HA is 10 years post planning application submission. This is consistent with the 2018 forecast contained in the 2008 TAR. This technical note considers a 2022 forecast year on the basis that this would represent a 10 year forecast during the Core Strategy EiP in 2012.

Modelling scenarios

1.23 The Linsig software package has been adopted for modelling purposes. The scenarios assessed are as follows :

- 2022 baseline
- 2022 with development and mitigation

1.24 The Linsig models have all been run such that stage timings and cycle times are optimised.

Baseline traffic flows

1.25 The TAR submitted in support of application 2008/2180 assessed a forecast horizon of 2018. The traffic flows adopted were derived from an ESCC model of the Eastbourne area that was then updated, for the purpose of planning application 2008/2180, to reflect 2008 conditions on the local highway network. The model, and hence its suitability for forecasting traffic flows, was accepted by ESCC and the HA.

1.26 The traffic flows derived for the 2018 TAR baseline scenario (ie without the PW1 development and assuming the existing highway network) are illustrated at Figure 1 (at the rear of this note).

1.27 This note considers a forecast year of 2022 and therefore the agreed 2018 baseline flows above have been factored using the Tempro database to reflect 4 further years of traffic growth. The Tempro growth factor adopted is 1.0785 for the AM peak hour and 1.0820 for the PM peak hour. The 2022 baseline flows predicted are illustrated at Figure 2.

Development traffic generation

1.28 Based upon the trip generation rates summarised at Table 1, Table 2 summarises the predicted traffic generation from 250 residential units. As described above, the development traffic has all been assumed to head to and from the south to facilitate a worst case assessment. Therefore, whilst 250 units has been assessed for the purpose of this note, it is considered that the assessment would remain valid for a greater number of units than this when allowance is made for a more refined distribution assumption. Figure 3 illustrates the development traffic routeing assessed.

"With development" traffic flows

1.29 The flows adopted for the 2022 "with development" assessment are derived by adding the 2022 baseline flows and development flows described above. Figure 4 illustrates the flows adopted for assessment.

Site access junction

1.30 A potential layout for the site access junction that can be delivered within the highway boundary and land ownership of Pelham Holdings is illustrated at Figure 5. The key objectives of this junction are twofold :

- To demonstrate the pedestrian and cycle connectivity that can be delivered between the site and Polegate town centre.
- To demonstrate that highway access and mitigation measures can be delivered to provide vehicular capacity without compromising the operation of the strategic highway network.

1.31 Reference has been made to the Design Manual for Roads and Bridges (DMRB) document, and in particular TD 50/04, in deriving an appropriate illustrative design for the site access junction and crossing facility. The main features shown are as follows :

- Two southbound straight ahead lanes and two northbound straight ahead lanes on the A27 corridor.
- A right turn lane and left turn lane into the site.
- A separate right turn out and left turn out lane from the site.
- Pedestrian and cycle crossing facilities on the site access arm and the north arm.
- The site access junction and proposed crossing of the A27 coincides with 27 Brookside Avenue which is owned by Pelham Holdings. This location has previously been agreed as an acceptable crossing location of the A27 when a bridge at this location was proposed. This is confirmed in the SoCG.
- It is intended that the 27 Brookside Avenue plot will be remodelled to allow for a walk and cycle route to be provided from the A27 onto Brookside Avenue. This will provide a direct walk and cycle connection between the site, the rail station and the town centre. It is confirmed within the SoCG that the 2008 TAR identifies improvements that can be provided to the walk / cycle route between Brookside Avenue and the town centre and

that these improvements are acceptable to ESCC and can be accommodated within the highway boundary.

1.32 The signal controlled junction to the south is preceded by the introduction of a 40mph zone (reducing from the existing, and recently implemented, 50mph zone). The construction of a site access junction could be accompanied by extending the 40mph zone north of the site access junction if this is considered appropriate during detailed design.

Pedestrian access

1.33 It will be important to ensure that pedestrian and cycle crossing of the A27 is directed to the proposed formal crossing point rather than pedestrians and cyclists attempting to cross elsewhere along the A27 corridor. Therefore, appropriate measures (such as fencing) would be required along the site frontage to prevent pedestrians and cyclists from crossing at non designated locations.

1.34 The potential demand of crossing movements using the site access junction has been considered with reference to the 2008 TAR. Within the TAR data has been extracted from the 2001 Census that suggests 61.77% of journeys are made as a car driver compared to 7.24% and 1.54% by walk and cycle respectively.

1.35 On this basis, a two way vehicular traffic generation of 181 vehicles (Table 2) would be associated with a pedestrian generation of 21 trips and cycle generation of 5 cycle trips. This would equate to a potential demand of 26 walk / cycle journeys crossing the A27 corridor during both the morning and evening peak hours. This is approximately 1 movement every 2 minutes.

1.36 A review has been completed of the key local amenities and the walk distance to these from the site boundary using the site access junction and Brookside Avenue. The table below provides a summary of the distances and predicted cycle and walk times.

Facility	Approximate Distance (m)	Approximate Walk Time (assuming 1.2m/s)	Approximate Cycle Time (assuming 15 km/hr)
Train Station	577	8 minutes	2 minutes
High Street	497	7 minutes	2 minutes
One Stop	592	8 minutes	2 minutes
Post Office	587	8 minutes	2 minutes
Primary School	954	13 minutes	4 minutes
High School	1761	24 minutes	7 minutes
Library	1072	15 minutes	4 minutes
Doctors Surgery	539	7 minutes	2 minutes

1.37 It is noted that key amenities are readily accessible from the site by short walking and cycling distances. This would allow residents to meet a proportion of their daily needs through sustainable transport choices.

Emergency access

1.38 Planning application 2008/2180 proposed a single point of access to the site and an emergency access from the A27 to serve an initial phase of 400 units. This is confirmed in the SoCG, with reference to Manual for Streets, and this principle is therefore considered acceptable to the Highway Authorities.

1.39 The principle of a single point of vehicular access to serve 250 units is therefore considered acceptable along with the provision of an emergency access from the A27. It will be necessary to ensure that pedestrians and cyclists can not use the emergency access to access the development. It is therefore proposed that a form of lockable gate would be installed to prevent this movement. The principle of this is similar to a lockable bollard insofar that emergency access vehicles will use a key to access the site in the event that the site access junction is blocked.

Linsig model

1.40 A Linsig model has been developed to model the performance of the existing A27 / A2270 junction (see Figure 6), the proposed site access (see Figure 5) and the mitigation proposals (see Figure 7). Linsig is an industry standard software package used to model the performance of stand alone and linked traffic signal controlled junctions.

1.41 The mitigation scheme for the A27 / A2270 junction is known as the TR3 upgrade scheme. The TR3 reference relates to the Non Statutory Wealden Local Plan Policy TR3. This policy identifies a number of junctions that will require upgrade to facilitate delivery of housing allocations in Polegate and Hailsham. The A27 / A2270 signal controlled junction and Cophall roundabout are amongst these. The current upgrade schemes are accepted in principle by the HA as appropriate mitigation schemes.

1.42 The SoCG confirms that the TR3 upgrades have been the subject of a Stage 1 Safety Audit and this confirms that “there are no road safety problems which cannot be resolved at the detailed design stage”.

Assessment criteria

1.43 It has been considered that the modelling results will need to meet the following criteria to demonstrate the acceptability of the site access strategy proposals:

- Strategic journey times on the A27 corridor must not be adversely affected by implementation of the site access junction. Therefore the “with development” scenario should demonstrate a similar or reduced journey time for strategic traffic when compared to the baseline scenario.
- Connectivity between the site and town centre should be demonstrated for pedestrians and cyclists.
- The A27 / A2270 and site access junctions should provide sufficient vehicular capacity to serve the forecast volumes of background and development traffic.

2022 baseline modelling results

<u>Cophall roundabout</u>

1.44 Whilst the Cophall roundabout has not been explicitly modelled for the purposes of this note, results have been extracted from the TAR that was submitted in support of application 2008/2180. The TRANSYT results contained in the TAR provide a prediction of the journey time around Cophall roundabout for a “2018 do minimum” scenario.

1.45 The TAR “2018 do minimum” scenario (see Figure 8) assumes full signal control of the Cophall roundabout as it was anticipated that delivery of this upgrade was certain and should be included in the baseline. It is considered that the “2018 do minimum” TAR results present a reasonable worst case proxy for a 2022 baseline at this roundabout.

1.46 Table 3 summarises the results of the “2018 do minimum” TAR analysis that are adopted for the purposes of a 2022 baseline scenario within this note. It is noted that delays are particularly evident during the AM peak for westbound journeys with a journey time through the roundabout of 287 seconds compared to the PM time of 50 seconds. The eastbound

journey through the junction is similar in both peak periods at 82 and 84 seconds. It is also noted that the average speed of vehicles through the junction is 9.9kph during the morning peak hour compared to 23.2 kph during the evening peak hour.

A27 / A2270 junction

1.47 The Linsig model developed for the 2022 baseline scenario demonstrates the results contained in Table 4. It is noted from the results summary that the junction is predicted to exceed capacity during both peak hours, with a negative Practical Reserve Capacity. It is further predicted that the junction experiences significant queues and delays in both peak hours and particularly in the eastbound direction.

Combined results

1.48 Combining the modelled journey times through the Cophall roundabout and the A27 / A2270 junction, and the corridor connecting the two junctions, provides a prediction of the journey time for strategic journeys on the trunk road in this location. Tables 5 and 6 provide a summary of the predicted journey times for the 2022 baseline scenario.

1.49 In summary the morning peak hour journey takes 360 seconds and 663 seconds for the westbound and eastbound directions respectively. During the evening the journey takes 110 and 471 seconds respectively.

2022 "with 250 units development and mitigation" modelling results

Cophall roundabout

1.50 Results have again been extracted from the TAR that was submitted in support of application 2008/2180. The TRANSYT results contained in the TAR provide a prediction of the journey time around Cophall roundabout for a "2018 with a development of 400 units" scenario.

1.51 The "2018 with a development of 400 units" scenario (see Figure 9) assumes further improvements to the Cophall roundabout (compared to the "2018 do minimum" scenario) and this is referred to as the TR3 upgrade. It is considered that the "2018 with a development of 400 units" TAR results present a reasonable worst case proxy for the 2022 "with 250 units development and mitigation" scenario considered within this note on the following basis :

- The proposed development of 250 units generates fewer trips than 400 units.
- The development traffic for the 400 units was all assumed to use, and hence impact, the Cophall roundabout. A new access to the south will mean that only a proportion of the traffic from 250 units will use, and hence impact, the Cophall roundabout.
- The proposed development of 400 units added a sixth arm to the Cophall roundabout and hence a new set of stop lines (and the associated stopping delay of traffic) on the gyratory. The proposed access to the south will not add any further arms to the Cophall roundabout - development traffic will instead use an existing arm (A27 south).

1.52 Table 7 summarises the TAR "2018 with a development of 400 units" scenario results that are adopted for the purposes of a 2022 "with 250 units development and mitigation" scenario considered within this note. It is noted that delays have reduced when compared to the 2022 baseline and this is particularly evident during the AM peak for westbound journeys. It is noted that the average speed of vehicles through the junction is increased to 22.3kph (from 9.9kph) during the morning peak hour and unchanged at 23.2 kph during the evening peak hour.

A27 / A2270 junction and site access

1.53 The Linsig model developed for the 2022 "with 250 units development and mitigation" scenario demonstrates the results contained in Table 8. It is noted from the results summary that the junction is predicted to work with positive Practical Reserve Capacity during both

peak hours. It is further predicted that the junction experiences a significant reduction in queues and delays in both peak hours when compared to the baseline.

Combined results

1.54 Combining the modelled journey times through the Cophall roundabout and the A27 / A2270 junction, and the corridor connecting the two junctions, provides a prediction of the journey time for strategic journeys on the trunk road in this location. Tables 9 and 10 provide a summary of the journey times for the with development scenario.

1.55 In summary the morning peak hour journey takes 138 seconds and 163 seconds for the westbound and eastbound directions respectively. During the evening the journey takes 124 and 155 seconds respectively.

Comparison of 2022 baseline and 2022 "with 250 units development and mitigation"

1.56 A comparison of the 2022 baseline and the 2022 "with 250 units development and mitigation" results demonstrates the following:

Morning peak hour

- The journey time reduces significantly from 663 seconds to 163 seconds in the eastbound direction when the development and mitigation measures are implemented.
- The journey time reduces significantly from 360 seconds to 138 seconds in the westbound direction when the development and mitigation measures are implemented.
- The combined total junction delay reduces from 411 PCU Hrs (for the baseline scenario) to 90 PCU Hrs (with 250 units and the TR3 mitigation measures implemented).

Evening peak hour

- The journey time reduces significantly from 471 seconds to 155 seconds in the eastbound direction when the development and mitigation measures are implemented.
- The journey time increases marginally from 110 seconds to 124 seconds in the westbound direction when the development and mitigation measures are implemented.
- The combined total junction delay reduces from 206 PCU Hrs (for the baseline scenario) to 77 PCU Hrs (with 250 units and the TR3 mitigation measures implemented).

1.57 On the basis of the above modelling results it is evident that the implementation of the site access junction in combination with the TR3 upgrade options at the Cophall roundabout and the A27 / A2270 junction provide a significant betterment in terms of trunk road and junction operation.

Summary and conclusions

1.58 Within this note, consideration has been given to a residential development of 250 units at PW1. Reference has been made to a previous planning application submitted for a larger residential development at PW1, and the assessment parameters agreed with Highway Officers

1.59 Whilst a vehicular access strategy was agreed with Officers for the previous planning application site, those proposals would not be appropriate, both in terms of location and scale, to serve a development of around 250 units now being promoted. Therefore, a revised access strategy has been developed to demonstrate access for vehicles, pedestrians and cyclists to the site.

1.60 The proposed access strategy is a signal controlled site access junction on the A27 corridor in tandem with mitigation measures at the signal controlled junction to the south and the Cophall roundabout to the north. In addition, direct walking and cycling connectivity to the town centre would be provided across the A27 corridor via the site access junction and remodelled 27 Brookside Avenue plot. This will place key amenities within a direct and readily accessible walk and cycle distance from the site.

1.61 Analysis has been completed to demonstrate the effects of the site access junction, development traffic and mitigation measures on the trunk road network. The traffic generation and distribution assumptions adopted within this note ensure a worst case scenario is individually assessed for both the Cophall roundabout to the north and A27 / A2270 junction to the south and therefore collectively for the corridor between these two junctions.

1.62 This technical note considers a 2022 baseline and 2022 “with development” scenario. A Linsig model has been developed to model the performance of the existing A27 / A2270 junction, the proposed site access and the mitigation proposals for both scenarios. With respect to the Cophall roundabout results have been extracted from the TAR that was submitted in support of application 2008/2180.

1.63 A comparison of the 2022 baseline and the 2022 “with 250 units development and mitigation” results demonstrates the following:

- During the morning peak hour the through route journey time reduces significantly in both directions when the development and mitigation measures are implemented. The total junction delay also reduces significantly.
- During the evening peak hour the through route journey time reduces significantly in the eastbound direction and increases marginally in the westbound direction when the development and mitigation measures are implemented. The total junction delay also reduces significantly.

1.64 On the basis of the above modelling results it is evident that the implementation of the site access junction in combination with the TR3 upgrade options at the Cophall roundabout and the A27 / A2270 junction provide a significant betterment in terms of trunk road and junction operation, with reduced journey times and significantly reduced junction delay.

TABLES

Table 1 – Trip generation rates per residential unit

	AM in	AM out	AM 2 way	PM in	PM out	PM 2 way
Residential	0.27	0.45	0.72	0.45	0.27	0.72

Table 2 – Development trip generation (250 residential units)

	AM in	AM out	AM 2 way	PM in	PM out	PM 2 way
Residential	68	113	181	113	68	181

Table 3 – 2018 TAR junction performance for Cophall roundabout (Do Minimum)

Route through Cophall roundabout	**AM**	**PM**
Westbound on the A27 to Southbound on the A27	287 secs	50 secs
Northbound on A27 to Eastbound on the A27	82 secs	84 secs
Mean journey speed reported by TRANSYT	9.9 kph	23.2 kph
Total delay	138 PCU Hrs	36 PCU Hrs

Table 4 – 2022 junction performance for A27 / A2270 (Baseline)

	AM results	**PM results**
Junction Practical Reserve Capacity (all lanes)	- 51.5 %	- 33.7%
Total junction delay (all arms)	273 PCU Hrs	170 PCU Hrs
Westbound journey time (A27 north to A27 west)	37 secs	24 secs
Eastbound journey time (A27 west to A27 north)	545 secs	351 secs
Largest Queues	• 157 PCUs from A27 to A27 • 142 PCUs from A2270 to A27	• 99 PCUs from A27 to A27 • 67 PCUs from A2270 to A27 • 57 PCUs from A2270 to A27

Table 5 – 2022 westbound corridor journey times (Baseline)

Route section	AM	PM
A27 westbound passing through Cophall junction	287 secs	50 secs
A27 southbound to A27 / A2270 junction (assume 800m at 80kph / 50mph)	36 secs	36 secs
A27 westbound passing through A27 / A2270	37 secs	24 secs
Total westbound journey time	**360 secs**	**110 secs**

Table 6 – 2022 eastbound corridor journey times (Baseline)

Route section	AM	PM
A27 eastbound passing through A27 / A2270	545 secs	351 secs
A27 northbound to Cophall roundabout (assume 800m at 80kph / 50mph)	36 secs	36 secs
A27 eastbound passing through Cophall roundabout	82 secs	84 secs
Total eastbound journey time	**663 secs**	**471 secs**

Table 7 – 2018 TAR junction performance for Cophall roundabout (400 units)

Route through Cophall roundabout	AM	PM
Westbound on the A27 to Southbound on the A27	53 secs	48 secs
Northbound on A27 to Eastbound on the A27	82 secs	80 secs
Mean journey speed reported by TRANSYT	22.3 kph	23.2 kph
Total delay	44 PCU Hrs	40 PCU Hrs

Table 8 – 2022 junction performance for A27 / A2270 junction (250 units)

	AM results	PM results
Junction Practical Reserve Capacity (all lanes)	5.2 %	20.1%
Total junction delay (all arms)	46 PCU Hrs	37 PCU Hrs
Westbound journey time (A27 north to A27 west)	62 secs	53 secs
Eastbound journey time (A27 west to A27 north)	58 secs	52 secs

Largest Queues	• 16 – 17 PCUs on A27 northbound at site access • 12 PCUs southbound on A27 at south junction • 13 PCUs on A2270 heading to A27 northbound	• 12 – 14 PCUs on A27 northbound at site access • 15 PCUs on A2270 turning left onto A27

Table 9 – 2022 westbound corridor journey times (250 units)

Route section	AM	PM
A27 westbound passing through Cophall junction	53 secs	48 secs
A27 southbound to site access junction (assume 520m at 80kph / 50mph)	23 secs	23 secs
A27 westbound passing through A27 / A2270	62 secs	53 secs
Total westbound journey time	**138 secs**	**124 secs**

Table 10 – 2022 eastbound corridor journey times (250 units)

Route section	AM	PM
A27 eastbound passing through A27 / A2270	58 secs	52 secs
A27 northbound to Cophall roundabout (assume 520m at 80kph / 50mph)	23 secs	23 secs
A27 eastbound passing through Cophall roundabout	82 secs	80 secs
Total eastbound journey time	**163 secs**	**155 secs**

Table 11 – 2022 comparison of corridor journey times

Direction	AM journey times		PM journey times	
	Baseline	With 250 units	Baseline	With 250 units
Eastbound	663 secs	163 secs	471 secs	155 secs
Westbound	360 secs	138 secs	110 secs	124 secs

Table 12 – 2022 comparison of junction delay

	AM delay (PCU Hrs)		PM delay (PCU Hrs)	
	Baseline	**With 250 units**	**Baseline**	**With 250 units**
Cophall roundabout	138	44	36	40
A27 / A2270 junction	273	46	170	37
Total delay	**411**	**90**	**206**	**77**

FIGURES

Figure 1 – 2018 baseline turning flows (AM left and PM right)

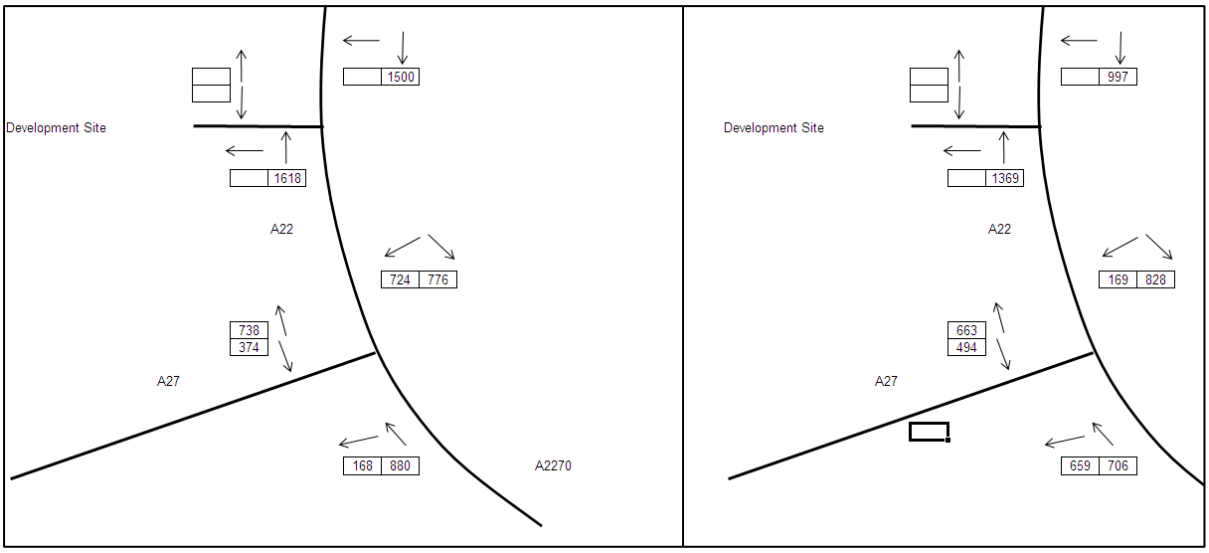


Figure 2 – 2022 baseline turning flows (AM left and PM right)

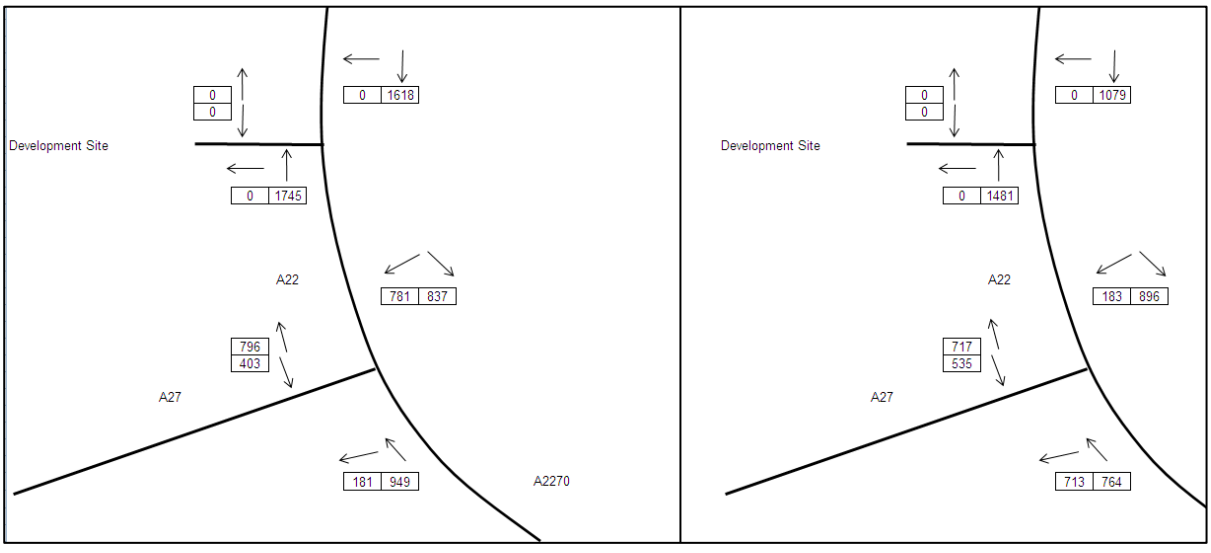


Figure 3 – Development traffic turning flows (AM left and PM right)

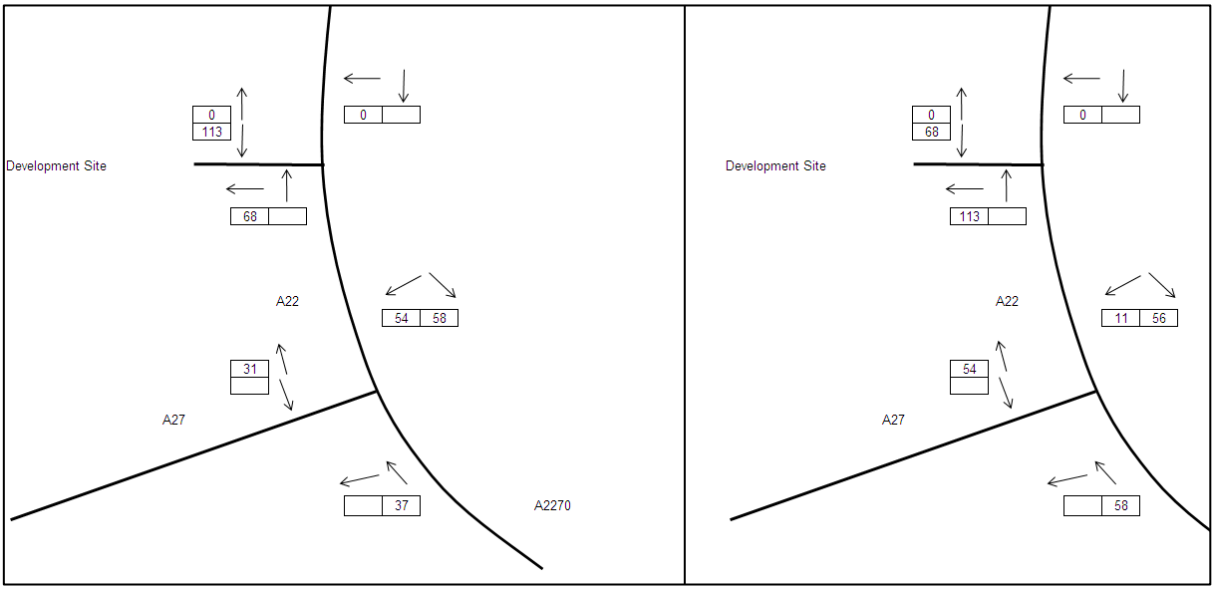


Figure 4 – 2022 with development turning flows (AM left and PM right)

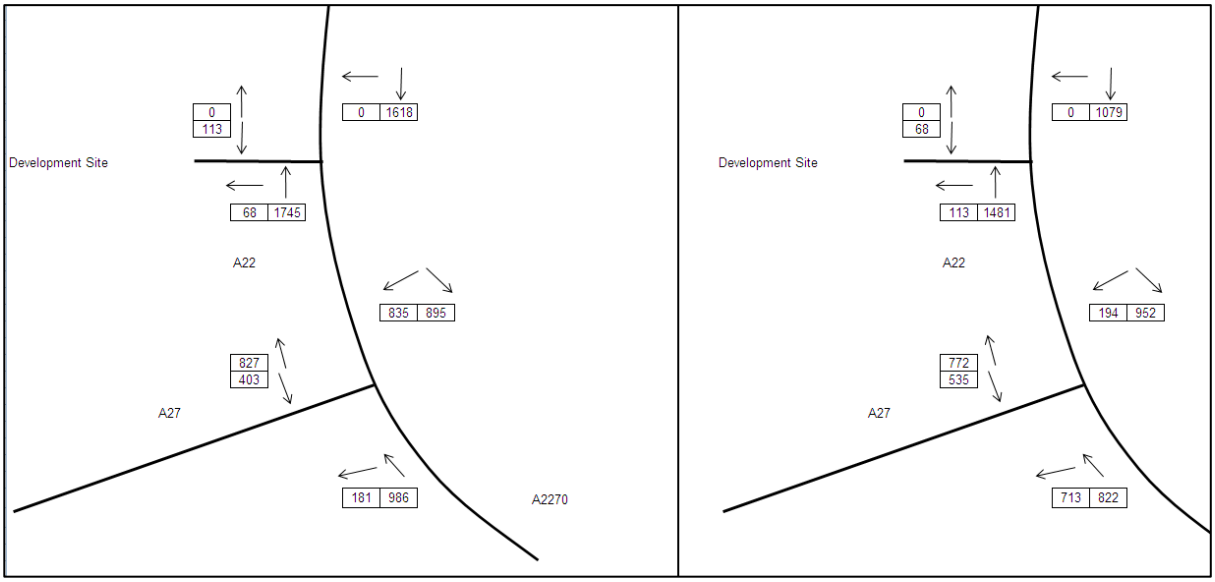


Figure 5 – Illustrative site access junction option

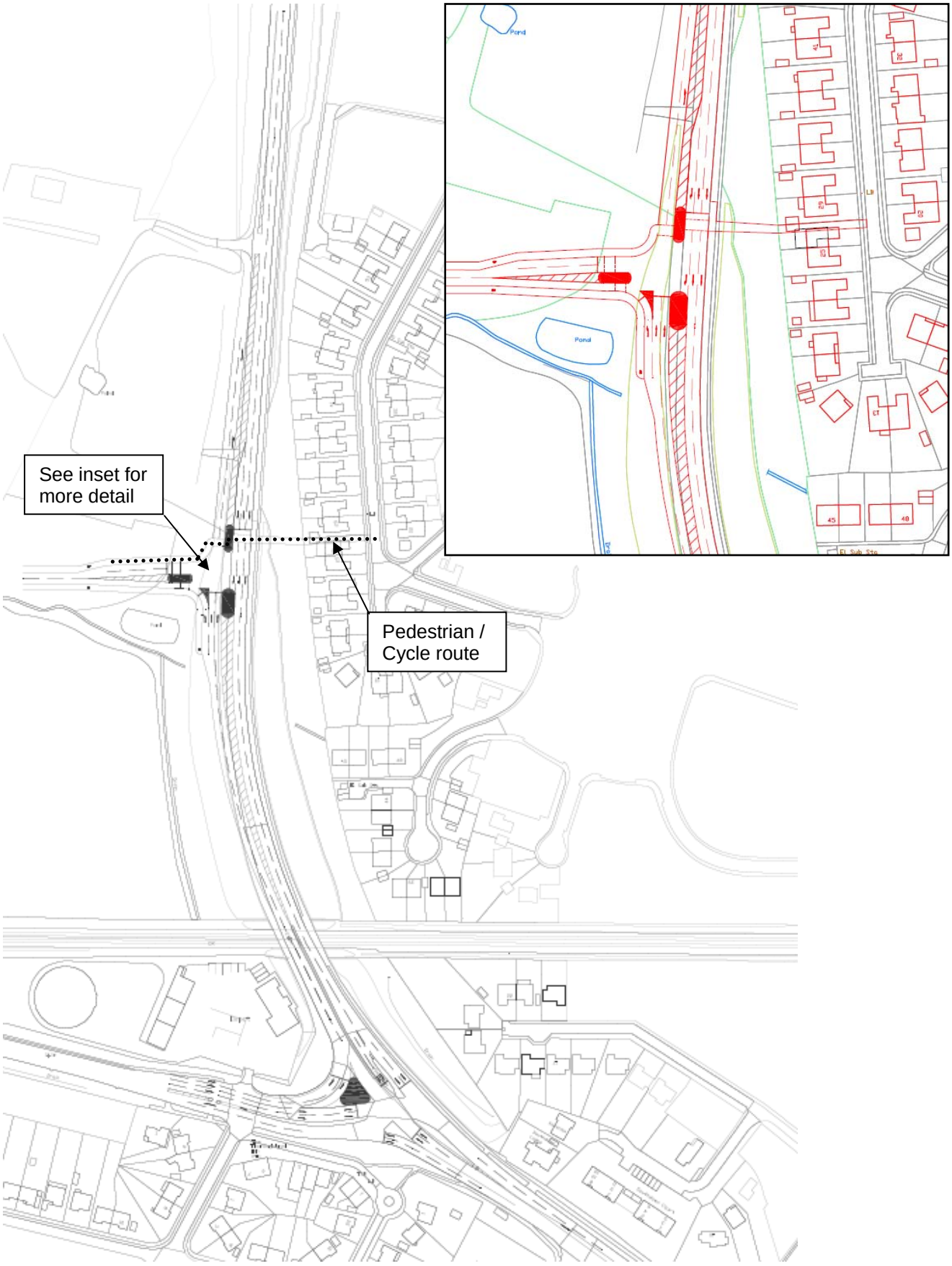


Figure 6 – Existing junction layout (A27 / A2270)

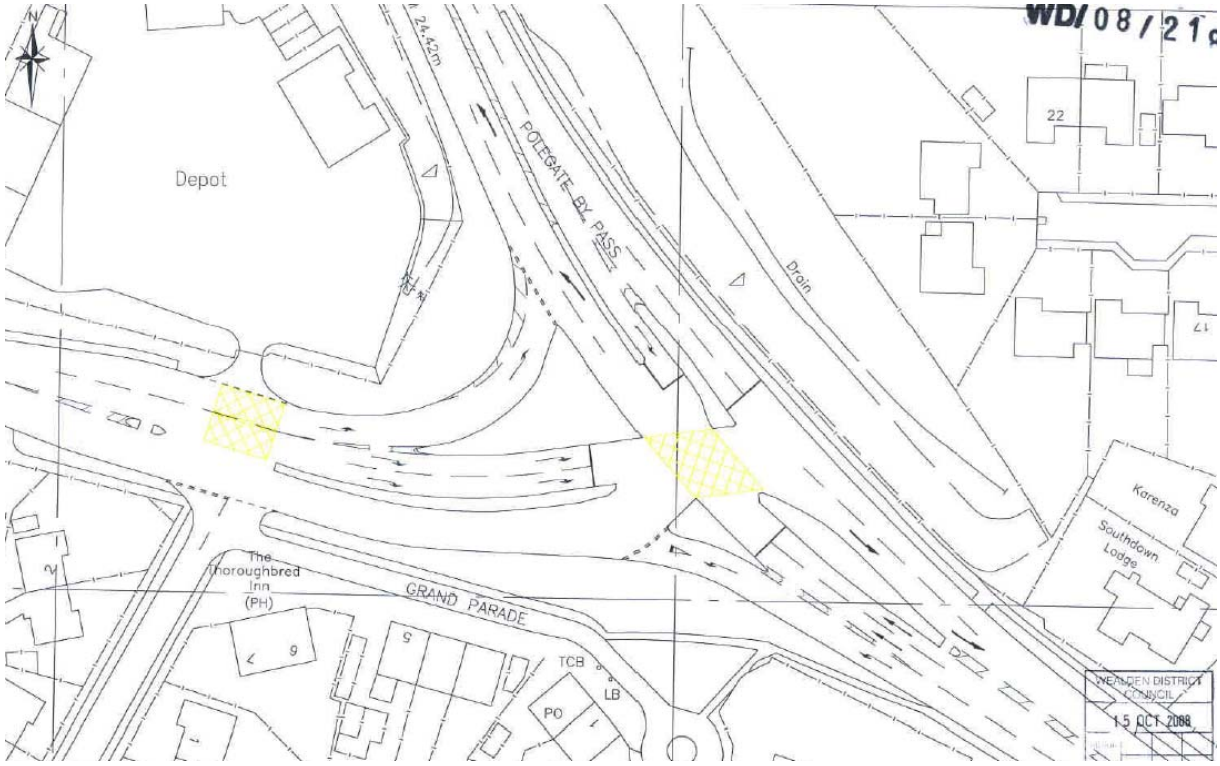


Figure 7 – Mitigation junction layout – TR3 scheme (A27 / A2270)

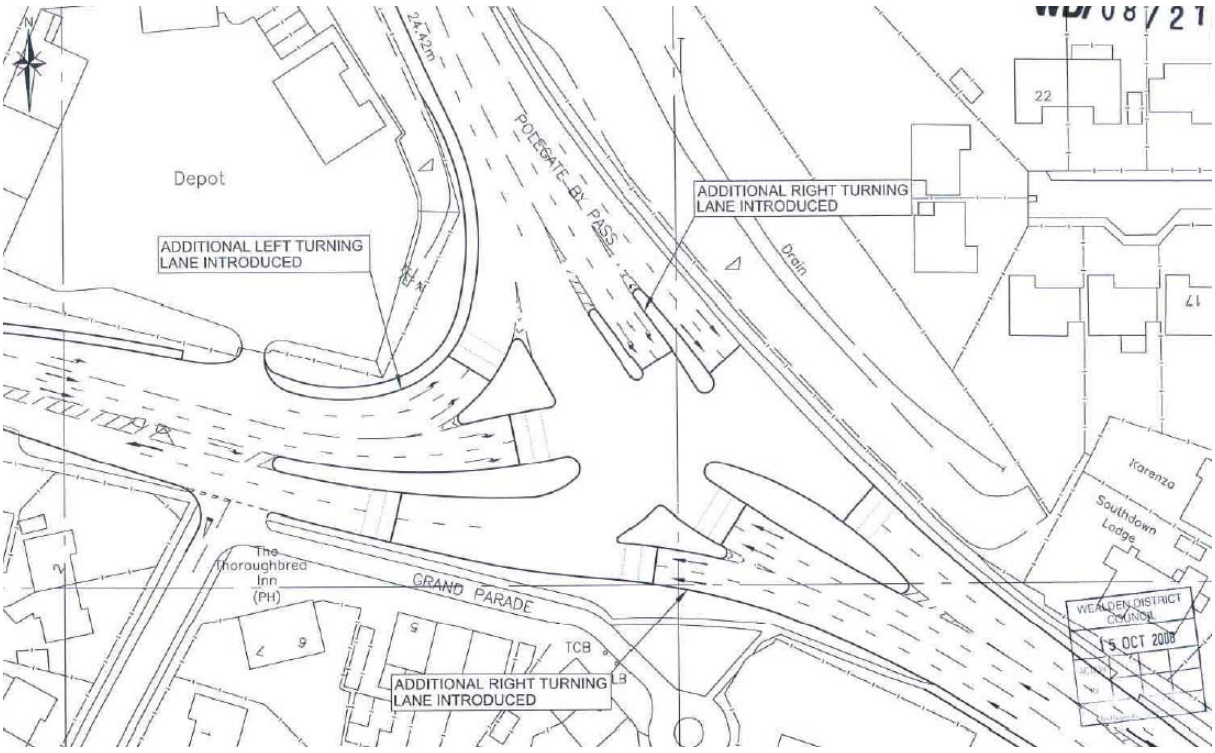


Figure 8 – Cophall roundabout – full signal control

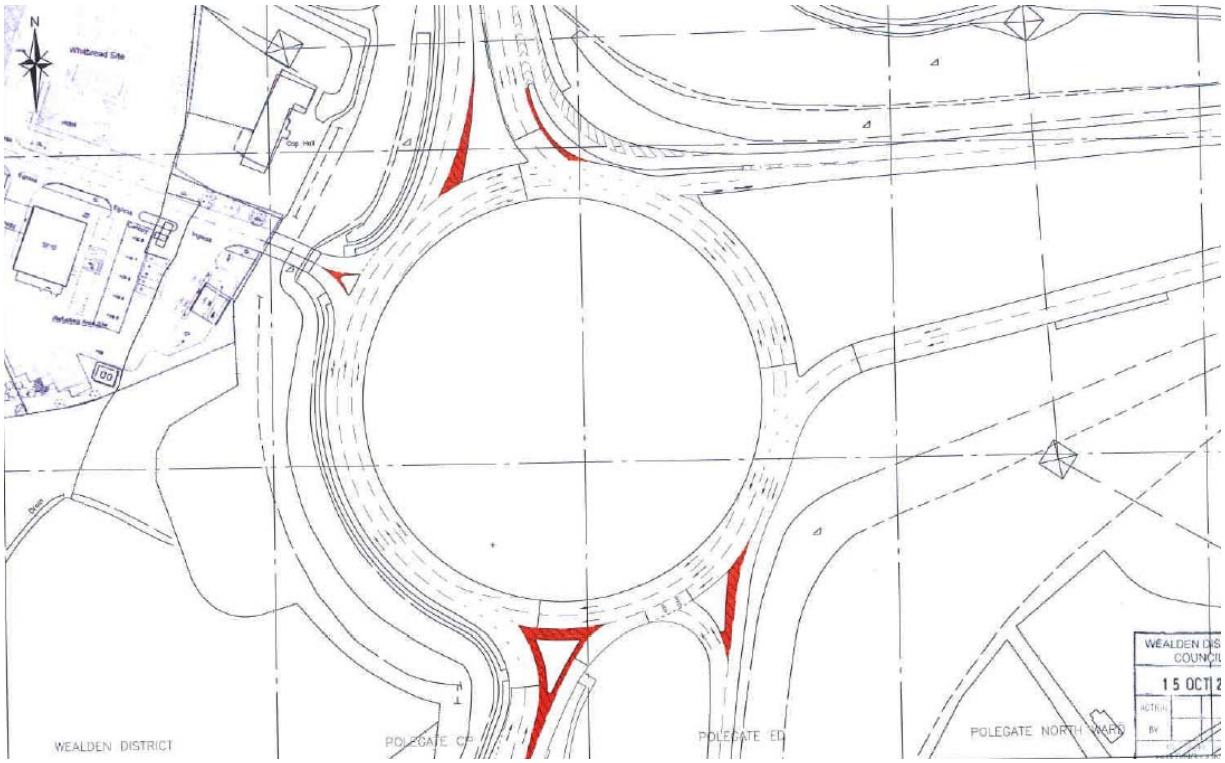
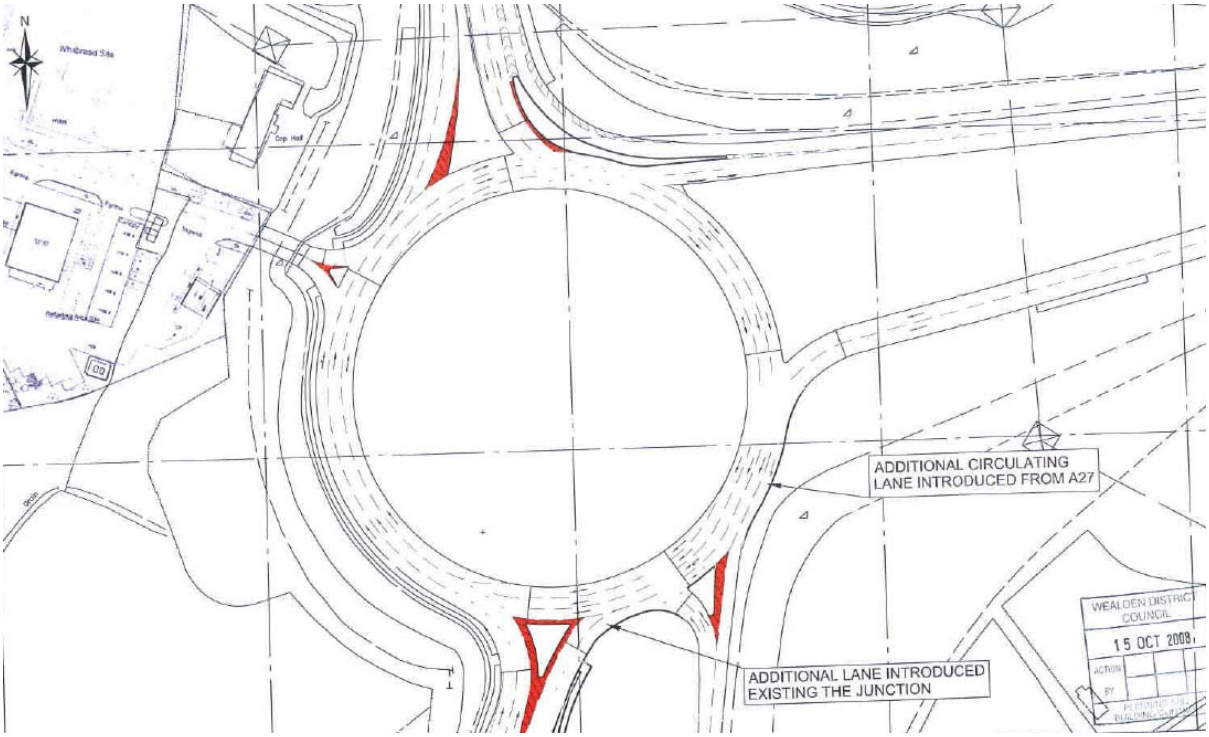


Figure 9 – Cophall roundabout mitigation junction layout – TR3 scheme



APPENDIX 2: APPEAL REF APP/C1435/A/10/2130580 DECISION LETTER

17 May 2011

Jennifer Owen & Associates Bargrove Farm Newington Folkestone Kent CT18 8BH	Our Ref: APP/C1435/A/10/2130580 Your Ref: WD/2008/2180

Dear Mrs Owen,

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY PELHAM HOLDINGS LTD
AT LAND AT HONEY FARM, EASTBOURNE ROAD, POLEGATE, EAST SUSSEX
APPLICATION: REF WD/2008/2180

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, RPE Mellor, BSc DipTRP DipDesBEnv DMS MRICS MRTPI, who held a public local inquiry on 11-14, 18-21 January and 2-4 February 2011 into your client's appeal against a decision of Wealden District Council ('the Council') to refuse outline planning permission for up to 520 dwellings together with a one-form entry primary school incorporating community uses, a convenience store and doctors surgery on land at Honey Farm, Eastbourne Road, Polegate, East Sussex, in accordance with application number WD/2008/2180, dated 10 August 2008.

2. On 12 August 2010, the appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 to Schedule 6 to, the Town and Country Planning Act 1990. The reason for the recovery was that the appeal involves proposals for residential development of over 150 units or is on a site of over 5 hectares, and would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities*.*

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be refused. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions and recommendation. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Procedural matters

4. In reaching this position the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning

(Environmental Impact Assessment) (England and Wales) Regulations 1999 and the further environmental information which was submitted under Regulation 19. For the reasons given at IR9, the Secretary of State is satisfied that the Environmental Statement complies with the above regulations and that sufficient information has been provided for him to assess the environmental impact of the application.

5. As set out in IR7, the planning application was amended to substitute two foot/cycle bridges for the at-grade crossings across the A27. Public consultation was carried out on the amendments, and associated amendments were made to the Environmental Statement and its updating. The Secretary of State is satisfied that no party has been prejudiced and he has considered the appeal on the basis of the amended proposal.

Matters arising after the close of the inquiry

6. The Secretary of State has taken into account the representations set out at Annex A, which were received after the close of the inquiry. As all these representations raised either matters considered at the Inquiry or matters that would not affect his decision, he has not considered it necessary to circulate them to all parties. Copies of these representations can be made available upon written request.

Policy considerations

7. In determining the appeal, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

8. In this case, the development plan comprises the South East Plan (2009), which is the Regional Spatial Strategy, and those policies of the Wealden Local Plan (1998) (WLP) which were saved by direction of the Secretary of State in 2007. The Secretary of State considers that the development plan policies most relevant to the appeal are those set out by the Inspector at IR15, 16 and 18.

9. The Secretary of State has made it clear, following the judgment of the Court on 10 November 2010 in Cala Homes (South) Ltd v Secretary of State for Communities and Local Government and Winchester City Council [2010] EWHC 2886 (Admin), that it is the Government's intention to revoke RSSs, and the provisions of the Localism Bill which is now before Parliament reflect this intention. This gave rise to a subsequent decision of the Court on 7 February 2011 in *Cala Homes (South) Ltd v Secretary of State for Communities and Local Government [2011] EWHC 97 (Admin)* which held that the Government's intention to legislate to revoke regional spatial strategies was capable of being a material consideration. However, while the Secretary of State has taken this stage of the parliamentary process.

10. The Secretary of State has taken into account, as a material consideration, the Proposed Submission Core Strategy, which was approved for consultation in December

2010. He has also taken into account that the Appellant has applied for Judicial Review of the Council's decision to approve the Core Strategy (IR28). For the reasons set out by the Inspector at IR359, he accords the Proposed Submission Core Strategy limited weight.

11. Other material considerations which the Secretary of State has taken into account include PPS1: Delivering Sustainable Development and the Planning System: General Principles; PPS3: Housing; PPS5: Planning for the Historic Environment; PPG13: Transport; Circular 05/2005: *Planning Obligations;* Circular 11/95: *The Use of Conditions in Planning Permission;* and the *Community Infrastructure Levy (CIL) Regulations,* which came into force on 6 April 2010. The Secretary of State has also taken into account the draft document entitled *New Policy Document for Planning Obligations,* issued for consultation on 25 March 2010. However, as this document is still at consultation stage and may be subject to change, he affords it little weight. He has also taken into account the other documents referred to at IR34-37.

12. In determining the appeal, the Secretary of State has had regard to the Non-statutory Wealden Local Plan – Interim Guide for Development Control (NSWLP), which was adopted for development control purposes in 2005. Although the NSWLP does not form part of the statutory development plan, the Secretary of State considers that it is a material consideration that should be afforded some weight.

13. In determining the appeal, the Secretary of State has had regard to the impact of the proposed development on the setting of the listed buildings of Wootton Manor and of its registered park and garden. In accordance with section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, he has paid special regard to the desirability of preserving the listed buildings or their settings or any features of special architectural or historic interest which they may possess.

Main issues

14. The Secretary of State considers that the main issues in this case are those listed by the Inspector at IR356.

Housing need and housing supply

15. For the reasons set out in IR360-375, the Secretary of State agrees with the Inspector's conclusions at IR375 that the Council cannot demonstrate a 5-year supply against RSS figures, and that this means the appeal proposal should be considered favourably under the terms of PPS3 paragraph 71, subject to the criteria in PPS3 paragraph 69. Accordance with the criteria set out at paragraph 69 is addressed in paragraphs 23-24 below.

Whether prejudice to the Local Development Framework

16. For the reasons set out at IR380-392, the Secretary of State agrees with the Inspector's conclusion at IR392 that allowing the appeal would risk prejudice to the CS by predetermining decisions about the scale, location or phasing of new development.

The Secretary of State considers that this weighs against the appeal, although it does not by itself constitute a sufficient reason to dismiss the appeal.

Accessibility

17. For the reasons set out at IR393-408, the Secretary of State agrees with the Inspector's conclusions at IR450 that notwithstanding the use of bridges, the trunk road would remain a barrier to movement and consequently the site would not be easily accessible, well-connected to public transport and community facilities, and otherwise safe, attractive, accessible and inclusive for all parts of the community in respect of access arrangements. In addition, the poor access arrangements by foot or by cycle would discourage the use of these sustainable modes of transport and instead encourage reliance on the car such that this location would be inappropriate in terms of environmental sustainability.

18. He further agrees that the lack of safe and convenient pedestrian links to the existing footpath network and Polegate town centre, the poor surveillance of the bridge access and the associated opportunities for criminal behaviour, and the poor connectivity on foot or by cycle contravene development plan policies set out in the RSS and WLP, as well as policies set out in the NSWLP, PPS1 and PPG13 (IR408).

Living conditions, landscape and heritage

19. For the reasons set out at IR409-420, the Secretary of State agrees with the Inspector's conclusions at IR416 that the southern bridge would have a significant adverse impact on the living conditions of neighbouring residents in respect of outlook and loss of privacy, in contravention of WLP policy, and at IR420 that there would be some harm to protected trees and their associated amenity value.

20. For the reasons set out at IR421-428, the Secretary of State agrees with the Inspector's conclusion at IR428 that in terms of landscape and visual impact, there would be no conflict with the relevant RSS policies. He further agrees that there is a conflict with the WLP in that the development would be outside the development boundary in that adopted local plan, but considers that the seriousness of that conflict is mitigated by the fact that the adopted RSS, NSWLP and the proposed CS all identify the need for urban extensions which would necessarily be outside that boundary (IR428).

21. For the reasons set out at IR429-437, the Secretary of State agrees with the Inspector's conclusion at IR437 that there would not be substantial harm to the setting of the heritage assets in the terms of PPS5, including Policy HE9, or otherwise significant conflict with the objectives of the relevant RSS or NSWLP policies.

Infrastructure and services

22. For the reasons set out at IR439-447, the Secretary of State agrees with the Inspector's conclusions at IR447 that the proposed provision for transport and other infrastructure is necessary to meet the needs of residents of the appeal development,

and that the provision for health services, a community hall and a local convenience store is in reasonable accordance with the relevant WLP and NSWLP policies.

Accordance with paragraph 69 of PPS3

23. The Secretary of State agrees with the Inspector for the reasons given at IR376 that the development would comply with the second and fourth criteria under PPS3 paragraph 69 (achieving a good mix of housing, and using land effectively and efficiently), and further agrees for the reasons given at IR 377-379 that while the PW1 allocation in the NSWLP provides some support for the site's suitability for development, that is not definitive in respect of the paragraph 69 criteria (IR379).

24. For the reasons set out at IR450, the Secretary of State agrees with the Inspector that the first, third and fifth criteria of PPS3 paragraph 69 (achieving high quality housing, the suitability of the site for housing, and ensuring the proposed development is in line with planning for housing objectives) are not met, and considers overall that the proposed development is not in accordance with paragraph 69.

Conditions

25. The Secretary of State has considered the proposed conditions at Annex D of the IR, the Inspector's assessment at IR448 and the policy tests set out in Circular 11/95. He considers that the conditions are reasonable and necessary and comply with the provisions of Circular 11/95. However, they do not overcome his reasons for dismissing the appeal.

Planning obligations

26. The Secretary of State has had regard to the s. 106 agreement between the appellant/landowners and East Sussex County Council, the unilateral s. 106 undertaking by the appellant/landowners to Wealden District Council and the unilateral s. 106 undertaking by the appellant/landowners to East Sussex County Council and the Highways Agency, and has considered them in the light of the Community Infrastructure Levy (CIL) Regulations 2010, and Circular 05/2005. He agrees with the Inspector's assessment of the obligations as set out at IR439-447 and 449 and is satisfied that the obligations comply with Circular 05/2005 and the tests set out in Regulation 122 of the CIL regulations. However, they do not overcome his reasons for dismissing the appeal.

Overall conclusions

27. The Secretary of State considers that the appeal proposal is not in accordance with the development plan in respect of accessibility and the significant adverse effect on the living conditions of properties neighbouring the proposed southern bridge. He has gone on to consider whether there are material considerations which would justify granting permission in these circumstances.

28. The Secretary of State considers that the provision of new housing in an area where there is a housing shortage is a significant benefit of the scheme. He further considers

that the local shortage of housing and the lack of a 5-year supply mean that, notwithstanding its location outside the WLP development boundary, the application should be treated favourably under the provisions of PPS3 paragraph 71, but subject to the provisions of paragraph 69 as to its suitability. However, overall the proposed development is not in accordance with paragraph 69, and this consideration therefore adds no weight in favour of the appeal. The Secretary of State further considers that allowing the appeal would risk prejudice to the CS by predetermining decisions about the scale, location or phasing of new development, and that this weighs against the appeal.

29. Overall the Secretary of State considers that there are no material considerations of sufficient weight to overcome the conflict with the development plan, and that planning permission should therefore be refused.

Formal decision

30. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby dismisses your client's appeal and refuses outline planning permission for up to 520 dwellings together with a one-form entry primary school incorporating community uses, a convenience store and doctors surgery on land at Honey Farm, Eastbourne Road, Polegate, East Sussex, in accordance with application number WD/2008/2180, dated 10 August 2008.

31. This letter serves as the Secretary of State's statement under regulation 21(2) of the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 1999.

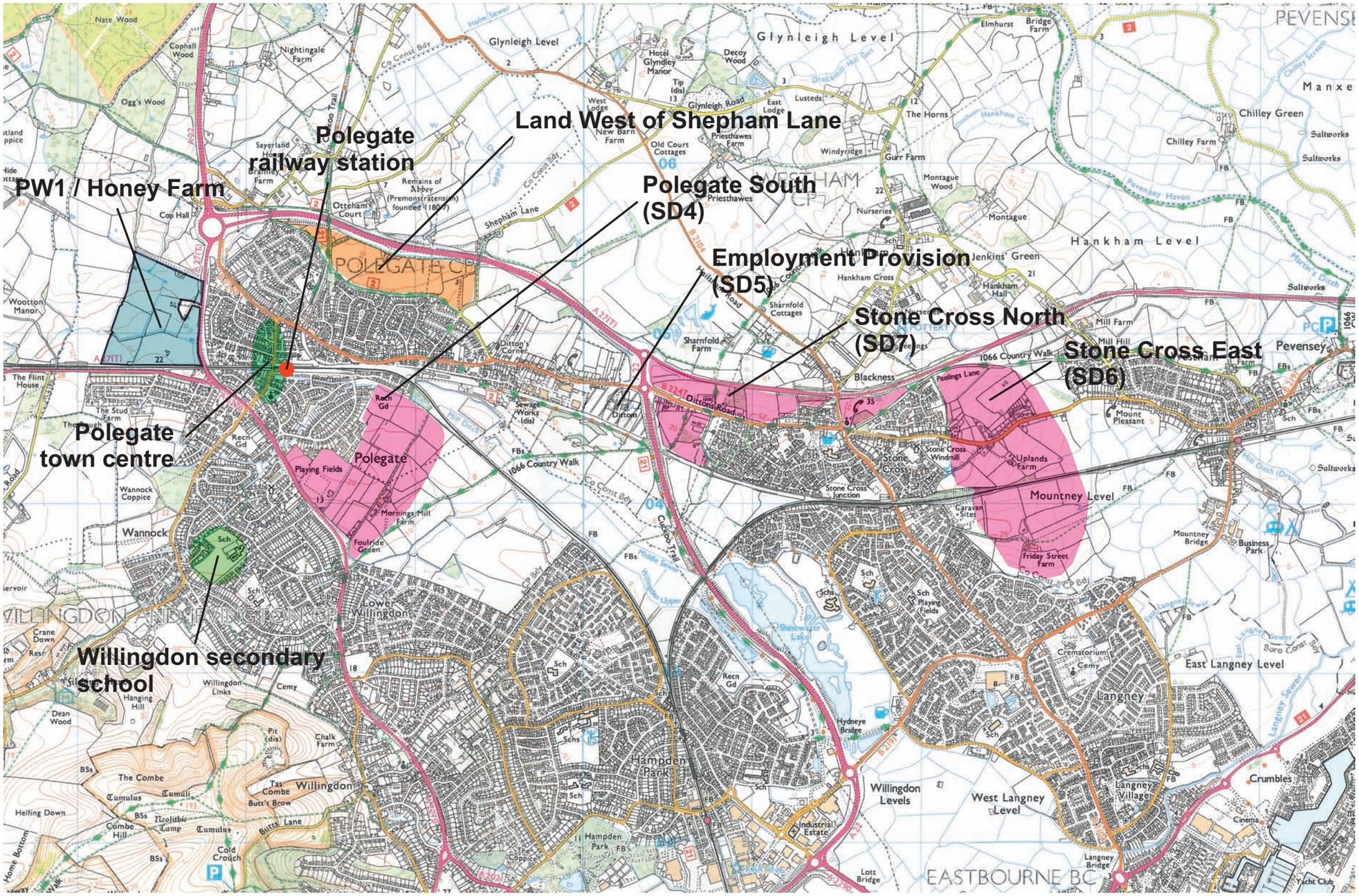
Right to challenge the decision

32. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.

33. A copy of this letter has been sent to Wealden District Council and Rule 6(6) parties. A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours sincerely,
Maria Stasiak
Authorised by the Secretary of State to sign in that behalf

APPENDIX 3: FIGURE 1 – POLEGATE AND STONE CROSS POTENTIAL DEVELOPMENT AREAS



KEY

Land West of Shepham Lane

PW1 / Honey Farm

Wealden District Council Proposed Submission Core Strategy - Area Strategy:

Proposed Development Area

Area of Employment Provision

N

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LICENCE NUMBER 0100031673

DAVID JARVIS ASSOCIATES
planning development landscape environment

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Client
PELHAM HOLDINGS LTD

Project
POLEGATE - Core Strategy EIP

Drawing Title
Potential Development Areas

Scale
1:25,000 at A3

Date
DEC 2011

Drawing No.
Figure 1