Local Plan Hearing Statement

In Respect of Examination of Main Modification 88, 89 and 90
(National Landscape Matters)
to Draft Mid Sussex District Plan 2021 - 2039

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Contents **Page**

1.	Introduction	1
2.	MM88; MM89; and MM90: National Landscape: General Matters	1
3.	Summary	4

1. INTRODUCTION

1.1. This Hearing Statement comprises Representations for and on behalf of Slaugham Parish Council (the 'Parish Council'), to the Examination Hearing in respect of the Main Modifications to the Draft Mid Sussex District Plan 2021 - 2039 (the 'Draft Plan').

1.2. These Representations have been prepared following the submission of Representations by the Parish Council to the Consultation on the draft Main Modifications to the Draft Plan in September 2026.

1.3. These Representations relate to 'Matter 7 Continued: Sites Added by the Draft Main Modifications' and in particular, Site MM88: Land west of Truggers, Handcross; MM89: Land at Pease Field, Pease Pottage; and MM90: Land to the West of Woodhurst Farm, Old Brighton Road South, Pease Pottage (the 'sites'), insofar as they relate to National Landscape: General Matters as set out by the Inspector in the Week 4: Hearings Agenda, due to take place on Wednesday 04th November 2026. They follow the format of the key matters to be discussed, as identified by the Inspector in the Agenda, and amplified in the associated 'Guidance Note from the Inspector'.

1.4. The Parish Council seek to supplement these Written Representations by attending and participating in the Hearings in relation to this Site.

2. MM88; MM89; AND MM90: NATIONAL LANDSCAPE: GENERAL MATTERS

2.1. Representations in respect of Site MM88, MM89 and MM90 insofar as they relate to National Landscape: General Matters are detailed below, having regard to the identification by the Inspector in the Hearing Agenda, that the main matter to be discussed comprises National Landscape: strategic-level exceptional circumstances and the public interest.

2.2. It is noted that the Draft Plan is being Examined under the September 2023 version of the National Planning Policy Framework (NPPF). The over-arching approach and guidance on development within designated National Landscapes is carried through to the latest version of the NPPF (August 2026). For these reasons, reference to NPPF guidance is in respect of the latest version.

2.3. Policy N1 of the NPPF (August 2026) relates to identifying environmental opportunities and safeguards in relation to plan-making policies. Policy N1(1)(c) states that development plans should safeguard and enhance the natural environment and reflect the wider benefits from natural capital and ecosystem services by steering the location of development, including through site allocations, in ways which utilise land of least environmental value, where that would be consistent with other policies in the NPPF. It states that this should include limiting the scale and extent of development within protected landscapes.

2.4. Annex B of the NPPF confirms that 'protected landscapes' includes designated national landscapes in England.

2.5. Policy N4 states that development proposals within protected landscapes should be limited in scale and extent, and sensitively located and designed to avoid harm to the statutory purposes and qualities of the area. It notes that substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas.

2.6. Policy N4(2) states that proposals for 'major development' within protected landscapes should be refused other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

2.7. It notes that to inform a decision about whether exceptional circumstances exist, consideration of such proposals should include an assessment of:

(a) the need for the development, including in terms of any national considerations, such as maintaining a sufficient supply of minerals and the impact of permitting it or refusing it upon the local economy;

(b) the cost of and scope for developing outside the protected landscape or meeting the need for the development in some other way; and

(c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it could be moderated.

2.8. A footnote to the policy notes that whether a proposal is major development is a matter for the decision-maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the statutory purposes for which the area has been designated or defined.

2.9. Whilst it is noted that this guidance relates to determination of applications, the LPA set out that, it is appropriate for an assessment of whether the additional sites could be 'major development' and likely to meet the associated tests, at a plan-making stage. This is to reduce the risk of a site allocation being found undeliverable at a planning application stage, as a result of the application of Policy N4(2).

2.10. The NPPF policies are supported by the online National Planning Practice Guidance. This states that Section 85 of the Countryside and Rights of Way Act 2000 (as amended by Section 245 of the Levelling-Up and Regeneration Act 2023) require that "in exercising or performing any functions in relation to, or so as to affect, land in National Parks and National Landscapes, relevant authorities 'must seek to further' the purposes for which these areas are designated". (Paragraph Reference ID: 8-039-20250129).

2.11. The guidance continues that the NPPF makes clear that the scale and extent of development in areas of protected landscape should be limited, in view of the importance of conserving and enhancing their landscape and scenic beauty. It notes that:

> *"Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas."* (Paragraph Reference ID-8-041-20190721)

2.12. The High Weald National Landscape is the subject of a High Weald Management Plan, approved by the High Weald Joint Advisory Committee on 27th March 2024, for adoption by each affected local authority. It seeks to cover the area between 2024-2029.

2.13. The High Weald Management Plan sets out the Statement of Significance for the High Weald Protected Landscape. It notes that it is one of the best preserved medieval landscapes in north-west Europe, and that *"the natural beauty of the High Weald AONB is derived from the essentially rural and small-scale landscape character, rich in wildlife and cultural features"*.

2.14. It notes that the High Weald Management Plan articulates natural beauty through 8 core character components, which are rooted in the historic characterisation of the landscape as a whole. Each of these components is of equal and standalone importance. They are Natural Systems, (geology, soils, water and climate), Settlement, Routeways, Woodland, Fieldscapes and Heath, Dark Night Skies, Aesthetic and Perceptual Qualities, and Land-Based Economy and Rural Living.

2.15. For reasons set out in separate Representations, in relation to each individual site, the Parish Council concur with the LPA's conclusions in their assessment of the sites[1], that the proposals, by virtue of the quantum of development envisaged, setting and potential impact, represent 'major development' for the purposes of the application of NPPF guidance on development within Protected Landscapes.

2.16. The LPA consider that the 'exceptional circumstances' required to justify major development on the 3 sites are wholly or predominantly reliant on the housing requirement of the district and the Inspector's request for the District to meet some of the unmet needs of Crawley.

2.17. The LPA note that they consider the most sustainable way to accommodate some of the unmet needs of Crawley is to locate development as close as possible to the location where the need is arising.

2.18. The Inspector has previously heard evidence from a range of interested parties regarding the geographic scope of how to deliver development to contribute to the unmet need arising from, inter alia, Crawley as part of the Northern West Sussex Housing Market Area.

2.19. The Parish Council is not aware that the Inspector considers it must be met in immediate proximity of Crawley.

2.20. The settlements of Pease Pottage and Handcross are each identified by the LPA as a Category 3 - Medium Village within the Local Plan Settlement Hierarchy. These are defined as villages which provide essential services for their own needs and immediate surrounding communities.

2.21. The LPA acknowledge that individually:

- the development of Site MM88 represents a 21.01% increase in the built-up area and a 17.27% increase in the number of dwellings in the settlement of Handcross;

- The development of Site MM89 represents an increase of 57.9% percent in the built-up area and an increase of 39.04% in the number of dwellings of Pease Pottage; and

- The development of Site MM90 represents a 197.71% increase in the built-up area and an increase of 139.44% in the number of dwellings of Pease Pottage.

2.22. The NPPF is clear that development within protected landscapes should be limited and major development should be refused unless justified by exceptional circumstances. The NPPG sets out that development to meet the unmet needs of an adjoining 'non-designated' area is unlikely to be appropriate or sufficient justification to outweigh the importance of protecting the natural beauty of the designated landscape.

2.23. The footnote to Policy N4 of the NPPF makes clear that proposals that constitute 'major development' would, by definition, be likely to have a *'significant adverse impact on the statutory purposes'* of the Protected Landscape designation.

2.24. The site allocations of MM88, MM89 and MM90 are proposed to predominantly meet the unmet housing needs of Crawley. This Authority is located substantively beyond land that is a statutorily Protected Landscape.

[1] Major Development in the High Weald National Landscape - July 2026 (reference ENV22)

2.25. It is considered that allocation of land within a Protected Landscape, substantively to meet the unmet needs of an adjoining Authority conflicts with national planning guidance.

2.26. It is respectfully submitted that justification based on unmet need of an adjoining Authority, in the south-east of England, does not represent an 'exceptional circumstance'. Unmet need from adjoining Authorities in and around Mid-Sussex and the wider south-east is commonplace.

2.27. Furthermore, even, were it concluded that Mid Sussex were required to provide for the unmet needs of Crawley, and that this should be located within a Protected Landscape, it is submitted a significant level of this need should not be directed to a 'Medium Village'.

2.28. This does not represent a sustainable location to meet the unmet needs of Crawley. Such development should be more appropriately located in and around the edges of higher tier settlements, in particular Category 1 towns.

2.29. Directing such development to higher tier centres, would also be more likely to represent a scheme that is not 'major development', given the 'setting' for such growth would be on the periphery of a large existing urban area.

3. SUMMARY

3.1. It is submitted that the sites' allocations, represent 'major development' in a Protected Landscape. They are not justified by exceptional circumstances and would not be in the overriding public interest. Even were it to be concluded that the level of growth was required to be found, and that this should be on land within the Protected Landscape, this should be directed to sites adjoining higher tier centres. The proposed allocations are considered to conflict with national planning guidance.