MID SUSSEX DISTRICT COUNCIL

MS17: Response to Inspector's Comments and Questions on Proposed Main Modifications and Site Allocations (IDJB-16)

October 2026

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Policy Comments and Questions

MM7, Policy DPN1: Nature Recovery: it is not clear why the Council are proposing to delete the two sentences about nature recovery.

1. Main Modification MM7 [DP2a] was carried forward from the Council's original **Schedule of Proposed Modifications** (July 2024) [DP2] which was published when the District Plan was submitted for Examination. **DP2** explains that the proposed modification M24 was suggested by Natural England in its Regulation 19 consultation response. Natural England's Regulation 19 consultation response is dated March 2024; the context for its suggested amendment to Policy DPN1: Biodiversity, Geodiversity and Nature Recovery was that because the Local Nature Recovery Strategy (LNRS) was at an early stage, this wording could cause confusion.

2. Since that time, there has been significant progress in the preparation of the LNRS along with more detailed government guidance, and the West Sussex LNRS was published in June 2026[1]. The West Sussex LNRS sets out 8 principles to guide nature recovery in West Sussex; 24 priorities related to important habitats; and 108 measures that set out the actions that can be taken to bring about the priorities. The Local Habitat Map, which is a core part of the West Sussex LNRS, presents an interactive way of seeing where action could be taken. It shows which areas of West Sussex are already important for nature and where many of the measures identified in the strategy could be carried out to deliver the greatest benefit for wildlife and the wider environment.

3. Now that there is clarity about the opportunities and priorities for nature recovery in West Sussex, the Council would welcome the re-instatement of this original wording in Policy DPN1 (as shown in the Submission Version of the District Plan [DP1]) and for Main Modification MM7 to be disregarded.

4. Re-instatement of this wording to Policy DPN1 will help to ensure the Council can meet its responsibilities under the statutory duty to 'conserve and enhance biodiversity'. The government has introduced a new requirement for all public authorities to 'have regard' to relevant LNRSs when meeting their duty to conserve and enhance biodiversity. The government has also introduced a new duty that will require development plans to 'take account' of relevant

[1] https://sussexnaturerecovery.org.uk/publications

LNRSs (to safeguard key areas for nature recovery and encourage development that supports action for nature)[2].

MM11, Policy DPN8: the proposed reference to specific numbered Institute of Lighting Professionals documents is not required for soundness so I cannot recommend this change to the policy. However, I suggest that the numbered documents are instead referred to in for information in the supporting text; this would not be a main modification.

5. The Council will address this as a minor modification. For clarity, the amendments to Policy DPN8: Light Impacts and Dark Skies are shown in **Development Management Policies – Proposed Modifications** [MS-08] which addressed comments received from the Inspector in January 2026 [IDJB-02]. This shows the Institute of Lighting Professionals guidance is already included within the supporting text.

6. For ease of reference, the amendment to the supporting text as set out in MS-08 is the addition of a new fourth paragraph as follows:

> **"Development proposals should take into account the Institute of Lighting Professionals Guidance, in particular (or as updated) GN01/21 The Reduction of Obtrusive Light (particularly with regard to the classification of AONBs as Environmental Zone E1), ILP GN08/23 Guidance Note 8: Bats and Artificial Lighting and other relevant guidance, including the High Weald AONB Management Plan."**

MM29 [MM30] and MM34, Policies DPH4 and DPH8: this question is directed to the submitted policies rather than the proposed main modification. Please can the Council consider whether the policies adequately reflect the needs, costs and purpose of specialist accommodation. Certain types of C2 accommodation provide very specialist needs and, for reasons of management, format or viability, may not be capable of providing affordable housing. Please can the Council take note of the position in Horsham District, where this issue is being addressed through main modifications, and come back with suitable wording, preferably as a minor policy modification.

7. The Council notes and agrees with the Inspector that certain types of C2 accommodation can address very specialist housing needs which can come with viability and practicality challenges. The Council acknowledges that the delivery of such accommodation is essential and the Plan, through its policies, should ensure it supports its delivery. The Council notes the position taken by Horsham District Council to amend their policies (Strategic Policies 39 and 42) removing the affordable housing requirement on older persons' and specialist accommodation. This change reflects updated viability evidence.

8. Whilst the Council's own viability work suggests that affordable housing is achievable on older persons' housing [IV2], in acknowledging the challenges outlined above, a minor modification to Policy DPH4: Older Persons' Housing and Specialist Accommodation and the supporting text of

[2] https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies

DPH8: Affordable Housing is proposed to provide flexibility and ensure issues of viability and practicality are considerations where specialist accommodation is proposed.

Policy DPH4

"Allocations and proposals for older persons' accommodation will be required to~~:~~ **provide**

~~1. Provide~~ affordable housing in line with Policy DPH8, where classified as C2 or C3, **where viable and practical to do so.** ~~and~~

~~2.~~ Be in accordance with the identified need as shown in the table above."

Policy DPH8 (supporting text)

This includes changes of use, mixed use sites that incorporate an element of residential development, sheltered and extra care housing schemes **(where viable and practical to do so)**, conversions, [...]

MM33, Policy DPH7: having regard to Crawley Borough Council's representation, please can the Council consider (for the sake of clarity) whether a minor alteration is required to the first paragraph of the explanatory text by deleting "is provided within the district" and replacing it with "is provided to meet the district's needs and, where appropriate, provides support for needs arising in neighbouring districts". Similarly can the Council consider whether the MM to the policy itself should state "...location, identified need (including, where appropriate, need arising in a neighbouring district) and viability".

9. The Council agrees to the Inspector's suggested amendment to the supporting text and policy wording to provide clarity to the consideration of housing mix need. The Council will present the wording amendment as a minor modification.

Insert wording to supporting text: (first paragraph)

"This policy seeks to ensure that the right size and mix of housing (including affordable housing) is provided ~~within the district~~ **to meet the district's needs and, where appropriate, provides support for the needs arising in neighbouring districts**."

Insert wording to MM33:

"Housing development should reflect this mix as far as possible, subject to the site size, characteristics and location, identified need **(including, where appropriate, need arising in a neighbouring district)** and viability."

MM98: Policy DPI6: please can the Council consider the additional wording in the representation from NHS Property Services, which I believe should be added. The policy must have the flexibility to allow large organisations to rationalise their estates, modernise and invest in the public interest.

10. Representations were submitted by the NHS Property Services (NHSPS) to the Council's Main Modifications consultation with a focus on MM98 draft policy DPI6: Community and Cultural Facilities and Services. Draft Policy DPI6 sets the requirements against proposals for new and additional community facilities and those which concern the loss of existing community facility provision. For the loss of existing community facility provision, Modification MM98 reduces the criterion to two points to include the requirement of evidence of a 12-month marketing exercise or demonstration of equivalent or alternative re-provision. The NHSPS believe that the policy as drafted, alongside the proposed modifications, would not sufficiently address the key issues raised regarding the loss of existing healthcare facilities. The NHS states they require flexibility with regard to the use of its estates, in particular, the disposal of sites and properties which are redundant or no longer suitable for healthcare for best (open market) value to fund new or improved services within the local area. Therefore, the NHSPS provide the following modification to MM98:

    Existing Provision:

    "[…] Proposals that involve the loss of a community or cultural facility (including those facilities and services where the loss would reduce the community's ability to meet its day-to-day needs locally), will not be supported unless:

    […]

    The loss resulting from the proposed development would be replaced by equivalent or alternative facilities that are accessible, inclusive, available and of equivalent or better quantity and quality in a suitable location**; or**

    The loss is declared surplus or identified as part of an estates strategy or service transformation plan where investment is needed towards modern, fit for purpose infrastructure and facilities."

11. The Council would support the inclusion of this further modification within MM98, as it would provide greater flexibility regarding the use of estate facilities where it can be demonstrated that their loss is justified. It would also enable opportunities for investment in new, modern, and fit-for-purpose infrastructure and community facilities that better meet local needs and deliver enhanced benefits for the wider community.

Site Allocation Comments and Questions

General Points

(i) The sustainable communities have an "indicative yield" but most of the site allocation policies have very specific numbers of dwellings. In practice, the number delivered on a site will depend on a variety of factors, including site conditions and the nature of the development itself, and it may well vary from the figure given in the policy, so the plan needs to recognise this. It is suggested that the box that contains the number of dwellings should say "Indicative number of dwellings" and the text of the plan needs to explain why the figure may vary.

12. MM28 to Policy DPH1: Housing currently includes the following wording in relation to yields, "The yields stated against the Significant Sites and housing allocations in the table above, as well as the allocations themselves, are approximate and based on the work undertaken to date. The yields may be refined as a result of more detailed masterplanning work as sites come forward through the planning application process."

13. Due to the existing wording as part of MM28, the Council does not consider it necessary to include any additional text in the Plan, however, is happy to if the Inspector considers it to be necessary.

14. The Council agrees to the Inspector's suggested modification to the box that contains the number of dwellings, for each site policy in the Plan, so that it reads "Indicative number of dwellings".

(ii) The County Council have made representations asking for additional contributions towards a number of facilities in several policies. They do not appear in the MMs. I am not convinced about the addition of some of these to the list, particularly where they appear to concern undefined revenue funding rather than a capital cost related specifically to the development. "Waste management" is an example. Please can the Council comment.

15. The Council acknowledges that as part of West Sussex County Council's response to the Main Modifications consultation, they have sought the inclusion of additional infrastructure requirements within a number of site allocations policies, in particular towards waste management, sustainable transport schemes, highway mitigation and education provision.

16. Appendix 5 of the District Plan sets out the scope of planning obligations that may be applicable to different forms of development and outlines the Council's general approach to securing such contributions. The appendix recognises that infrastructure requirements will vary depending on the scale, nature and location of development proposals and identifies a range of infrastructure types for which contributions may be sought where justified. The exact quantum and type of infrastructure required will be determined on a case-by-case basis at planning application stage.

17. The submission plan along with the proposed main modifications were prepared based on the information available at that time, however West Sussex County Council have updated their infrastructure requirements for some sites. The Council has considered the proposed changes and where these relate to specific/critical matters on individual sites, suggested where these should be addressed through minor modifications; either in this paper, MS07a-f or the DP2b minor modification schedule for those sites not subject to a hearing session or written questions. Where this Council does not consider that these changes are necessary for soundness, the current approach, whereby such infrastructure requirements are identified through the IDP and assessed through the planning application process as further evidence becomes available, provides an appropriate mechanism for securing any necessary mitigation arising from development.

18. With regards to waste management, at the time the District Plan was submitted for examination, contributions towards waste management infrastructure were not being sought. Through subsequent engagement with West Sussex County Council during the examination process, it was identified that a potential need for developer contributions towards improvements and/or expansion of the Burgess Hill transfer site and HWRS to address the impacts arising from planned growth. As a result, the project has subsequently been included within the Infrastructure Delivery Plan (October 2026) [IV10], with District Plan site allocations expected to contribute. The Council notes that this request relates to a specific item of waste infrastructure rather than general waste management services or ongoing revenue funding. To ensure consistency with the infrastructure list set out in the allocated sites in the submission plan, no modifications are proposed to include waste management. The relevant waste management project is already identified within the Infrastructure Delivery Plan (IDP), and the need for, and scale of, any financial contributions towards this project will be considered through the planning application process, having regard to the statutory tests for planning obligations.

(iii) I am also concerned about the potential for requirements to seek contributions for facilities that are in excess of those directly related to the development. See for example MM43 / Policy DPSC2 below, but the same point applies to all site allocations. I note that the requirements of the CIL regulations are mentioned in the explanatory text to DPI2, which is helpful, and my concerns would be addressed if the first line of Policy DPI2 were amended to read "Planning obligations will be sought where they meet the statutory test set out in the CIL Regulations, in order to: …"

19. The Council agrees that it is important that any requirements for developer contributions are appropriately accorded with by the statutory tests set out within the CIL Regulations 2010 (as amended).

20. As recognised by the Inspector, the supporting text to Policy DPI2 already makes clear that planning obligations must satisfy the relevant legal tests. Furthermore, Appendix 5 of the District Plan outlines the Council's general approach to planning obligations and acknowledges that contributions will only be sought where they are necessary to mitigate the impacts of development and meet the relevant statutory requirements. The Council's intention has been

that infrastructure requirements identified within site allocation policies should be interpreted and implemented in accordance with these statutory tests.

21. The Council, therefore, recognises the benefits of the Inspector's suggested amendment to the opening sentence of Policy DPI2. The proposed wording would provide greater clarity and reinforce the existing legislative framework for the use of planning obligations. Accordingly, the Council would support amending the first line of Policy DPI2 to read:

    "Planning obligations will be sought **where they meet the statutory test set out in the CIL Regulations,** to: …"

(iv) Financial contributions are required of some very small sites including MM64 (20), MM65 (9), MM68 (14), MM73 (9), MM80 (10), MM84 (15), MM85 (20), MM86 (20), MM87 (13).
Can the Council explain why it is seeking identify contributions from these small sites?
Can it also explain what it means by financial contributions to "emergency services" and "health"?
Is there a need for additional capital investment in emergency services and health relating directly to these sites?

Thresholds for contributions

22. The Council's intention is to identify the types of infrastructure that are considered as being required as the site has the potential to generate additional demand for particular types of infrastructure.

23. Appendix 5 of the District Plan sets out the scope of planning obligations that may be applicable to different forms and scale of development and outlines the Council's general approach to securing such contributions. Appropriate thresholds have been set for each of the types of contributions with the intention to balance the objective of ensuring that new development makes a proportionate contribution to the infrastructure requirement it will generate. For example, developments proposing 5+ dwellings would be expected to provide a financial contribution towards community buildings, local community infrastructure, outdoor sports, equipped/designated play areas, other outdoor provision and parks and gardens (see tables 2 and 3 within Appendix 5).

24. The appendix explains that such contributions will, in most cases, take the form of financial contributions towards creating new facilities to accommodate increased demand resulting from development, providing extensions to existing facilities to create additional capacity, or upgrading and improving existing facilities to make them more usable. The Council considers this to be a standard and well-established approach to mitigating the impacts of residential growth.

25. Furthermore, this approach is not new to the emerging District Plan. The Council's previous Development Infrastructure and Contributions SPD adopted a similar approach and has been successfully applied for a number of years to secure developer contributions towards

infrastructure provision. The wording including within the site allocation policies therefore, reflects an established mechanism for considering residential growth impacts on infrastructure rather than introducing a new requirement.

Health and Emergency Services

26. In relation to health and emergency services infrastructure, Appendix 5 of the District Plan sets out the Council's established approach to securing mitigation where an identified need arises from development. For health, it states that where new residential development, including older persons' housing, creates an identified need for health infrastructure, the Council will seek contributions towards the provision of new or extension to existing health facilities to cope with the increased demand. Similarly, for emergency services, Appendix 5 recognises that the additional population generated by development can place increased demands on policing services within the area. To maintain current levels of policing, Appendix 5 states that developer contributions towards the provision of capital infrastructure such as premises, vehicles, staff set up costs and ANPR may be required from residential developments of 50 dwellings or more, including older persons' housing, where a need is identified. Such contributions are intended to support capital infrastructure necessary to accommodate growth and are not directed towards the day to day operational or revenue costs of providing policing services.

27. The Council therefore considers that references to financial contributions towards particular infrastructure categories, such as health and emergency services, within the site allocation policies should be read alongside Policy DPI2 and Appendix 5, both of which establish the overarching framework for securing infrastructure contributions. Any such contributions would be determined through the planning application process based on evidence provided by the relevant infrastructure provider and assessed against the statutory tests for planning obligations.

Site Specific Points

MM38: Policy DPSC1: what is the Council's position regarding the County Council's additional request for contributions?

28. As part of West Sussex County Council's response to the Main Modifications consultation, they have sought the inclusion of additional infrastructure requirements relating education provision, library provision and waste management.

29. The County Council is of the view that the policy is not effective and lacks sufficient precision and could lead to ambiguity regarding the scale and extent of the infrastructure required to support the development. They request that the policy wording within the infrastructure section should be amended as follows:

    On Site:

"Land **and financial contributions** for education provision and associated 2FE Primary School with ~~Early Years and~~ Special Support Centre ~~Provision~~ and land ~~Space~~ for the provision of a full-day care nursery for Early Years.

Financial contributions towards the provision of:

Education;

Library;

Waste management."

30. With regards to education, whilst the provision of land for education on-site remains the preferred approach, where this is demonstrated not to be feasible or necessary, proportionate financial contributions towards new or enhanced education provision may be secured instead. The Council recognises that additional clarity is needed to ensure the policy's expectations are clear and justified. Accordingly, the Council proposes the following further modifications:

31. *"*Land **and financial contributions** for education provision and associated 2FE Primary School with ~~Early Years and~~ **Special** Support Centre ~~Provision~~ and land ~~Space~~ for the provision of **a** full-day care nursery **for Early Years**. **Financial contributions will be proportionate to the need generated from the development itself in accordance with the CIL Regulations.***"*

32. In considering the education requirements for West of Burgess Hill/North of Hurstpierpoint, the Council has relied on the advice provided by West Sussex County Council (WSCC) as the local education authority. At Regulation 19 Submission stage, WSCC advised that the development should provide for a 2FE primary school. These requirements were subsequently reflected in the submitted policy for DPSC1.

33. With regards to library provision the Statement of Common Ground signed between MSDC and the site promoter in February 2026 [S3] agreed to remove the requirement for a "self-service library" from the onsite infrastructure requirements in the policy, as a "self-service library" is being required as part of criterion 4 of the policy "4. A neighbourhood centre with up to 800 sqm including a range of commercial and community uses which could comprise….self-service library…"

34. The Infrastructure Delivery Plan (IDP) [IV10] sets out that a Tier 7 library (floorspace and contribution) is required to be provided by DPSC1 which has been identified from engaging with WSCC on the requirements for the significant sites. The Council considers a further modification to DPSC1 would be beneficial to identify provision of a Tier 7 library in line with the requirements identified by WSCC and set out in the IDP. The suggested modification is set out below:

"4. A neighbourhood centre with up to 800 sqm including a range of commercial and community uses which could comprise….**Tier 7** ~~self-service~~ library…"

35. With regards to waste management, please refer to the Councils response under General Points (ii) in this hearing statement.

MM41: Policy DPA3, Burgess Hill Station: I do not think this issue has been entirely resolved. I note that in the MMs the housing number on this site has increased, and the MMs also propose additional homes on the edge of Burgess Hill, at Sayers Common and at Hurstpierpoint. The accessibility of Burgess Hill by rail is a major sustainability advantage (and there is limited parking capacity at Hassocks station). In these circumstances, I do not believe that the plan can simply require "an appropriate level" of parking at Burgess Hill station. The Council should have a realistic concept of how parking needs would be reconciled with any proposed development on this site, taking into account viability.
Is there any criterion or objective that should be inserted here?
Is there a numerical bottom line? Such as "sufficient to provide for the needs of …"

36. The Council provided the Inspector with an update on the position to date in MS-17 Post Hearing Policy Modifications and Updates. This set out that the Burgess Hill Parking Study had been finalised and that although it acknowledges that parking demand will be higher at the station with the additional growth proposed in Burgess Hill and surrounding areas, the Council is satisfied that there are options through the station redevelopment proposals and wider demand management measures to deal with this. With this in mind, the Council suggested a modification to Policy DPA3 to include an additional policy requirement to "ensure an appropriate level of station parking is provided as part of the redevelopment."

37. The Council notes the Inspectors further concerns regarding parking relating to Policy DPA3: Burgess Hill Station as set out in his question.

38. Work around the redevelopment of Burgess Hill station is ongoing and pre-application engagement is underway. West Sussex County Council have been engaged as part of the work so far and it is understood that one of their principal concerns is that there is no overspill in terms of parking onto nearby roads from this development and there is a requirement to mitigate car parking from the residential element of the development.

39. In response to this, it is intended that Phase 1 of the development will include a multi-storey car park, the capacity of which is based on the reprovision of the existing surface level car parking capacity of 205 spaces at Queens Crescent Car Park and 131 spaces in relation to the Network Rail Car Park. Exact numbers will be finalised as part of the planning application once detailed modelling and viability work has been undertaken.

40. To address the Inspector's concerns and the updated position set out above, the Council considers that a further modification to MM41 and the additional Criterion 6 of Policy DPA3 would be beneficial. The Council therefore suggests the following modification:

"6. Ensure reprovision of any car parking displaced by the redevelopment, and adequately accommodate any additional parking demand generated by the redevelopment ~~an appropriate level of station parking is provided as part of the redevelopment~~."

MM43: Policy DPSC2, Crabbet Park:
What are the "financial contributions for education provision" and what are they intended for? It needs to be made clear in the policy that any contributions will be proportionate and must be related specifically to the identified needs arising from the development – for example, DPSC2 would not give rise to the need for a full SEND facility or 4FE expandable to 6FE secondary school. In addition, what does the policy mean when it seeks land for a 4FE (expandable to 6FE) secondary school? Does this mean that sufficient land has to be found in the masterplan for a 6FE school?

41. MM43 sets out a series of proposed modifications to Policy DPSC2: Crabbet Park, including the requirement for "Land **and financial contributions** for education provision". West Sussex County Council (WSCC) have made clear that the provision of land alone may not be sufficient to deliver the necessary education infrastructure; financial contributions will also be required (see Appendix 1). The additional land provided above the expected level of mitigation from DPSC2 will be taken into account during the negotiation of financial contributions at the planning application stage. This ensures that contributions are not sought for infrastructure that is not directly related to the development and therefore satisfies the statutory tests set out in the CIL Regulations.

42. In considering the education requirements for Crabbet Park, the Council has relied on the advice provided by WSCC as the local education authority. At Regulation 19 Submission stage, WSCC advised that the development should provide for a 3FE primary school and a 4FE secondary school with the ability to expand to 6FE. These requirements were subsequently reflected in the submitted policy for DPSC2.

43. Since submission of the District Plan, the site promoter has undertaken further work to assess the education demand arising specifically from the development.

Primary Education

44. In relation to primary education, this work concludes that the development would generate demand equivalent to approximately 1.8FE. The Council acknowledges WSCC's view that a 2FE is preferable to a 1FE for operational reasons, and a 2FE would provide additional capacity for future resilience. This broadly aligns with WSCC's subsequent support for a 2FE primary school provision they have set out through their response to the Main Modifications Consultation. However, it indicates that the original 3FE requirement is not required to mitigate the impacts of the development alone and no justification has been provided to suggest this level of over-provision in this location would be necessary. As a result, DPSC2 (as modified in DP2a) makes a requirement for a 2FE Primary school.

Secondary Education

45. For secondary education provision, whilst the submission policy reflects WSCC's original request for a 4FE (expandable to 6FE) secondary school, subsequent work undertaken by the site promoter concludes that the development would generate demand equivalent to approximately 2.1FE of secondary school provision. The Council recognises that there have

historically been secondary school capacity pressures within the northern part of the district and that the delivery of a new secondary school could assist in addressing wider secondary educational needs, including those within Crawley borough. It is also recognised in the County Council's published Planning School Places 2026[3], that 4FE is generally regarded as the minimum viable size for a secondary school and therefore a requirement for a 4FE secondary school can be justified, notwithstanding that the development itself generates demand for a lower level of provision.

46. WSCC has acknowledged (see Appendix 1) that whilst the development from Crabbet Park itself would generate demand to approximately 2.1FE, there are further planned developments within the East Grinstead school planning area that are expected to generate additional demand for secondary places, giving rise to demand equivalent to 3.1FE. This includes planned developments within East Grinstead, Crawley Down and Pease Pottage, as well as capacity issues within the wider area including those within Crawley and potential future development in adjoining Tandridge District. The County Council's position is also informed by the published Planning School Places 2026, whereby a 4FE (expandable to 6FE) provides better operational efficiency and deliverability for an academy trust or the local education authority to operate and be financially sustainable. Furthermore, the County Council is not seeking for the development to fund the entirety of the school. The expectation is that the development provides land and makes financial contributions that are proportionate to the education needs it generates. The precise level of contribution would be determined through the S106 agreement and adjusted accordingly. Therefore, the Council believes there is justification to support the requirement for a 4FE (expandable to 6FE). The Council recognises that additional clarity is needed to ensure the policy's expectations are clear and justified. Accordingly, the Council proposes the following further modifications:

"Land **and financial contributions** for education provision with associated all-through school with 2FE at Primary and 4FE (expandable to 6FE) at Secondary, with or without Sixth Form, Special Support Centre~~,~~ and land for the provision of full-day care nurseries for Early Years and. **Financial contributions will be proportionate to the need generated from the development itself in accordance with the CIL Regulations.**"

SEND Provision

47. With regard to SEND provision, the Council recognises that WSCC has previously identified a strategic need for additional SEND capacity within the wider area and has referred to a potential requirement for a facility capable of accommodating up to 120 places. However, recent evidence provided by the site promoter indicates that the demand generated by Crabbet Park itself would amount to approximately 18 SEND places and therefore a larger standalone facility would not be justified.

[3] WSCC Planning School Places 2026 - https://www.westsussex.gov.uk/media/c4bhtviv/planning_school_places.pdf

48. Following recent correspondence with West Sussex County Council (see Appendix 2) and following the Government's SEND reform plans to increase inclusion in mainstream settings, the County Council no longer seeks the allocation of land for a standalone SEND school at Crabbet Park. The County Council is satisfied that the SEND needs arising from the development can be appropriately addressed through the provision of Special Support Centres within the proposed primary and secondary schools. Therefore, the Council will remove references to land for a SEND facility within Criterion 1 and 3 within the policy.

49. The Council therefore considers that Crabbet Park should reasonably be expected to provide a 2FE primary school and a 4FE (expandable to 6FE) secondary school on-site (inclusive of Special Support Centres) and any requirement for provision beyond these levels would not be justified by the evidence currently available. Accordingly, the Council proposes the following further minor modifications:

Amend infrastructure table:

"Land **and financial contributions** for education provision with associated all-through school with 2FE at Primary and 4FE (expandable to 6FE) at Secondary, with or without Sixth Form, Special Support Centre~~,~~ and land for the provision of full-day care nurseries for Early Years and. **Financial contributions will be proportionate to the need generated from the development itself in accordance with the CIL Regulations.**"

Amend Criterion 2:

2. **Land and financial contributions for education provision with associated** ~~New~~ all-through school with 2 FE primary and 4FE (expandable to 6FE) at secondary school, with or without Sixth Form, and Special Support Centre Provision and associated playing pitches. **Financial contributions will be proportionate to the need generated from the development itself in accordance with the CIL Regulations.**

Delete Criterion 3:

~~"3. Land for the provision of a new Special Education Needs and Disability (SEND) school."~~

MM52: Policies DPA5 and DPA6: whilst not directly related to the MMs, should the Council insert into the background text as a minor modification some acknowledgement of the proposed development in Lewes District?

50. The Council notes the Inspector's comment and is happy to reference the wider proposed scheme(s) in Lewes District. For consistency in the District Plan, this could be addressed in a similar way to Main Modification MM68 (Land at Lunce's Hill, Fox Hill, Haywards Heath) where there is additional text at the start of the policy and the wider proposed scheme for this site (and also within Lewes District) is shown on the site allocation map as 'Outside MSDC'.

51. The Council suggests the additional wording for Policy DPA5 is:

"**The boundary shown on the site map below represents the extent of the site inclusive of all built development and any mitigation requirements (e.g. landscape buffers or open space) listed within the policy requirements. The allocation is part of a larger proposed development site within Lewes District as indicated on the site map below.**"

52. The Council suggests the additional wording for Policy DPA6 is:

"**The boundary shown on the site map below represents the extent of the site inclusive of all built development and any mitigation requirements (e.g. landscape buffers or open space) listed within the policy requirements. The allocation is seen in the context of wider proposed development within Lewes District as indicated on the site map below**."

MM62, MM63 and MM64: the County Council have made representations seeking improvements for sustainable travel through B2110/B2028 Turners Hill Crossroads. This is not in the MM schedule.
Does the Council know what is in mind here and is there an identifiable project for such improvements?
Does the scale of development on these sites and the likely number of people passing through the crossroads using "sustainable travel" merit the need for such works?

53. West Sussex County Council requested additional wording to Policies MM62, MM63 and MM64 in its response to the Main Modifications consultation:

"**Make proportionate contribution to provision of improvements for sustainable travel to benefit trips through the B2110/B2028 Turners Hill crossroads**."

54. The Council is uncertain why only these three sites have been identified when other sites at East Grinstead and Crawley Down may either be closer to the Turners Hill crossroads or located on the same road links to the Turners Hill crossroads.

55. The Council does not support the additional wording for Policies MM62, MM63 and MM64 to make a proportionate contribution to provision of improvements for sustainable travel to benefit trips through the B2110/B2028 Turners Hill crossroads. This is because it is already identified in the Infrastructure Delivery Plan (October 2026) [IV10] as a transport intervention: 'Improvements at Turners Hill crossroads for non-motorised users'. This project is identified as being developer-funded (from relevant development) and will be delivered towards the end of the plan period in 2036-2040.

56. Policies MM62, MM63 and MM64 already include the provision of sustainable transport measures in the list of infrastructure. The Council considers there are appropriate mechanisms to secure additional contributions towards infrastructure and sustainable transport measures at the planning application stage, as set out in Policy DPT3: Active Travel, Policy DPI1: Infrastructure Provision and DP12: Planning Obligations.

57. The Council does not support the proposed modification and does not propose to include the additional wording suggested by West Sussex County Council in relation to the Turners Hill crossroads as minor modifications to Policies MM62, MM63 and MM64. No changes are required to these policies.

MM67: Land to the North of Old Wickham Lane, Haywards Heath:

(i) Is Gatesmead a suitable access?

58. Yes, Gatesmead is a suitable access to serve the site. A planning application was submitted to the Council for the development of this site for 49 dwellings with access via Gatesmead (DM/26/1315). Whilst the application has yet to be determined, the Highways Authority has confirmed that it raises no objection in principle to the proposed access arrangements via Gatesmead. This provides further evidence that access via Gatesmead is capable of being achieved and that there are no identified highway constraints that would prevent the site from being accessed via this existing access. The Council are, therefore, satisfied that suitable access via Gatesmead could be achieved when including the site as a modification to the submitted Plan.

(ii) What value does the existing site have for existing recreational space?

59. The site comprises approximately 4.53ha of grassland and is enclosed by hedgerows and trees. The site is bounded by public rights of way along the southern and eastern boundaries, connecting the site with the wider surrounding countryside and with connections towards Haywards Heath Golf Club. There are some informal paths that also cross the site and are used by local residents for informal recreation. The site is located within walking distance of existing formal recreation facilities, including the equipped play area at Gatesmead. There are also a range of other open spaces, parks and recreational areas within Haywards Heath, including Sunte Park to the south-east.

60. The requirements of Policy MM67 include the provision of on-site natural, semi-natural and amenity greenspace, alongside natural play areas, ensuring that future residents have access to a range of high-quality green infrastructure and recreational opportunities within the development. In addition, Criteria 12 and 13 require consideration of, and where feasible enhancement to, formal and informal non-vehicular routes and Public Rights of Way. These requirements are intended to maintain and improve connectivity both through the site and to the surrounding area, supporting opportunities for walking, cycling and access to the wider countryside and existing recreational space in the locality.

(iii) How would the policy requirement for on-site semi-natural green space be reconciled with the development?

61. In accordance with Appendix 5 of the District Plan, the allocation would require the delivery of on-site natural, semi-natural and amenity green space. The provision of semi-natural green

space is expected to be integrated within the development proposals, contributing to biodiversity enhancement, recreational opportunities and sustainable drainage.

62. The site contains a number of existing landscape features, including established hedgerows and vegetation along its boundaries. As part of the submitted planning application for the development of this site for 49 dwellings with access via Gatesmead (DM/26/1315). Development proposals include opportunities for retention, enhancement and incorporation of these existing landscape features into a network of semi-natural green spaces. These spaces would help maintain and enhance ecological connectivity across the site while also providing accessible natural open space for residents. The precise extent, location and design of the semi-natural green space would be determined through the planning application process and informed by detailed ecological, landscape and arboricultural assessments.

MM70: Land rear of The Martins (south of Hophurst Lane), Crawley Down:

(i) What does the Council have in mind for the buffers to priority habitats and ancient woodland mentioned in criteria 4 and 5?

63. The Council's intention in Criterion 4 and 5 of Policy MM70 is that development should be designed to protect and conserve the ecological value of the adjacent priority habitats and ancient woodland through the provision of appropriate undeveloped buffer areas. It is expected that the extent and design of any buffer would be informed through a site-specific ecological assessment and determined at the planning application stage, having regard to relevant national policy and guidance, as well as other relevant policies within the District Plan.

64. In relation to ancient woodland, the Council would expect development proposals to be consistent with national policy and guidance. Natural England guidance identifies a minimum buffer of 15 metres between development and ancient woodland, although greater distances may be required depending on site-specific circumstances and potential indirect impacts. This accords with Policy DPN4: Trees, Woodland and Hedgerows in the District Plan.

65. For priority habitats, the Council does not specify a buffer distance within the policy, as the extent of any buffer will need to reflect the type, condition and sensitivity of the habitat concerned. The Council's expectation is that buffers would be of sufficient width and design to avoid adverse impacts on the habitat and to maintain or enhance ecological connectivity. This would be informed by ecological surveys and recommendations prepared in support of a planning application.

66. The Council agrees that the current wording to criterion 4 could be interpreted as requiring enhancements to ancient woodland beyond the site boundary however, given the proximity to the ancient woodland and for consistency with other sites that have such designations adjacent to them, the Council proposes a minor modification to the criterion for each policy could be amended as follows:

"4. Provide an appropriate buffer to the adjacent ancient woodland (The Larches) in the south and south-east of the site. ~~and ensure enhancements to the ancient woodland.~~"

67. As there is a small section of priority habitat within the site boundary to the west, criterion 5, with regards to a priority habitat buffer and enhancements, will not require the same amendments.

(ii) Should the policy recognise that some of the hedge, verge and trees along Hophurst Lane would need to be removed or altered to gain access?

68. The Council would expect any proposal to seek to minimise the loss of existing landscape and ecological features wherever practicable and to provide appropriate mitigation where removal is unavoidable. It is acknowledged that the detailed design of a site access may necessitate localised modifications to existing vegetation and highway verge features. However, the extent of any such works should be confirmed through the preparation and assessment of a detailed planning application.

69. To reflect this, the Council would support a minor modification to the policy wording to recognise the potential need for limited alterations whilst still prioritising the retention and enhancement of these landscape features. Criterion 6 could be amended as follows:

"Retain and enhance the hedgerow, green verge and trees along the site boundary fronting Hophurst Lane**, where possible. Where removal is required to facilitate vehicular access, appropriate mitigation and replacement planting shall be provided elsewhere within the development.**"

(iii) In criterion 10, this is not a normal criterion for a site allocation policy. Any reinforcement of the gas network is a matter for the statutory provider.

70. The Council accept the Inspector's statement and would support the deletion of criterion 10 from the policy.

71. The criterion was included following engagement with Southern Gas Network (SGN) during the preparation of the Main Modifications Consultation. Through this engagement, a number of proposed site allocations were identified as having the potential to require reinforcement works to the gas network in order to accommodate planned growth. As a result, the criterion was included to encourage early engagement between developers and SGN at the planning application stage so that any network capacity constraints and associated infrastructure requirements could be identified and addressed at an early stage.

72. The Council acknowledges that the provision and reinforcement of the gas network is ultimately a matter for the statutory undertaker and not needing to be secured through a site allocation policy. Furthermore, the potential requirement for gas network reinforcements is already identified within the Infrastructure Delivery Plan (October 2026) [IV10], which provides the appropriate mechanism for identifying strategic infrastructure projects required to support growth.

73. The Council would therefore support the deletion of criterion 10. For consistency, the Council would also support the deletion of equivalent criteria relating to gas network reinforcement within Policies MM93 and MM94, as the same rationale applies.

MM66 / MM77 / MM78, Lindfield:

(i) Please can the Council explain more clearly what is proposed in the way of highway works, pedestrian facilities and bus stops / laybys in the locality of sites MM66 MM77 and MM78 and how these sites are intended to provide for them.

74. The highway, pedestrian and public transport improvements referred to in Policies MM66, MM77 and MM78 are identified in Section 7 and Appendix 2 within the Infrastructure Delivery Plan (October 2026) [IV10]. They are intended to support sustainable access to and from the sites whilst mitigating the impacts of development on the local transport network.

75. Whilst some elements of the required transport infrastructure may be capable of being delivered within the boundaries of the allocated sites, such as site access arrangements, internal pedestrian connections or frontage improvements, the Council anticipates that a significant proportion of the identified highway, pedestrian and public transport improvements would comprise off-site works. These may include enhancements to the wider footway network, pedestrian crossing facilities, bus stops, bus laybys and other measures likely to be on highway land identified through detailed transport assessments. In such circumstances, the developments would be expected to make proportionate financial contributions towards the delivery of the necessary off-site infrastructure. It is anticipated that the precise scope, specification and delivery for these improvements would be determined through the planning application process, informed by detailed transport assessments and agreed with West Sussex County Council as the Local Highway Authority.

(ii) What are the "improvements" sought at Haywards Heath station; is there an identifiable project for them; and are they justified by the nature and scale of these developments?

76. The improvements sought at Haywards Heath station relate to existing cycle storage and related access at the station. The project is identified within the Infrastructure Delivery Plan (October 2026) [IV10] and reflects the estimated cost provided by Network Rail in response to forecast increases in passenger demand arising from planned growth across the District and is intended to support and encourage sustainable travel patterns by improving access to rail services by bicycle. The IDP apportions the cost of the project across a number of site allocations within Haywards Heath and Lindfield, including sites MM66, MM77 and MM78, reflecting the expectation proposed high user demand likely to be generated from the sites in this locality. The Council therefore, considers that the project is justified by the scale and distribution of growth proposed in these settlements.

Criterion 6 will not be effective as regards enhancements to the ancient woodland and priority habitat if (as understood) these areas are outside the site owner's control.

77. The Council has considered the representations concerned with Criterion 6 of Policies MM66 and MM77 and acknowledges the concern that requirements relating to the enhancements of ancient woodland and priority habitats may not be effective where these areas fall outside the site owner's control.

78. The Council's intention is not to require direct enhancement works within areas of ancient woodland or priority habitat that lie beyond the site owner's control. Rather, the policy seeks to ensure that development responds appropriately to the presence of these important habitats and deliver enhancements within the site where they adjoin or influence those assets.

79. Ancient woodland is located to the south-east of MM66 and east of MM77 but do not extend onto the sites themselves. However, by implementing a 15m buffer, in accordance with national policy and guidance and Policy DPN4: Trees, Woodland and Hedgerows, this would result in an encroachment onto the site boundaries.

80. Similarly, the priority habitats found around sites MM66, MM77 and MM78 are again separated from the site extents themselves, however, the West Sussex Local Habitat Map in the West Sussex Local Nature Recovery Strategy (LNRS) identifies Areas that Could become of Importance for Biodiversity (ACIB) within sites MM66 and MM77.

81. These areas present opportunities for habitat creation, woodland edge planting, ecological buffering and the strengthening of habitat connectivity within land under the control of the developer. Such measures would contribute towards the condition and resilience of adjacent ancient woodland and priority habitats without necessarily requiring works to be undertaken on land outside the boundary of the site.

82. The Council agrees that the current wording could be interpreted as requiring enhancements to habitats beyond the site boundary. To provide greater clarity, ensure the policy is effective and deliverable, and maintain consistency with other site allocations adjacent to ancient woodland and priority habitats, the Council proposes a minor modification that focuses on the provision of buffers within the site that protect, support and improve the ecological function of adjacent ancient woodland and priority habitats. The following amendments to MM66 and MM77 are set out as follows:

MM66:

"6. Provide an appropriate buffer to the adjacent ancient woodland (Cains Wood) and priority habitat (deciduous woodland) to the south and east of the site **having regard to the objectives of the West Sussex Local Nature Recovery Strategy.** ~~and ensure enhancements to the ancient woodland and priority habitat (deciduous woodland)~~."

MM77:

"5. Provide an appropriate buffer **to** ~~for~~ the **adjacent** ancient woodland (Sluts Lane Wood) to the east of the site~~.~~ **having regard to the objectives of the West Sussex Local Nature Recovery Strategy**."

"~~6. Create and enhance the woodland to the east of the site having regard to the objectives of the West Sussex Local Nature Recovery Strategy.~~"

MM86 / MM87 Foxhole Farm: is it the case that an extant planning permission provides for improvements to footpath BOL-44BO – if that is the case, is it necessary to include the criteria in both policies to that effect?

83. Site DPA14: Land at Foxhole Farm, Bolney is identified as an allocation within the Submission Draft District Plan. Criterion 3 of DPA14 requires that development retains "the character of footpath 44BO which runs along the site's northern boundary and create a pedestrian link from the site.". Outline planning permission was granted on DPA14 in November 2025 (DM/25/1129[4]). The accompanying section 106 agreement secures a financial contribution of £24,000 towards surface improvements to Footpath 44BO. A Reserved Matters planning application (DM/26/1961) was received in August 2026 and is currently pending a decision.

84. The Council considers that reference to footpath BOL-44BO should remain within MM86 and MM87. The footpath is currently one of two options for future residents of the sites to access Bolney by foot, it is therefore likely to be utilised in the future and, as such, important to connectivity between MM86 and MM87 and the services and facilities in Bolney. However, it is acknowledged that as currently written, there is duplication with the obligations secured through the extant planning application. The Council notes that similar concerns are raised by the site promoter of MM87 who has put forwarded some suggested wording.

85. To address the above, the Council suggests minor modifications for flexibility.

MM86 – criterion 3

"~~Improve public rights of way footpath BOL-44BO located to the north and ensure connectivity.~~ **Provide safe and convenient pedestrian links to Bolney and nearby footpaths (including BOL-44BO)."**

MM87 – criterion 3

[4] Outline application (appearance, landscaping, layout and scale reserved), for the erection of up to 200 residential dwellings, including affordable housing; a community building (use class F1) encompassing land for education provision, together with associated access, ancillary parking and landscaping; the creation of a vehicular access point from the A272 Cowfold Road, and pedestrian and cycle only access to The Street; and creation of a network of roads, footways, and cycleways through the site; together with the provision of countryside open space, children's play areas, community orchard, and allotments; sustainable drainage systems and landscape buffers.

"~~Improve public rights of way footpath BOL-44BO located to the north and ensure connectivity.~~ **Provide safe and convenient pedestrian links to Bolney and nearby footpaths (including BOL-44BO).**"

Appendix 1: WSCC Note on DPSC2: Crabbet Park (October 2026)

MM43: DPSC2: Crabbet Park

1.0. Financial Contributions

1.1. MM43 sets out a series of proposed modifications to Policy DPSC2: Crabbet Park, including the requirement for "Land **and financial contributions** for education provision". The County Council has requested the inclusion of reference to 'financial contributions' as the current wording of MM43 does not fully reflect the mitigation that may be required to address the educational impacts of the development.

1.2. Where a new school is required to support an allocation, the provision of land alone is not sufficient to mitigate the impacts of development. To deliver the necessary education infrastructure, financial contributions will also be required towards the construction and equipping of the educational facilities. Planning Practice Guidance for Planning Obligations (para 004) refers to the Department of Education Guidance 'Securing Developer Contributions for Education'. This states *"Developer contributions towards new school places should provide both funding for construction and freehold land where applicable, subject to viability assessment when strategic plans are prepared and using up to date cost information"*.

1.3. The County Council is not seeking for the development to fund the entirety of the school. Any contribution would be limited to the proportion of education infrastructure required to mitigate the impacts arising from the development and would need to satisfy the statutory tests for planning obligations.

1.4. For example, if a development would only give rise to the need for part of a school but the developer will be contributing the land for the whole of the school, the financial contribution required for the construction and provision of the school will need to be reduced accordingly to reflect the 'over contribution' in terms of land provided. This is consistent with our approach at similar sites across the county and satisfies the statutory tests set out in regulation 122 of the Community Infrastructure Levy Regulations.

2.0. Secondary School

2.1. A new secondary school is proposed through Policy DPSC2 to mitigate the impact of proposed development in the East Grinstead school planning area. In addition to the Crabbet Park allocation, there are 958 proposed planned dwellings within the remainder of the East Grinstead school planning area, collectively giving rise to demand equivalent to 3.1FE.

2.2. In addition, there are a further 937 dwellings proposed within the Pease Pottage cluster of sites, potential future development in adjoining Tandridge District abutting Copthorne, together with wider pressures for secondary school places in Crawley Borough. As secondary schools typically serve a wider catchment area than primary schools, growth in neighbouring areas may also contribute to future demand for secondary school places within the wider East Grinstead school planning area.

Given the strategic scale of development proposed and the long-term nature of housing delivery, it is important that sufficient flexibility is retained within the District Plan to respond to changes in future demand.

2.3. In relation to the size of the secondary school, the County Council's *Planning School Places* guidance states that secondary schools should operate at a minimum of 6FE (900 places) and no larger than 10FE (1,500 places). Ensuring that there is sufficient land for the school to expand to 6FE therefore reflects the County Council's established approach to school planning and provides flexibility to respond to changing circumstances and future evidence of need. A 6FE secondary school represents the standard and preferred operational model, providing greater efficiency and curriculum choice.

2.4. Whilst 4FE and 5FE secondary schools operate within West Sussex, there are concerns that a standalone 4FE secondary school may not represent the most attractive or sustainable proposition for an academy trust or local authority to operate over the longer term.

2.5. The expectation would be that any secondary school delivered on the site would initially open as a 4FE school and expand to 6FE as demand arises. This approach would ensure that educational provision can be delivered in a viable and sustainable manner from the outset whilst retaining the flexibility necessary to respond to future housing growth and changing patterns of demand within the wider school planning area.

2.6. The County Council will continue to keep forecasts under review through its established school place planning process. However, given the uncertainties with long-term forecasting, together with the scale of planned growth within the wider area, it is considered appropriate to continue to require land for a 4FE (expandable to 6FE) secondary school through Policy DPSC2.

Appendix 2: WSCC Note on SEND Requirements (October 2026)

Note on SEND Mitigation for Site Allocations in the Mid Sussex District Plan

Introduction

This note explains how Special Educational Needs and Disabilities (SEND) requirements have been considered for the site allocations in the Mid Sussex District Plan.

The approach is consistent with West Sussex County Council's published SEND Developer Contribution Requirements (SEND Developer Contribution Requirements as a Statutory Education Provider) as the statutory education authority. The guidance recognises that residential development generates additional demand for education provision, including provision for children and young people with SEND. Where development results in additional demand for specialist education places, mitigation is required to ensure sufficient SEND places are available to meet that need.

The County Council's published methodology identifies the likely number of SEND pupils generated by residential development and translates this into a requirement for additional specialist provision.

Provision of SEND places may take different forms depending on the scale and location of development. This can include provision of specialist facilities through Special Support Centres[5] attached to mainstream schools, SEND schools (standalone or satellite provision), or financial contributions towards strategic SEND provision. The allocations in the District Plan include on-site provision at significant sites and financial contributions on smaller sites to support wider strategic SEND provision where on-site delivery would not be practical.

Why Strategic SEND Provision is Required

The District Plan is expected to generate demand for SEND places. This additional demand arises at a time when specialist education provision across West Sussex is already under significant pressure due to increasing numbers of Education, Health and Care Plans (EHCPs) and growing demand for specialist placements. Additional capacity will therefore be required to ensure that the impacts of development are appropriately mitigated and that sufficient SEND provision is available to meet future needs arising from planned growth.

Summary of Proposed SEND Mitigation

In line with current national SEND Reform Plans it is anticipated that a greater number of children and young people with SEND will be supported in mainstream educational settings. This will be achieved through schools being equipped with appropriate facilities, resources and access to specialist support, enabling needs to be identified early and appropriate interventions put in place. In this context, Special Support Centres are proposed at all significant site allocations to provide additional specialist support within mainstream schools.

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[5] The County Council's Special Support Centres will be renamed Specialist Inclusion Bases (SIBs) as part of the future approach to inclusive educational provision.

Significant Sites	On Site SEND Provision
DPSC1: West of Burgess Hill (1,350)	Special support centre attached to Primary School
DPSC2: Crabbet Park (1,950)	Special support centres at primary and secondary schools
DPSC3-7, 1124, 786 and 787 (3,001)	Special support centres at primary and secondary schools

NB: If the Special Support Centres are not delivered, financial contributions may be sought towards alternative SEND provision elsewhere where this is necessary to mitigate the impacts of the development. The precise form and level of mitigation would be determined through the planning application process.

The remaining allocations will be required to provide financial contributions towards off-site provision in accordance with the SEND developer contribution requirements (SEND Developer Contribution Requirements as a Statutory Education Provider).

SEND School at Crabbet Park

Following consideration of the Government's SEND reform programme and the emphasis on increased inclusion in mainstream settings, the County Council no longer seeks the allocation of land for a standalone SEND school at Crabbet Park (Significant Site DPSC2). The County Council is satisfied that the SEND needs arising from the development can be appropriately addressed through the provision of Special Support Centres within the proposed primary and secondary schools. This approach ensures that mitigation remains proportionate to the impacts generated by the development and compliant with the statutory tests for planning obligations.