

27 January 2017
Mid Sussex Developers Forum



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Dear Sir,

**Examination of the Mid Sussex District Plan
Mid Sussex Developers Forum – Further Submission – for 8th / 9th February Hearings**

I write on behalf of the Mid Sussex Developers Forum. You requested at the Hearing Session of Friday 13th January details with respect of sites that the Forum felt best demonstrated a lack of consistency in the methodology used to assess sites in the SHLAA. You have asked the same question of Mid Sussex District Council (MSDC).

The purpose of this exercise is to assess the SHLAA methodology and consistency, notably to consider whether a further update to the April 2016 SHLAA is required. We understand that this will assist with your initial determination on housing matters which is due by 1st March.

The Forum encloses with this letter our suggested sites with a brief commentary as to why these have been suggested. These sites include sites promoted by Forum members and some sites promoted by others. These have been sent on the basis that the purpose of the exercise is to look at the SHLAA rather than the sites themselves. You have outlined that it is for MSDC to propose any additional allocations going forward, should you deem this to be necessary. The Forum does not wish to engage in site specific discussions at this stage in advance of your initial determination on housing.

It is on this basis that no detailed comment or rebuttal of 'MSDC5' has been submitted, despite numerous examples of inconsistencies within the document. Two examples of these inconsistencies are as follows:

- 1) The Haywards Heath Golf Club (SHLAA #503) which on page 2 of MSDC5 is stated as being possibly available subject to ongoing work to resolve constraints before allocation. On page 4, however, the site is listed under status as 'rejected' for reasons of unavailability. The assessment on page 73 also indicates 7 constraints and categorises the site as unsuitable.
- 2) Western Arc, Burgess Hill (SHLAA #740), has been allocated for 2,500 units in 'MSDC5', yet is being promoted by Thakeham Homes for 1,500 units. The assessment of the site on page 46 also identifies the site as being the subject of three constraints, yet is considered to be unsuitable and unachievable. In addition, page 4 of 'MSDC5' states that the site is not being promoted, yet the assessment identifies the site as available. Although 'MSDC5' states that market saturation and delays owing to the Northern Arc development may be an obstacle, there is no reason why the Council could not identify this allocation for the latter part of the plan period. The SHLAA is also inaccurate to state that "further information regarding the delivery of infrastructure required to support the development" as West Sussex County Council have agreed upgrades to the A2300 including the creation of a dual carriageway.

As requested, we have kept our submission to you within one page of A4. In summary, the Forum's position is that the SHLAA is outdated and that an update review is required to correct inconsistencies and provide an accurate position. As outlined in evidence, the Forum is promoting sites with a capacity in excess of 4,000 dwellings not presently in the planning system (see document 'ED15').

The Forum also wishes to highlight that in accordance with your wishes, we have not suggested sites that are presently at Appeal or Call-in. We understand and agree that any determination with respect of the SHLAA arising owing to analysis of these sites may put you (or other Inspectors) in a difficult position. It is only for that reason that a selection of these sites has not been included, as otherwise a number do demonstrate inconsistencies and inaccuracies of the SHLAA analysis. This affects potentially circa 1,000 dwellings of future land supply.

There is further information to support our position which we would like to discuss in Hearing on the 8th and 9th February.

Statement of Common Ground (SoCG)

The Forum has also enclosed our latest Statement of Common Ground between the Forum and Mid Sussex District Council. At the time of writing, this is not agreed, despite numerous attempts by the Forum to positively and constructively engage with MSDC. A re-draft of the SoCG was shared with MSDC on the morning of 13th January.

You may note that there remains an apparent point of disagreement at paragraph 3.1 between MSDC and the Forum in respect of Affordable Housing needs. The Forum considers it necessary to explain its understanding of why that has arisen.

At the Hearing session on the 12th January, Rupert Warren QC on behalf of the Council orally accepted that the way the Council had dealt with committed supply within the Council's calculation within 'MSDC4' was incorrect (in line with the Forum's evidence in document 2/DF iii). It was for this reason that the Inspector requested that a single agreed position on the affordable housing need be arrived at between the Council and Forum.

Immediately following that session's conclusion, the Forum (NLP) and the relevant officer of Mid Sussex District Council sat down to agree the calculation. In the spirit of seeking agreement on a definitive set of figures, the Forum offered compromises (in respect of increasing the number of years to address the backlog and on approaches to the gross household formation figure). This was followed by a revised draft of the SoCG sent by the Forum to the Council on the 13th January with an affordable housing needs table based on the agreed parameters. Following this, an email exchange discussing the figures (email correspondence enclosed) concluded with what the Forum understood to be an agreed position.

However, on 26th January, the Council sent further comments on the draft SoCG which indicated that their preferred approach remained that in 'MSDC3' (which includes committed supply and compares net and total figures as set out in 2/DF iii) but also stated that the "*logic and principle behind the Forum's alternative approach*" is accepted. The reference to "*the Forum's alternative approach*" is a reference to the table at Appendix A of the SoCG that the Forum had understood to be an agreed single position.

At the time of writing, due to the above sequence of events, there *appears* still to be disagreement, with the Council maintaining a position that supports its affordable housing need figures in MSDC3, whilst at the same time agreeing the logic and principle of the Forum's approach. The Forum considers that if the Council accepts the "*logic and principle*" behind the approach within Appendix A of the SoCG (i.e. to compare net need with net supply and total need with total supply) then this can only demonstrate that the approach in MSDC3 (i.e. to compare net need against total supply) is illogical and incorrect, which is why the Forum produced its revised calculation in its original submission (2/DF iii). In this context, the Forum considers the only justified position before the Inspector that should be used for OAN purposes is that set out – and agreed by MSDC in "*logic and principle*" – within the SoCG at Appendix A.

I trust this clarifies the position between the two parties on this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to be "Charles Collins", written over a light grey horizontal line.

Charles Collins
Savills Planning

Enclosures:

Sample SHLAA Assessments – On behalf of the Developers Forum.

E-mail exchanges with respect of Affordable Housing Needs (MSDC and NLP).

Latest Draft Statement of Common Ground (not agreed).