

Friday 31st March 2017

494/A3/JJA

For the Attention of Inspector Jonathan Bore MRTPI
C/o Pauline Butcher, Program Officer
260 Collingwood Road
Sutton
Surrey
SM1 2NX

By Email Only

Dear Mr Bore,

Re: Mid Sussex District Plan 2014 – 2031 and the Mid Sussex Examination in Public

This letter has been prepared on behalf of those listed who have various interests in Mid Sussex, and who have, through their membership of The Mid Sussex Developers Forum sought to positively influence the proper plan making process in the District and to assist the Examination of the Plan.

To this end they have fully supported the process of progressing towards a sound plan in Mid Sussex.

Having regard to the above, and to the Forums letter of today's date, we have noted the ongoing correspondence between you and MSDC since the publication of id11, especially MSDC 12-14 and id 18-21, and the recent letter from James Stevens of the HBF dated 27th March and your response of the 29th March (id22).

In your letter of 20th March (id11) you identified your conclusions on the full objectively assessed need (OAN) for the Housing Market Area (HMA) for which Mid Sussex should seek to plan (the figure of 17,442 as cited in your letter comprising the 876 for Mid Sussex and the 150 dwellings per annum from Crawley) and you identified flaws in the approach of the Council to development constraints, the SHLAA and the Sustainability Appraisal.

There is in our opinion, an important point of principle (established through the Courts) that, until all of these problems have been addressed and a new evidence-base has been prepared, it is not possible for any party to draw a firm conclusion as to the appropriate 'policy-on' housing requirement (as opposed to OAN) for the plan.

At the time of your letter of 20th February (id11), it was clear that you considered a number of substantive issues needed to be considered and discussed via a Hearing, as listed in your Agenda for the cancelled session on 3rd March; this included the overall planning framework, and the need for Technical Studies: including a new SHLAA and Sustainability Appraisal. There is nothing in the correspondence from the Council that we have seen that explains how the Council intends to go about completing those evidence base tasks.

Further, what the Council has suggested as its way forward in MSDC 12 – 14, (876 dwellings per annum stepping up to 1,026 from 2025, meaning 15,792 homes over the plan period i.e. a difference of 1,650 (or put another way equivalent to nearly 2 years' need)) is clearly new and different to that which you suggested in id11. It would demonstrably not meet the identified OAN across the HMA over the plan period to 2031 (contrary to para 47 of the Framework) and were this approach to be sound it would need to be supported by application of the 'tilted balance' of paragraph 14 of the Framework. Any such conclusion – which may or may not prove to be sound - would need to be

justified by an adequate, up-to-date evidence base, including the SHLAA and Sustainability Appraisal.

That the Council has suggested its way forward in advance of carrying out this work is itself a significant concern, and all the more reason why it is important that the suggested approach – and the evidence base necessary – needs to be properly debated by those who have participated at the Hearings to date. To do otherwise increases the risk of the Council proceeding with an approach in Main Modifications to the Plan that proves not to be sound, and in due course attracts substantive objections and challenge, which then require further Main Modifications and delay.

In light of the above, we would ask that the 3rd March Hearing Session be rescheduled and we would respectfully request that it considers the following:

- That the suggestion in MSDC 14 may be one way forward, but it needs to be the product of an evidence base not the precursor to it;
- The principle and evidential basis for adopting a phased approach to meeting Crawley's unmet needs in the context of paragraph 47 of the Framework;
- That greater detail is provided with respect of the timing and scope of any new evidence base to ensure it is consistent with the relevant provisions in the Planning Practice Guidance. For example, we would like clarity from Mid Sussex District Council as to whether a revised Call for Sites or SHLAA Review will be undertaken.

Main Modifications to the Plan are inevitable; therefore, it is essential that there is clarity over how the Council will go about considering the housing requirement, and distribution of this requirement with respect to any additional allocations.

id19 (i) dated 20th March requests a response from Mid Sussex District Council on any implications arising from the Wealden High Court decision with respect of Ashdown Forest. MSDC14 outlines that the Council is undertaking technical appraisals on the implications. We do suggest that the Hearings could also consider the Council's detail on its proposed way forward on this matter given its obvious importance.

Whilst those listed below reserve their right to comment on all of the updated evidence base, and in time, the Main Modifications, as clearly these will need to be subject to appropriate public consultation and in our view further Hearing Sessions, it would in our opinion benefit all parties to understand the programme for this due process as we feel that we need to be realistic in respect of the amount of work that is required.

Yours sincerely

Judith Ashton

JUDITH ASHTON
Judith Ashton Associates

Prepared on behalf of
Countryside
Hallam
Reside Developments
Redrow Homes
Village Developments
Wates

cc

Chris Tunnell - Interim Head of Economic Promotion and Planning MSDC