



Representation to the Examination of the Mid Sussex District Plan

2021-2040 - Matter 2 – Housing Supply and Headroom

DMH Stallard LLP on behalf of Haywards Heath Golf Club
Ltd

Land at Haywards Heath Golf Course, Haywards Heath

February 2026

DMH Stallard LLP
Origin One
108 High Street
Crawley
West Sussex
RH10 1BD

Tel: 01293 605160 / 07803500182
Fax: 01293 663520
Email: peter.rainier@dmhstallard.com

DMH Stallard LLP Ref:

1. INTRODUCTION

1.1 This representation is submitted on behalf of Haywards Heath Golf Club Ltd (HHGC) in response to the Matters and Issues (“IDJB-05”) raised in respect of the Mid Sussex District Plan 2021-2040 examination.

1.2 Notwithstanding the Council's historic delivery record and its proactive approach to plan-making, the approach to housing supply and headroom is deficient and fails to ensure the Plan is sound, robust, and capable of maintaining a rolling five-year supply throughout its lifetime.

1.3 This representation responds to the Inspector's Matter 2 questions and addresses the soundness of the Plan with particular reference to the additional housing provision.

1.4 HHGCL considers that the District Plan’s approach to housing supply and headroom is unsound for the reasons set out below.

1.5 HHGCL considers that the District Plan’s housing requirement is not high enough (see our response to Matter 1). Furthermore, the housing supply and identified allocations are insufficient to support the housing requirement.

1.6 Regardless of whether the housing requirement is increased, the DP has not identified sufficient allocations to ensure a robust and rolling five-year housing land supply throughout the plan period.

2. ANTICIPATED HOUSING SUPPLY OVER THE PLAN PERIOD

2.1 The Council's housing supply trajectory is heavily reliant on three strategic sites delivering approximately 73% of the allocated yield (5,300 of 7,262 dwellings). These sites—DPSC1: West of Burgess Hill, DPSC2: Crabbet Park, and DPSC3: Land to the South of Reeds Lane—inevitably carry longer lead-in times and are anticipated to deliver from Year 6 onwards.

- 2.2 This concentration of delivery in a small number of large-scale strategic sites introduces significant risk into the supply trajectory. This risk directly affects the adequacy of headroom (addressed below), the reliability of the trajectory, and the Council's ability to maintain a rolling five-year supply.
- 2.3 In light of the delivery risks from strategic allocations, HHGCL considers that the Council must identify additional specific deliverable and developable sites rather than relying on broad locations for growth, which the Council advises it is "*willing to explore...for development later in the plan period*" at paragraph 3.25 of MS-TP2.
- 2.4 Paragraph 69 of the NPPF 2023 establishes a hierarchy for land supply identification. For the first five years following adoption, the NPPF requires the identification of "*specific, deliverable sites*". Only for years 6-10 and 11-15 does the NPPF permit the alternative of "*broad locations for growth*". Critically, the NPPF presents specific developable sites and broad locations as alternatives, it does not mandate broad locations. The Council has discretion to identify specific sites where this would be more effective, and HHGC submits that this is precisely such a case, although a combination may be possible.
- 2.5 The fundamental difficulty with broad locations for growth is that they do not constitute "*deliverable*" or even "*developable*" sites within the meaning of the NPPF glossary definitions. A site is "*deliverable*" only if it is available now, offers a suitable location for development now, and there is a realistic prospect that housing will be delivered within five years. A site is "*developable*" only if it is in a suitable location with a reasonable prospect of availability and viability at the point envisaged.
- 2.6 Broad locations, by contrast, are merely indicative areas for potential future growth. They do not carry the same certainty of delivery. The lead-in time from broad location identification to first completions is necessarily extended.

2.7 The Plan is already heavily reliant on three large-scale strategic sites that will not deliver until Year 6 onwards. The Council's own trajectory shows a potential dip to 4.77 years by 2034/35. In these circumstances, what is needed is not broad locations for growth in the later part of the plan period, but specific sites that can deliver early in the plan period as a counter to the Plan's over reliance on large-scale strategic sites.

2.8 The identification of specific developable sites gives much more certainty to developers and that in turn makes it much more likely that those sites will actually yield completions during the plan period.

2.9 The Council's anticipated housing supply over the plan period is insufficiently robust because of its heavy reliance on three strategic sites and its failure to identify sufficient additional specific sites. The Inspector should instruct the Council to identify additional specific developable sites.

3. **THE AMOUNT OF POTENTIAL SUPPLY HEADROOM OVER AND ABOVE THE HOUSING REQUIREMENT**

3.1 The inadequate headroom identified above flows directly from the supply concentration risks outlined at section (a). The Council's approach to headroom and contingency does not adequately reflect delivery risk. The proposed headroom of 567 dwellings remains a "*relatively small amount of headroom*" (just 2.7% of requirement), which is precisely what the Inspector's Initial Letter, dated 17 December 2025 indicated that the Council needed to avoid.

3.2 The Inspector has explicitly stated that "*supply headroom... should in fact be regarded as a necessary contingency, because some allocated or committed sites do not come forward at the time or rate anticipated*".

3.3 IDJB-03 takes issue with the "*relatively small amount of supply headroom*" in the submitted DP (whereby Policy DPH1 identified 19,620 units need, 20,616 units total supply, with 996 units for "*resilience and unmet need*" equating to

4.8% of total supply) and makes clear that greater headroom is needed to *"maintain adequate supply headroom over and above the housing requirement figure"* to *"maintain a rolling 5 year housing land supply, protect the plan, prevent its policies from becoming out of date, and enable the Council to retain full control over housing development during the life of the plan"*.

3.4 The Council's Topic Paper 2: Housing, dated January 2026 ("MS-TP2"), purports to respond, but does not in fact address this concern:

- At paragraph 3.6, the Council rightly *"recognises the importance in ensuring that a rolling five-year housing land supply can be maintained to prevent the Plan from going out of date"*.
- Yet at paragraph 3.12, the Council takes the position that *"only a small headroom allowance is needed to make provision for non-delivery of allocated sites"*.
- At paragraph 3.15, the position stated is that *"no headroom should be required in case of non-delivery or delay"*.

These positions are internally inconsistent and require reconciliation.

3.5 The Council's reasoning at MS-TP2 paragraphs 3.7-3.11 relies on the Housing Delivery Test results from 2021, 2022, and 2023, and suggests that the delivery record for sites allocated in the adopted Development Plan Documents has been *"excellent"*. However, the three sites referred to in paragraph 3.9 (DP8: East of Kings Way with 480 dwellings; DP10: East of Pease Pottage with 600 dwellings; DP11: North of Clayton Mills with 500 dwellings) are all relatively small sites. These are not meaningfully comparable to DPSC1, DPSC2, and DPSC3 which have yields of 1,350, 1,950, and 2,000 respectively.

3.6 It is clearly not appropriate to assume that the DP's large-scale strategic sites (which the DP relies upon for 73% of its housing during the plan period, such that there is a concentration of delivery risk which warrants close scrutiny) will have the same delivery rates as much smaller scale extant allocations referenced by the Council. The distinction in scale between sites of 480-600

dwellings and sites of 1,350-2,000 dwellings warrants a much more cautious approach to delivery assumptions.

- 3.7 The Council assumes that 100% of existing commitments and draft allocations that are subject to planning consent will be delivered in the plan period, such that no contingency or headroom allowance is proposed for such sites. This assumption is unduly optimistic given that the Inspector's Initial Letter expressly recognises that "*some allocated or committed sites do not come forward at the time or rate anticipated*" (IDJB-01, Annex 3). There is no basis in the Inspector's letter for treating consented sites as 100% certain to deliver.
- 3.8 The whole purpose of the headroom allowance is to provide a contingency against the real risks of non-delivery or slow delivery. Even consented sites should be subject to a headroom or contingency discount, even if modest.
- 3.9 The 1,032 dwellings characterised as "*existing commitments*" not yet subject to a planning application, is indicative of a delivery risk considering the age of the development plan (including the Site Allocations DPD dating from 2022). If a 20% non-implementation rate were to be applied to these sites (this would result in an additional 207 additional units of headroom when compared with the 5% proposed by the Council. In this context, the Inspector has stated that one of the purposes of adequate headroom is to "*enable the Council to retain full control over housing development during the life of the plan*" (IDJB-01, Annex 3). A 5% contingency for sites that have not progressed to application since 2022, or prior, does not provide adequate protection against delivery failure, nor does it enable the Council to maintain control in the manner the Inspector envisages.
- 3.10 Overall, it is considered that, the correct headroom for the plan would be in the region of 1,000 units, representing just over 5% headroom over a requirement that now includes unmet need rather than an allowance for unmet needs within a modest headroom, together with an additional contingency,

potentially 2.5%, for consented sites. This approach would accord with paragraph 74 and in particular paragraph 74(d) of the NPPF 2023.

3.11 HHGCL considers that the approach it has outlined in this representation is needed to render the Plan sound.

4. THE SUPPLY TRAJECTORY OVER THE PLAN PERIOD

4.1 The headroom deficiency identified at section (b) has direct consequences for the supply trajectory. The Council's rolling five-year supply trajectory shows a potential dip to 4.77 years by 2034/35, that is, by Year 10 of the plan period. This outcome is not consistent with national policy as set out in the NPPF 2023, which requires there to be a five-year supply of housing plus the relevant buffer.

4.2 Whichever trajectory is employed, the evidence points, unarguably, to the fact that the Council has failed to allocate sufficient sites within the supply trajectory, regardless of what the housing requirement is.

4.3 This insufficiency of allocations, rather than merely the trajectory methodology, is the underlying cause of the predicted supply failures.

5. THE POTENTIAL FOR LOWER THAN ANTICIPATED SUPPLY ARISING FROM DELIVERY IMPEDIMENTS, LONGER LEAD-IN TIMES AND SLOWER BUILD-OUT RATES

5.1 The delivery risks identified at sections (a) to (c) above are compounded by the inherent uncertainties associated with large-scale strategic sites.

6. THE RESILIENCE OF THE PLAN AGAINST SUCH CONTINGENCIES

6.1 For the reasons set out at sections (a) to (d) above, the DP lacks sufficient resilience against the contingencies identified. The modest headroom of 567 dwellings, when considered against the scale of housing proposed and the

Plan's heavy reliance on three strategic sites, does not provide adequate resilience.

7. THE FIVE-YEAR HOUSING LAND SUPPLY POSITION AT ADOPTION

7.1 As demonstrated in HHGCL's Matter 1 Statement, if the DP included a uniform, rather than stepped, trajectory, there would not be a five-year supply on adoption. This is a clear indicator that additional allocations are required, and it directly informs the arguments at section (g) below regarding the maintenance of a rolling five-year supply.

7.2 If the Council is permitted to rely on the stepped trajectory in order to demonstrate a five-year housing land supply on adoption and not go straight into the NPPF 2023 paragraph 11(d) presumption in favour of sustainable development territory, the day after the plan is adopted, the quid pro quo should be that the Council is required to identify additional allocations. This would provide a greater degree of confidence that the DP can survive the step-up point without going into five-year housing land supply deficit at or soon after that point. In other words, if the Council is permitted to rely on the stepped trajectory, it should be required to demonstrate that it can actually handle the consequences of the step-up, and it can only do that by finding additional allocations.

8. THE ABILITY TO MAINTAIN A ROLLING FIVE-YEAR HOUSING LAND SUPPLY

8.1 Drawing together the analysis at sections (a) to (f) above, the DP does not demonstrate the ability to maintain a rolling five-year housing land supply throughout the plan period. The predicted dip to 4.77 years by 2034/35 demonstrates that additional allocations are required.

8.2 Even if the Inspector is not minded to increase the DP's housing requirement, he should instruct the Council to increase the number of allocations in the DP so as to give rise to more certainty that the objective in national policy of a continuous supply of housing land enough to provide five years' worth against

the adopted requirement, plus a buffer, can be maintained throughout the plan period.

9. ARGUMENTS AGAINST BROAD LOCATIONS FOR GROWTH

9.1 MS-TP2 paragraph 3.25 suggests that should the Inspector consider that greater provision needs to be made for headroom in the supply, "*the Council is willing to explore options to do this including identifying broad locations for development with delivery later in the plan period*".

9.2 HHGCL considers that this approach would not represent an effective means of achieving soundness, for the following reasons.

9.3 Firstly, paragraph 69(b) of the NPPF 2023 refers to planning policies needing to identify a supply of "*specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period*". For years 6-10 and years 11-15 where possible, the NPPF expects local planning authorities to identify either specific developable sites or broad locations for growth. The Council has referred only to broad locations for growth but does not appear to have considered whether it would be more appropriate to identify specific developable sites in the circumstances.

9.4 Secondly, it would be more effective and appropriate for it to identify specific developable sites as opposed to mere broad locations for growth. The identification of specific developable sites gives much more certainty to developers and that in turn makes it much more likely that those sites will yield completions during the plan period. What is needed in this plan is not broad locations for growth in the later part of the plan period, but specific sites that can deliver early in the plan period as a counter to the fact that the Plan is so heavily reliant on large-scale strategic sites.

9.5 Thirdly, the direction of travel in national planning policy, as evidenced by the introduction in NPPF 2024 of Spatial Development Strategies and the

Government's wider planning reforms, indicates that broad locations for growth are increasingly intended to be identified at a much larger strategic, cross-boundary level rather than in individual Local Plans.

9.6 The Inspector should therefore instruct the Council to identify additional allocations to ensure that the Plan can demonstrate a robust and rolling five-year housing land supply throughout the plan period. The identification of specific developable sites, rather than broad locations for growth, would better respond to the Inspector's concerns and provide greater certainty of delivery. Land at Haywards Heath course is a very good example of a specific developable site that could contribute to addressing the headroom shortfall identified.

10. **CONCLUSION**

10.1 For the reasons set out above, HHGCL respectfully submits that the District Plan's approach to housing supply and headroom is unsound. It has not demonstrated that enough housing land has been allocated to ensure that a five-year housing land supply will be maintained throughout the plan period.

10.2 The key indicators of this unsoundness are as follows:

- The proposed headroom of 567 dwellings remains relatively small, which is what the Inspector indicated needed to be avoided.
- The rolling five-year supply trajectory shows a potential dip to 4.77 years by Year 10.
- Whichever trajectory approach is adopted (stepped or uniform), there is a five-year housing land supply shortfall either at the step-up point or on adoption.
- The Plan is over reliant on three strategic sites delivering 73% of the allocated yield, introducing significant delivery risk.

10.3 The Inspector should therefore instruct the Council to identify additional allocations to ensure that the Plan can demonstrate a robust and rolling five-year housing land supply throughout the plan period. The identification of specific developable sites, rather than broad locations for growth, would better



respond to the Inspector's concerns and provide greater certainty of delivery. Land at Haywards Heath Golf course is an example of a specific developable site that could make a meaningful contribution to addressing the headroom shortfall identified.