

7 November 2016
Delivered by email

Pauline Butcher
Mid Sussex District Plan Programme Officer
260 Collingwood Road,
Sutton,
Surrey,
SM1 2NX

Dear Ms Butcher,

REPRESENTATION ON BEHALF OF COUNTRYSIDE PROPERTIES TO THE MID SUSSEX DISTRICT PLAN 2014 – 2031 HOUSING MATTERS QUESTIONS

We are pleased to have this opportunity to provide this representation ahead of the hearings into technical housing matters as part of the examination of soundness of the Mid Sussex District Plan 2014-2031(MSDP).

We welcome the submission of the MSDP for independent examination and support the positive move toward its adoption in order to facilitate the delivery of much needed new housing in the District, and set out the strategic planning Framework for the development of Neighbourhood Plan and Site Allocations Plan.

Turley is acting on behalf of Countryside Properties, a major local housebuilder with development interests in the District. These include the village of Ansty where the emerging Neighbourhood Plan proposes the allocation of part of our client's site for residential development (see Ansty, Staplefield and Brook Street Neighbourhood Plan, Policy AS6).

Housing Technical Matters Questions

The MSDP Inspector has produced a series of questions in advance of the hearing sessions. Countryside Properties has joined a Developers' Forum which will be formulating a joint response in relation to the majority of the questions posed.

This representation will therefore consider questions 8 ('Site Selection and Housing Distribution') and 9 (Trajectories) and will focus on primary sub-question 8.5.

Countryside Properties Response

As a general point, with regards the 'tipping point' (Question 8.2), this approach is considered to arbitrarily constrain development in the District. Furthermore, the approach does not give enough consideration to site specific mitigation that could reduce negative environmental impacts of development, and may lead to

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sites in suitable locations being prevented from coming forward for development. This approach does not reflect the positive approach to plan-making as required by the NPPF. Were this tipping point approach to be rescinded, this may have implications for the overall spatial strategy and distribution of housing that might be pursued by the MSDP.

Turning to sub question 8.5, namely:

‘Does the Plan need an expressly stated spatial strategy for the District with target figures for each area to provide guidance for neighbourhood plans and for any future site allocations plan? What are the implications of not having such a strategy?’

We are of the view that the MSDP needs to explicitly set out a spatial strategy including housing distribution for the each of the neighbourhood plan areas. This is required to provide strategic guidance for emerging neighbourhood plans (and their reviews) and any subsequent site allocations plan. We therefore consider the plan, as currently drafted, to be unsound as it is not consistent with national policy, as it has not been positively prepared and would not be effective for the reasons described below.

Paragraph 184 of the National Planning Policy Framework (NPPF) provides the following guidance regarding neighbourhood plans and their relationship with the Local Plan:

‘The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.’

Policy DP5 of the MSDP sets a strategic housing requirement of 13,600 new homes, which will be achieved through past completions, existing commitments (including sites with planning permission, strategic development at Kings Way, Burgess Hill), strategic development sites, windfalls and sites ‘elsewhere in the District’ (including future neighbourhood plans, the site allocations document and identified SHLAA sites).

Mid Sussex has embraced neighbourhood planning, and housing delivered through neighbourhood plans represents a considerable proportion of the Strategic Housing Requirement for the District (15%). The Neighbourhood Plan coverage across Mid Sussex is provided at Appendix A. This shows that the majority of the District¹, with the exception of some areas around Burgess Hill, have either applied for neighbourhood plan status, commenced work on a neighbourhood plan or have a made Plan in place.

The near complete coverage of Mid Sussex District by neighbourhood plan areas means that there is a critical need for the MSDP to provide strategic guidance and coordination of housing delivery of the lower tier plans if the full housing needs are to be met. The District Plan is not positively prepared and must play a greater enabling role in bringing forward adequate housing through subordinate plans, particularly given the District’s past record on delivery, and the requirement of the NPPF to ‘boost significantly the supply of housing’ (paragraph 47).

In the absence of setting out guidance on housing needs for settlement area, the reliance placed on Neighbourhood Plans (over which the Council has limited control in terms of their production) and a site

¹ Fulking, Newtimber, Poynings, Pyecombe parishes fall within the National Park Authority area.

allocations plan to deliver housing to meet the District needs is considered to be uncertain. This could mean a delay to the delivery of housing, particularly in the short term. With respect to housing matters question 9.2, it is noted that the timetable for the production of the site allocations plan (commencement of work in 2019 and adoption in 2021) seems highly optimistic.

In the case of Ansty and Staplefield, as highlighted in the Inspector's report (page 14), the Neighbourhood Plan fails to allocate sufficient land to meet the Objectively Assessed Needs for housing in the area. This issue can arise in the absence of the specific guidance on housing requirements for the neighbourhood plan areas through the higher tier MSDP. If this situation is replicated across other neighbourhood plans it would have a detrimental impact on the Council's ability to meet the overall housing need at the District level. This is particularly pertinent where existing neighbourhood plans do not include a review mechanism, and where the MSDP does not include a specific policy or timescale setting out the circumstances in which District intervention to address a housing shortfall would be undertaken.

Further, as confirmed in paragraph 7.6 of the Housing Implementation Strategy (August 2016), and as implied through policies DP5 and DP6, if the housing identified through neighbourhood plans fall short of District requirements, the practical implication will be that Mid Sussex will need to make up the shortfall through the allocation of sites through a Site Allocations plan. This is likely to require the allocation of land within neighbourhood plan areas, which may not be in line with community aspirations. To avoid the potential top-down imposition of allocation sites by the District, and to encourage local communities to prepare (or review neighbourhood plans) that identify sufficient land to meet identified housing needs, it is our view that specific housing targets for each neighbourhood plan area should be set out in the MSDP.

We are of the opinion therefore that the MSDP needs to explicitly set out a spatial strategy and housing distribution for each neighbourhood area to provide the strategic guidance for emerging neighbourhood plans (or their reviews) and any Allocations Plan to be brought forward and a coordinated approach to plan making. In this regard, Table 24 of the Housing Economic Development Needs Assessment (HEDNA) (November 2015) (see Appendix B) sets out the Neighbourhood Plan 'Starting Point' for Objectively Assessed Needs (based on 2012 CLG Household Projections), which provides an indication of the level of housing need within each Parish based on a proportioning of the District's total housing. This proportional starting point should be transposed in policy to ensure, as a minimum, the housing needs in neighbourhood areas (and by extension, the District as a whole) are met.

Suggested Policy Amendment

The following amendment to Policy DP5: Housing is proposed. The red text is suggested for insertion following the table contained within the policy text.

'Taking into account past completions and commitments, housing identified through Neighbourhood Plans or Site Allocations Plan must provide as a minimum sufficient land to meet the proportion of the District Plan Requirement for that area as identified in the HEDNA (or more recent evidence as it becomes available).'

Conclusion

In conclusion, we are of the view that, by imposing a 'tipping point', the MSDP is not positively prepared.

The Plan needs to explicitly set out a spatial strategy for housing distribution for each of the neighbourhood plan areas. Without this strategic guidance the MSDP is not consistent with national policy as it does not provide the strategic context for the alignment of neighbourhood plans with the strategic

needs and priorities of the wider local area, nor does it clearly set out the strategic policies for the area with regards to housing (as required by paragraph 184 of the NPPF).

The MSDP is therefore ineffective in terms of its deliverability, and not positively prepared in terms of meeting identified housing needs and boosting significantly the supply of housing (as required by paragraph 47 of the NPPF) given the uncertainty and delay created by bringing forward housing through subsequent DPDs, including Neighbourhood Plans.

We trust that these comments are helpful and reserve the right to expand upon them at the examination hearing sessions, including the housing roundtable discussion.

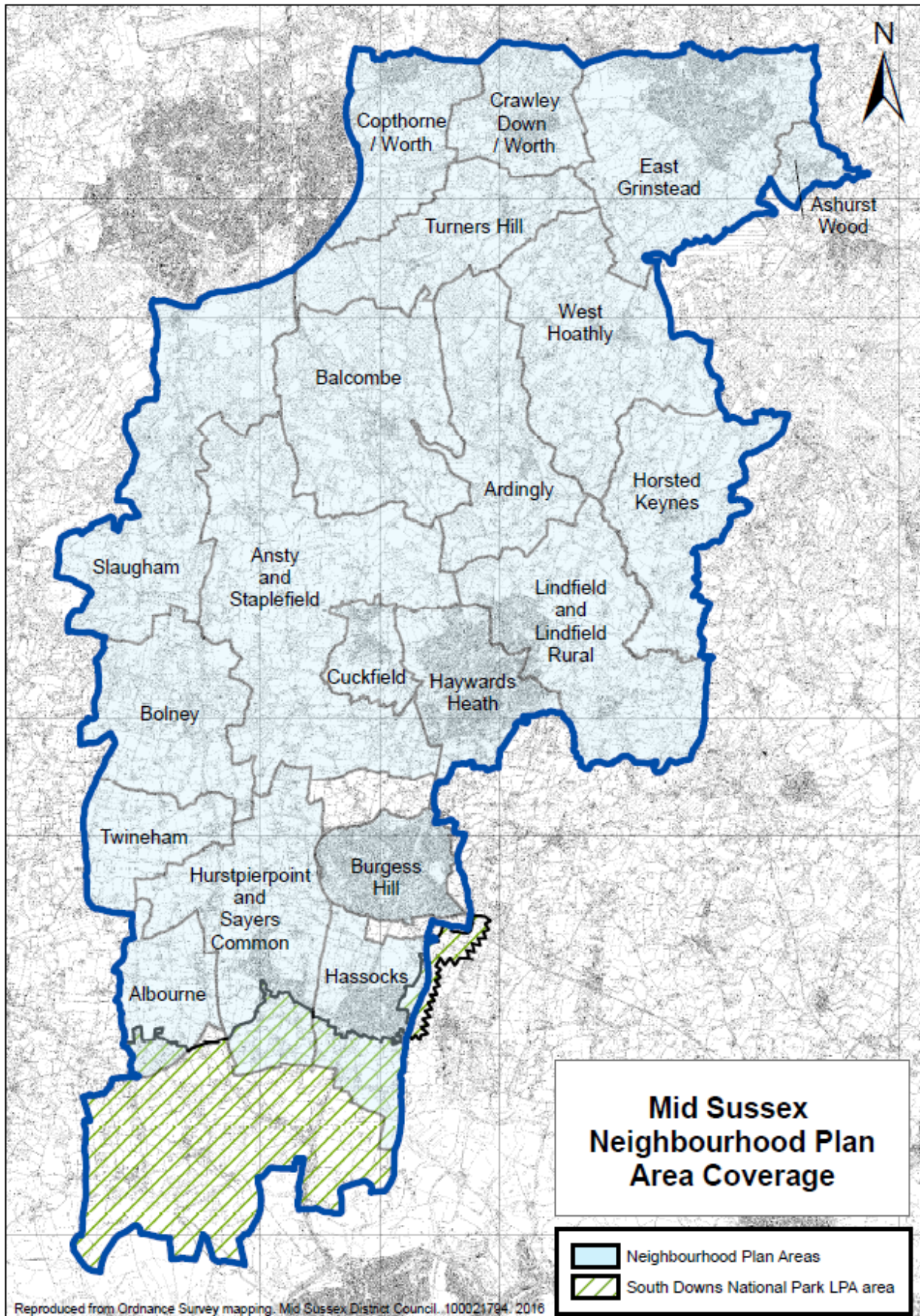
Yours sincerely,

A handwritten signature in black ink, appearing to read 'W. Cobley', with a long, sweeping underline.

Will Cobley
Associate Director

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Appendix A – Mid Sussex Neighbourhood Plan Area Coverage



Appendix B: Table 24 – Neighbourhood Plan ‘Starting Point’ OAN (based on 2012 CLG Household Projections)

Parish	Census 2011	CLG 2012 Household Split	Census 2011	CLG 2012 Population Split	Average
	Household Proportion (%)		Population Proportion (%)		
Albourne (part SDNP)	0.45	50	0.46	51	51
Ansty and Staplefield	1.12	125	1.26	140	132
Ardingly	1.20	134	1.38	154	144
Ashurst Wood	1.26	140	1.31	146	143
Balcombe	1.32	147	1.37	153	150
Bolney	0.89	99	0.98	109	104
Burgess Hill	21.12	2356	21.53	2401	2378
Cuckfield	2.51	280	2.50	279	279
East Grinstead	19.27	2149	18.86	2104	2126
Fulking (SDNP)	0.23	25	0.22	24	25
Hassocks	5.82	649	5.48	611	630
Haywards Heath	20.18	2251	19.35	2157	2204
Horsted Keynes	1.12	125	1.13	126	126
Hurstpierpoint and Sayers Common (part SDNP)	4.96	553	5.09	567	560
Lindfield	4.40	490	4.17	465	478
Lindfield Rural	1.77	197	1.88	210	204
Poynings (SDNP)	0.31	35	0.31	34	35
Pyecombe (SDNP)	0.16	18	0.17	19	18
Slaugham	1.97	220	1.98	221	220
Turners Hill	1.32	147	1.37	153	150
Twineham	0.19	22	0.22	24	23
West Hoathly	1.45	162	1.56	174	168
Worth	7.00	780	7.42	828	804
MID SUSSEX	100	11152	100	11152	1152

Source: HEDNA (November 2015)