

### Weybridge

Suite A  
3 Weybridge Business Park  
Addlestone Road, Weybridge  
Surrey KT15 2BW

t: +44 (0)1932 837 850  
w: [nexusplanning.co.uk](http://nexusplanning.co.uk)  
@nexusplanninguk

Mr Jonathan Bore  
Inspector  
c/o 260 Collingwood Road  
Sutton  
Surrey  
SM1 2NX

**Date:** 30<sup>th</sup> March 2017

**Ref:** AR/32183

Dear Mr Bore

### Mid Sussex District Plan Examination

I write on behalf of my client, Gleeson Developments Limited, further to the Examination sessions held at the end of 2016 and in early 2017 relevant to the above. More specifically, I write further to the significant number of submissions from Mid Sussex District Council issued since your interim conclusions on the housing requirement on 20<sup>th</sup> February 2017 (ID11). My client has deliberately tried to avoid adding to the volume of material you already have but, in the light of the most recent correspondence, it is necessary for us to place on record our procedural concerns with the Council's approach.

Your interim conclusions (ID11), produced having regard to a substantial quantum of written evidence and further to almost three weeks of examination hearing sessions, are clear that the housing requirement for Mid Sussex District should be 17,442 homes in the Plan period (1,026dpa). They are equally clear that there were 'limitations' of the Council's Sustainability Appraisal (questionable assumptions about the connection between levels of housing provision, benefits and impacts, and unjustified conclusions for a housing requirement above 800dpa) and deficiencies in the SHLAA. Furthermore, ID11 is unequivocal in stating that you would not enter into further discussion on these interim conclusions as housing matters had been thoroughly researched and discussed (a conclusion with which we wholly agree). As a consequence, ID11 simply sought clarification from the Council on its implications for future work, and a hearing session was scheduled to discuss this on 3<sup>rd</sup> March 2017 (although this was subsequently postponed at the Council's request and has not been re-scheduled.)

However, rather than accepting the conclusions in ID11 and identifying a way forward, the Council has instead sought to re-visit your conclusions through various submissions (MSDC9 – MSDC14). Most recently, MSDC14 advances a way forward that clearly does not accord with your interim conclusions – proposing a level of housing provision that is materially lower than that identified in ID11. Furthermore, MSDC14 indicates that the Council is proceeding in this way despite its conflict with ID11 and despite not having rectified the 'limitations' of the SA or the flaws of the SHLAA. Despite this, MSDC14 also suggests that the Council does not envisage the need for further examination sessions.

Whilst all parties want to ensure that a sound Plan is put in place as soon as is practicable, this cannot be at the expense of due and proper process. Whilst the Council must submit a Plan that it considers to be sound (it of course assumed, wrongly, that the originally submitted Plan was sound), it is simply not possible or appropriate for any other party to assume that it is sound given that the approach in MSDC14 overtly conflicts with ID11, and that the Council has not rectified the identified deficiencies in key evidence base documents. Indeed, given the above, if any view at all can be taken currently, it must be that the emerging approach is unsound.


In your response (29<sup>th</sup> March 2017) to a letter from the HBF you state that you do not consider that further hearing dates are necessary at the moment – a statement that some might see as endorsing the Council's view that the approach in MSDC14 is sound. However, I note in fact that your response to the HBF adds that your view in this regard is predicated on the assumption that 'sound modifications are forthcoming'.

Given the above, and for the clarity of all parties, can I please ask for your confirmation that:

- i. your responses to the Council and the HBF to date do not provide any endorsement of the Council's suggested approach in MSDC14; and
- ii. the need for further examination sessions will be determined having regard to the modifications advanced and consulted upon by the Council, and the issues raised in subsequent consultation responses (albeit noting that there must be soundness concerns given that the approach suggested by the Council conflicts with your clear conclusions in ID11).

For the purposes of clarity, perhaps consideration could be given to re-scheduling the session you originally envisaged (originally due to take place on 3<sup>rd</sup> March) at which you intended that the way forward and associated timetable would be discussed.

Yours sincerely



**Adam Ross**  
Executive Director