

Letter to Mid Sussex District Council

Examination of the Mid Sussex Site Allocations Development Plan Document (DPD)

As you know, I have recently taken over the examination of the Mid Sussex Site Allocations DPD from a colleague. I now have access to the submitted document and supporting material. From this, and without prejudice to the progress and outcome of the examination, I have a few questions that I wish to ask at this stage, which are set out below. I appreciate that, in the short time I have been able to study the relevant documentation, I may have missed some vital information which could answer some of my questions set out in the table below.

You will appreciate that the initial questions that I raise relate to fundamental matters at the heart of the Plan. It is because of this, and in order for me to understand the Council's position correctly, that I have drawn your attention to these issues now.

I am requesting that you give full consideration to the content of this letter, including the attached table. To progress matters expediently, I would be grateful if you could provide me an initial response, including any suggestions you may have regarding the way forward, if possible, by **Friday 19 March 2021**.

I trust you find the letter to be helpful. It is written in the spirit of assistance and to ensure that the examination is as efficient as possible.

Please add this letter to the examination website.

Yours sincerely

Mike Fox

Inspector

4th March 2020

Ref.	Soundness Issue	Inspector's Initial Thoughts and Questions
1.	Science and Technology Park	<p>1.1 In relation to policy SA9 for a science and technology park, I need to understand how this proposal relates to the adopted District Plan policy DP1?</p> <p>1.2 What were the reasons for locating it at some distance from an urban area, and at an even greater distance from a railway station?</p> <p>1.3 Why is its location at policy SA9 preferable to any alternative (either District-wide or regional) locations?</p> <p>1.4 What are the highways implications for policy SA9, especially in relation to Burgess Hill and the A23?</p>
2	High Weald Area of Outstanding Natural Beauty (AONB)	<p>2.1 Given the importance of AONB as a national policy constraint with the highest status of protection in the English town and country planning system in relation to landscape and scenic beauty, what is the justification for allocating substantial numbers of dwellings in the AONB within Mid Sussex?</p> <p>2.2 As you are aware, paragraph 172 of the NPPF is clear that: "Great weight should be given to conserving landscape and scenic beauty inAreas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. ...The scale and extent of development within these designated areas should be limited." In the light of this national policy guidance, however, this Plan proposes 243 dwellings on seven allocated sites which are (in most cases) entirely within the AONB or which I understand directly affect the setting of the AONB.</p> <p>2.3 Is the location of these sites consistent with paragraph 172 of the NPPF, i.e. is the scale of these proposals limited, and are there no preferable alternative locations for these allocations?</p> <p>2.4 I would also like to know your understanding of what constitutes a 'major development', as the term is used within paragraph 172 of the NPPF, and do you consider any of the allocations within the AONB to be exceptional circumstances?</p>
3	Reliance on strategic housing sites	<p>3.1 There needs to be a reasonable prospect of the strategic housing sites covered by District Plan policies DP8, DP9, DP10 and DP11 delivering approximately 5,800 new homes within the plan period, out of the requirement for the entire District of 16,390 dwellings. Some of the representations in relation to the submitted Plan state that there has been lack of progress in the delivery of these strategic sites, especially in relation to policy DP9 for 3,500 dwellings on land to the north and north-west of Burgess Hill. Clearly, if the Council's updated conclusion is that the strategic delivery in the Plan cannot be demonstrated, at least within the plan period, this calls into question the sufficiency of the residual housing provision in the DPD. I therefore need to know:</p>

		<p>(i) The updated delivery position for each strategic housing site and its associated infrastructure requirements for the remaining part of the plan period; and</p> <p>(ii) The reasons for any delay, both in relation to housing and infrastructure, compared with the housing trajectory on page 111 (Annex A) of the District Plan – and whether the Council considers that these delays can realistically be addressed by the relevant parties within the plan period;</p> <p>3.2 Is the conclusion from 3.1 that the strategic housing quantum is unlikely to be delivered in line with the trajectory? If this is the case, does the amount of residual housing provision need to be increased if the plan is to be found sound?</p>
4.	Distribution of new homes in the District	<p>The proposed distribution of residual housing allocations within the Plan broadly follows the lead in policy D4 to focus the greatest amount of housing at Burgess Hill, with 3,980 dwellings on strategic sites and a further 612 dwellings on six sites in this Plan, totalling some 4,592 dwellings. However, the single allocation at Haywards Heath, for just 25 homes, seems extremely low compared to its population size relative to the size of Burgess Hill, especially considering that it is classified as a Category 1 settlement within the settlement hierarchy.</p> <p>4.1 What is the reason for the extremely low level of housing provision at Haywards Heath, given its Category 1 status in the settlement hierarchy?</p> <p>4.2 Also, East Grinstead, the other town in the District, which has a somewhat smaller population than Haywards Heath, has three allocations in and around the town, totalling 772 dwellings. What are reasons for the apparent wide disparities in the proposed distribution of new homes within East Grinstead in relation to Haywards Heath?</p> <p>4.3 DPD policy SA10 sets out the spatial distribution of the District's housing requirement; Category 1[towns] shows a decline from the District Plan policy DP4 figure of 1,272 minimum requirement to the policy SA10 updated figure of 705, i.e. down by 566 or 44.55%. What is the reason for this, and is this level of housing consistent with the adopted District Plan policy DP4?</p> <p>4.4 What evidence is there to demonstrate that the serious traffic issues in relation to the allocations to the west of East Grinstead [in particular, allocations SA19 and SA20] can be satisfactorily mitigated? If they can be satisfactorily mitigated, is any available and deliverable third-party land required to achieve the necessary junction improvements? Do the resources exist to enable such works to be carried out in relation to the housing trajectory, and if this is unlikely, within the plan period?</p>
5.	Deliverability	<p>5.1 Several representors have commented that there are serious issues in relation to the deliverability of a</p>

		<p>sizeable proportion of the 22 housing allocations in the Plan. I am therefore requesting the Council to let me know if any of these sites are currently facing uncertainty in relation to any of the following matters:</p> <ul style="list-style-type: none"> (i) Knowledge of ownership, and a willingness of the owner (s) to develop the allocation for housing in accordance with the quantum and principles of development in the relevant policy; (ii) A safe and secure access, which can be provided within the ownership of the allocated site; (iii) A satisfactory impact on the flow and safety of the surrounding primary and secondary highway networks; (iv) A number of 'made' Neighbourhood Plans include Local Green Spaces which this plan now proposes to allocate for development. Is it, therefore, intended that this Plan would supersede the Local Green Space policies of the Neighbourhood Plans involved? If so, do the proposed policies of this Plan state that fact, as they are required to do? (v) It seems to me that Local Green Space is one particular type of open space – indeed, it is one which is of particular importance to local communities and is demonstrably special to them (paragraphs 99 and 100, NPPF). Paragraph 97 of the NPPF says: "Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: <ul style="list-style-type: none"> a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use." o Has an assessment of the kind required by criterion a) above been undertaken? o Are the Local Green Spaces concerned surplus to requirements? o Does the Plan propose to replace them by equivalent or better provision in terms of quantity or quality in a suitable location? o Overall, what evidence is there to demonstrate that the housing allocations proposed on existing Local Green Space in the 'made' Neighbourhood Plans is consistent with paragraph 97 of the NPPF? (vi) Any other constraints, which could be regarded as 'showstoppers'.
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		5.2 I ask the Council to provide me with an updated list of each of the 22 housing allocations in relation to the above criteria.
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