



Site Allocations Development Plan Document Regulation 19 Submission Draft Consultation Form

The District Council is seeking representations on the Submission Draft Site Allocations Development Plan Document, which supports the strategic framework for development in Mid Sussex until 2031.

The Site Allocations DPD, has four main aims, which are:

- i) to allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan;
- ii) to allocate sufficient employment land to meet the residual need and in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development;
- iii) to allocate a site for a Science and Technology Park west of Burgess Hill in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development, and
- iv) to set out additional Strategic Policies necessary to deliver sustainable development.

All comments submitted will be considered by a Planning Inspector, appointed by the Secretary of State, at a public examination to determine whether the plan is sound.

The Site Allocations DPD is available to view at:

www.midsussex.gov.uk/planning-building/development-plan-documents/

A number of documents have been prepared to provide evidence for the Site Allocations DPD and these can be viewed on the Council's website at the above address.

Paper copies will also be at the Council offices (see address below) and your local library and available to view if the buildings are able to open during the consultation period.

Please return to Mid Sussex District Council by midnight on 28th September 2020

How can I respond to this consultation?

Online: A secure e-form is available online at:

www.midsussex.gov.uk/planning-building/development-plan-documents/

The online form has been prepared following the guidelines and standard model form provided by the Planning Inspectorate. To enable the consultation responses to be processed efficiently, it would be helpful to submit a response using the online form, however, it is not necessary to do so. Consultation responses can also be submitted by:

Post: Mid Sussex District Council
Planning Policy
Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

E-mail: LDFconsultation@midsussex.gov.uk

A guidance note accompanies this form and can be used to help fill this form in.

Part A – Your Details (You only need to complete this once)

1. Personal Details

| | |
|-----------------------------------|--|
| Title | Mrs |
| First Name | Lisa |
| Last Name | Jackson |
| Job Title (where relevant) | |
| Organisation (where relevant) | Jackson Planning Ltd |
| Respondent Ref. No. (if known) | |
| On behalf of (where relevant) | Hartmires Investment Ltd |
| Address Line 1 | C/o Jackson Planning Ltd |
| Line 2 | Fox Barn |
| Line 3 | Lower Chute |
| Line 4 | Andover, Hants |
| Post Code | SP11 9DU |
| Telephone Number | 0755 400 6494 |
| E-mail Address | lisa@jacksonplanning.com |



Information will only be used by Mid Sussex District Council and its employees in accordance with the Data Protection Act 1998. Mid Sussex District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

The information gathered from this form will only be used for the purposes described and any personal details given will not be used for any other purpose.

Part B – Your Comments

You can find an explanation of the terms used in the guidance note. Please fill this part of the form out for each representation you make.

Name or Organisation:

Hartmires Investments Ltd

3a. Does your comment relate to:

| | | | | | |
|----------------------------|-------------------------------------|------------------------------|--------------------------|---------------------------------|-------------------------------------|
| Site Allocations DPD | <input checked="" type="checkbox"/> | Sustainability Appraisal | <input type="checkbox"/> | Habitats Regulations Assessment | <input type="checkbox"/> |
| Community Involvement Plan | <input type="checkbox"/> | Equalities Impact Assessment | <input type="checkbox"/> | Draft Policies Maps | <input checked="" type="checkbox"/> |

3b. To which part does this representation relate?

| | | | | | |
|-----------|--------------------------|-----------|--------------------------|--------------------|-------------------------------------|
| Paragraph | <input type="checkbox"/> | Policy SA | <input type="checkbox"/> | Draft Policies Map | <input checked="" type="checkbox"/> |
|-----------|--------------------------|-----------|--------------------------|--------------------|-------------------------------------|

4. Do you consider the Site Allocations DPD is:

4a. In accordance with legal and procedural requirements; including the duty to cooperate. Yes No

4b. Sound Yes No

5. With regard to each test, do you consider the Plan to be sound or unsound:

| | Sound | Unsound |
|-------------------------------------|--------------------------|-------------------------------------|
| (1) Positively prepared | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) Justified | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) Effective | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) Consistent with national policy | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

6a. If you wish to support the legal compliance or soundness of the Plan, please use this box to set out your comments. If you selected 'No' to either part of question 4 please also complete question 6b.

6b. Please give details of why you consider the Site Allocations Development Plan Document is not legally compliant or is unsound. Please be as precise as possible.

6b. Please give details of why you consider the Site Allocations DPD is not legally compliant or is unsound. Please be as precise as possible.

The site allocations DPD includes on the proposals map the annotation of 'strategic gap' on Map 19 for Turners Hill. This is unsound because the policy underlying the annotation has been superseded and is out of date and is inconsistent with the NPPF.

The allocation of a strategic gap needs to be consistent with the National Planning Policy Framework (NPPF20) a strategic policy should set out an overall strategy for the pattern, scale and quality of development.

Therefore, strategic policies of restraint can only be consistent with this aim if they set out an overall strategy for the pattern, scale and quality of development. The Sites Allocation DPD is not the strategic plan and therefore cannot set out a policy of restraint. There is no policy in the regulation 19 consultation draft of the DPD that deals with the policy justification for either strategic or local gaps.

There is further confusion as the 'Key Diagram' plan on page 13 of the document does not contain the strategic gap so it is inconsistent with the inset plan 19 which contains the error.

The DPD that set out the overall strategy for the pattern, scale and quality of development is the District Plan adopted in March 2018. This contains the spatial strategy for the District. The proposals map for the adopted District Plan contains policy DPI3 'Preventing Coalescence' and annotations for strategic gaps, however when examined in detail these are referenced to Policy D13 as 'local gaps'.

There is an inconsistency in policy DPI3 as the plan does not allocate strategic gaps, as it incorrectly rolls forward the former strategic gaps of the Local Plan 2004 and refers to local gaps being allocated in NDPs or in the Sites Allocation DPD when certain conditions are met. The former policy C2 of 2004 Local plan entitled 'Strategic Gaps' was superseded by Policy DPI3 'Preventing Coalescence'.

The mistake on the 2018 Local Plan annotated maps must not be repeated in the sites' allocation DPD. The gaps shown on the proposal maps are not strategic gaps as that policy was superseded.

The conditions attached to identifying local gaps are set out in policy DPI3 as follows:

Local Gaps can be identified in Neighbourhood Plans or a Site Allocations Development Plan Document, produced by the District Council, where there is robust evidence that development within the Gap would individually or cumulatively result in coalescence and the loss of the separate identity and amenity of nearby settlements. Evidence must demonstrate that existing local and national policies cannot provide the necessary protection.

The Turners Hill Neighbourhood Plan does not include any evidence that development within the gap would result in coalescence. The policy protection under DPI2 and the NPPF provide the necessary protection.

The strategic gap annotation on inset Map 19 is not positively prepared as it adds an unnecessary and unjustified constraint to development.

The strategic gap annotation on inset Map 19 is not justified by an up to date policy or robust evidence.

The strategic gap annotation on inset Map 19 is not effective – as it has no relevant policy base, and has no robust evidence.

The strategic gap annotation on inset Map 19 is not consistent with National Policy as NPPF20 requires that a strategic policy should set out an overall strategy for the pattern, scale and quality of development and none are provided in the DPD that support a strategic gap at Turners Hill

7. Please set out what change(s) you consider necessary to make the Site Allocations DPD legally compliant or sound, having regard to the reason you have identified at question 5 above where this relates to soundness.

You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the DPD sound Map 19 Turners Hill must be revised to remove the strategic gap annotation as this policy has been superseded.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick below as appropriate)

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please notify me when:

- (i) The Plan has been submitted for Examination x
- (ii) The publication of the recommendations from the Examination x
- (iii) The Site Allocations DPD is adopted x

Signature:

Date:

Thank you for taking time to respond to this consultation