

Jones Lang LaSalle Incorporated

Examination in Public: Mid Sussex Local Plan (2014 – 2031) Site Allocations DPD

Matter 1 Hearing Statement

On behalf of Wates Developments Ltd

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1. Introduction

Introduction

- 1.1 This Hearing Statement has been prepared by the JLL Planning, Development & Heritage Team (“JLL”; “we”; “us”; “our”) in respect of the Examination in Public (“EiP”) Hearings; part of the examination of Mid- Sussex District Council’s (“MSDC”; the “Council) Site Allocations Development Plan Document (the “SADPD”; the “emerging Plan”).
- 1.2 This Statement sets out our views solely on **Matter 1:** “*Legal Requirements, Scope of the Local Plan and Duty to Cooperate*”.
- 1.3 We have not answered all the questions posed and have concentrated on answering the ones most relevant to our case.

Statement Disclaimer

- 1.4 The comments made here do not prejudice any other representations that are submitted by Wates Developments that respond to their interests elsewhere in the District.

2. Matter 1 - Legal Requirements, Scope of the Local Plan and Duty to Cooperate

1.2 (i): Is the scope of the Plan in line with the main aims and strategy of the District Plan as set out above, including as set out in the Executive Summary and in particular in relation to its four main aims which are set out on page 4 of the submitted Plan?

- 2.1 No. For example, regarding the first main aim of the District Plan; *‘to allocate sufficient housing sites (...) in accordance with the Spatial Strategy of the District Plan’* the SADPD fails. The Council is seeking to identify sufficient housing sites across the District to meet housing need and provide a sustainable five-year housing land supply and yet the SADPD does not do this for two primary reasons. First, there is a clear over reliance on a small number of large and strategic sites all located within Category 1 (Town) settlements which may not be delivered. Second, there are too few housing allocations in sustainable Category 2 (Larger Village) and 3 (Medium Sized Village) settlements. Taken together, our client is of the view that the Council will fail to meet its ‘updated minimum residual housing figure’ of 1,280 dwellings (Table 2.5 of draft Policy SA11) and this minimum figure needs to be increased in order for MSDC to maintain a 5 year housing land supply.
- 2.2 As set out in Table 2.5 of draft Policy SA11, of the 1,764-total number of dwellings allocated for across the District, 1,250 are allocated on larger sites in Category 1 settlements with a single strategic site identified (as defined in the District Plan as sites that delivery in excess of 500 dwellings p.122), and this is considered an unjustifiable and unsustainable approach. There should be a greater balance between the positive benefits that a larger and/or strategic allocation can produce in terms of the potential yield of a large number of dwellings longer term and the identification of suitable smaller sites with 1-5 year delivery timeframes across the settlement categories. Currently, smaller sites are insufficiently planned for to adequately compensate for the over-reliance on four larger sites.
- 2.3 We consider MSDC is repeating the same error in plan-making as with the District Plan allocations with respect to the deliverability of strategic allocations. For example, there is a risk of District Plan allocation DP9: Burgess Hill Northern Arc delivering significantly less housing within the plan period than expected given an outline planning permission for 3,040 homes was only approved on 4 October 2019 (DM/18/5114). The April 2021 approved ‘Planning Obligation related to Development Phasing and Specification Plan and Development Timetable’ (DM/21/0787) for the Northern Arc site indicates a significant proportion of the 3,500 homes will be delivered well beyond 2031, with final completions earmarked for late 2033. This is likely to result in a significant deficit against the housing requirement in the later years of the plan.
- 2.4 Table 2.5 of draft Policy SA11 also sets out that 1,409 dwellings are allocated in Category 1 settlements, far exceeding the updated minimum residual housing figure of 706 dwellings. Yet for Category 2 settlements, there is a shortfall of 94 dwellings (minimum residual housing figure 198; 105 dwellings allocated) and

Category 3 (Medium Sized Village) settlements there is an even larger deficit of 133 dwellings (minimum residual housing figure 371; 238 dwellings allocated).

- 2.5 It is not clear as to the reasoning behind the Council deciding to significantly reduce the housing allocations in Category 2 and 3 settlements and concentrate the majority of additional development in the Category 1 settlements, where significant development is already proposed and allocated in the District Plan. The resultant impact is a strong potential for the loss of long-term vitality and viability for local businesses located in Category 2 and 3 settlements.
- 2.6 The approved settlement hierarchy constitutes a policy for delivering the spatial strategy, ensuring a sustainable pattern of development across the District. It would be wrong therefore to regard additional provision in Category 1 settlements as more sustainable than provision in accordance with the spatial strategy. The latter has been formulated to produce an appropriate balance of development across settlements in the interests of sustainability.
- 2.7 The settlement hierarchy table contained within DP Policy DP6 Settlement Hierarchy outlines the characteristics and functions of a Category 2 settlement: *“Larger villages acting as Local Service Centres providing key services in the rural area of Mid Sussex. These settlements serve the wider hinterland and benefit from a good range of services and facilities, including employment opportunities and access to public transport”* and of a Category 3 settlement: *“Medium sized villages providing essential services for the needs of their own residents and immediate surrounding communities.”* As a result, settlements within Category 2 and Category 3 should evidently be considered as sustainable settlements where housing should be planned.
- 2.8 Our client has strong concerns that the District Plan’s spatial strategy and thus its main aims will not be realised on the basis that the SADPD allocates so few sites in Category 2 and 3 settlements and relies too heavily on larger sites located in Category 1 settlements. The Council should have remedied this earlier in the plan making process by the identification of more otherwise acceptable sites.
- 2.9 As such, it is our contention that additional suitable sites in Category 2 and 3 settlements should be allocated now to help achieve the District Plans main aims.

3. Summary

- 3.1 Our client's concerns in relation to the emerging Plan highlighted at Regulation 19 stage remain: specifically, in relation to the evident shortfall of housing allocations in Category 2 and Category 3 settlements across the District.
- 3.2 Our client notes that that emerging Plan is unsustainable and is overly reliant on large and strategic sites with delivery complications. Should the SADPD continue to rely heavily on long-term strategic and sites despite the availability of suitable residential sites such as in Lindfield and Bolney, it should not be considered justified, effective or consistent with national policy and therefore is unsound.
- 3.3 We consider that the emerging Plan is unsound because it does not accord with paragraph 35 of the NPPF and it therefore should not be adopted.

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