

**Mid Sussex Site Allocations DPD Examination
Denton Homes Matter 1 Statement**

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1.0 Introduction

1.1 This Statement is submitted by Denton Homes in relation to Matter 1 of the Mid Sussex District Council Site Allocations DPD Examination.

1.2 Denton Homes have also submitted Statements in response to Matters 2, 3 and 4 of the Examination.

1.3 The following provides a summary of Denton Homes interests in Mid Sussex and the land we are promoting:-

- Land North of Butlers Green Road, Haywards Heath SHELAA Ref 673
- Land at Former Driving Range, Horsham Road, Pease Pottage SHELAA Ref 219
- Land North of former Golf House, Horsham Road, Pease Pottage SHELAA Ref 818

1.4 Details of the above sites were set out within the Strategic Housing and Economic Land Availability Assessment (published April 2018), but remain as omission sites for the purpose of this examination.

1.5 The above sites have been previously assessed in the SHELAA Ref 219 and 674 were dismissed at the initial stage as not compliant with 4.2 of the 'Assessment of housing sites against Spatial Distribution of Housing Requirement', so were omitted at the initials 'high level site assessment', and SHELAA Ref 818 and 673 at the 'detailed site assessment' stage.

1.6 However Denton Homes maintain, consistent with this Statement and earlier representations, that these sites were wrongly discounted through the Council's site assessment process.

1.7 We also own a site which is a draft allocated site:-

- Land to the rear Firlands, Church Road, Scaynes Hill Draft Allocation Policy SA31

Land North of Butlers Green Road, Haywards Heath SHELAA Ref 673

1.8 Denton Homes own the land including access at Butlers Green, Haywards Heath.

1.9 The site was promoted based on being capable of 45 dwellings in a key infrastructure location, with no AONB, infrastructure or other assessment constraints other than potential impact on a heritage asset next door.

Pease Pottage sites

1.10 Denton Homes have recently completed the site known as Foresters Way, Pease Pottage (DM/17/0747 25 NO. DWELLINGS at GOLF HOUSE, HORSHAM ROAD, PEASE POTTAGE, WEST SUSSEX).

1.11 The new houses have now sold, and the affordable dwellings have also been handed over to Raven Housing Association.

1.12 To the east lies existing built residential development granted under planning references DM/15/3772 and 12/02128 respectively.

Land at Former Driving Range, Horsham Road, Pease Pottage SHELAA Ref 219

1.13 The omission site SHELAA Ref 219 currently comprises of redundant golf course land, characterised by open grassland.

Land North of former Golf House, Horsham Road, Pease Pottage SHELAA Ref 818

1.14 The other omission site SHELAA Ref 818 is brownfield land with existing commercial employment use.

1.15 Both Pease Pottage sites and Butlers Green are sustainable locations within Mid Sussex, capable of further growth and providing the local community with a number of key services and facilities.

1.16 We believe there are several locations for Pease Pottage to grow and this land provides a logical and suitable extension to the settlement contributing to the district's need to provide housing in line with the residential requirement.

1.17 The Butlers Green and Pease Pottage sites should be considered as directly contiguous with the existing built urban fabric of Haywards Heath and Pease Pottage as a sustainable, extension to the built-up settlement in accordance with the aims and objectives of the adopted Spatial Strategy for Mid-Sussex.

1.18 As set out in the Statements being submitted by Turley obo A2 Dominion to this examination, Denton Homes have concerns in relation to the way the SADPD does not respond to strategic issues such as the unmet needs of neighbouring authorities, especially Crawley, and the deliverability / achievability of the District Plan's minimum housing requirement.

1.19 Denton Homes have successfully developed housing sites in the District in key locations such as Ansty, Haywards Heath, Nuthurst, and Pease Pottage. We hope to continue to provide our high quality homes for people in the District.

2.0 Response to Matter 1: Legal Requirements, Scope of the Local Plan and Duty to Cooperate

1.1 Legal Requirements:

(i) Does the Site Allocations Development Plan Document (which I will refer to as the Plan from now on) meet all its legal requirements (e.g. in relation to the Local Development Scheme; Statement of Community Involvement; and the Town and Country Planning (Local Planning) (England) Regulations 201 (as amended (2)? Are there any other legal compliance issues?

2.1 No comment.

(ii) Has the Council followed due process in its preparation of the Plan, including the process of site selection and public involvement?

2.2 As set out in our Statement to Matter 2, we maintain that MSDC's site selection process on omission sites was not based on accurate assessment, MSDC has therefore rejected sites through that site selection process for reasons which were not sound.

1.2 Scope of this part of the Local Plan

Summary of the scope of the Plan: The main aims on page 4, paragraphs (i) to (iv), make clear reference to the Spatial Strategy in the adopted District Plan, which provide for the delivery of around 543 jobs per annum from several sources, including a new science and technology park and several smaller employment allocations. The Plan also provides for a minimum requirement of 16,390 homes between 2014 and 2031 (equating to 876 dwellings per annum (dpa) until 2023/24, increasing to 1,090 dpa from 2011-2029). The Spatial Strategy distributes new development based on a sustainable hierarchy of settlement types, with the employment and housing over the plan period focused on the largest settlement, Burgess Hill, and to a lesser extent in the other towns, Haywards Heath and East Grinstead, and smaller amounts in the villages. The Spatial Strategy makes additional strategic allocations at Hassocks in the south of the District, close to Brighton and at Pease Pottage, in the north of the District, close to Crawley, having regard to the housing needs of these two urban areas. The District Plan also aims to conserve and enhance the environment, including in the High Weald Area of Outstanding Natural Beauty (AONB), the Ashdown Forest 7km Zone of Influence and the setting of the South Downs National Park (SDNP), bearing in mind that the National Park is a separate local planning authority.

(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?

2.3 No comments.

- (ii) **Does the scope of the Plan accord with the Court of Appeal (COA) Judgment of Oxted Residential Ltd v Tandridge District Council (EWCA Civ 414; 29 April 2016)? This COA Judgment is in the Examination Library, and the paragraphs that I would particularly like to draw attention to are: 28, 31, 32 and 38. The third sentence of paragraph 38 states: An Inspector conducting an examination must establish the true scope of the development plan document he is dealing with, and what it is setting out to do. Only then will he be able to properly judge “whether or not, within the scope and within what it has set out to do”, it is “sound” (Section 20(5)(b) [of the 2004 Act]).**

2.4 No comments.

- (iii) **Does policy SA GEN adequately set out the general principles for the Site Allocations that are made in this Plan?**

2.5 Policy SA GEN includes numerous requirements that sites comply with other policies, eg AONB and Heritage.

2.6 As many of the allocated sites are within or adjacent AONB or Heritage sites, this will lead to potential policy conflicts at the planning determination stage, inevitably leading to applications taking longer in determination or being refused. The obvious impact will be on timing in the Plan period.

- (iv) **Policies SA34 to SA38 are termed ‘development policies’ in the Plan; can they be considered to be strategic in nature, and if so, does that in any way set a precedent or even a requirement for the Plan to deal with other strategic issues, such as housing provision?**

2.7 No comment.

- (v) **Does the Plan keep within its remit in relation the ‘made’ and emerging Neighbourhood Plans within the Plan Area?**

2.8 No comment other than many of the made Neighbourhood Plans are out-of-date.

1.3 Duty to Cooperate (DTC):

- (i) **Is the DTC, which covers some strategic matters, therefore applicable to this Plan, as a ‘Part 2’ Plan, and if so, has the Council adequately discharged the DTC in preparing the Plan?**

2.9 No comments other than as 1.18 of this Statement regarding the unmet needs of neighbouring authorities.

- (ii) **In particular, does the Plan satisfy the DTC in relation to planning for the longer-term growth of neighbouring areas?**

2.10 No comments.

3.0 Summary

3.1 Denton Homes are making these representations to the inspector as part of the examination process that additional allocations are required to make the SADPD sound.

3.2 The sites at Butlers Green and Pease Pottage are considered to represent significant opportunities to strengthen the housing supply for the district, considering identified issues with the need to provide additional allocations.