

---

# Examination Statement

---

Land West of Selsfield Road Ardingly (Draft Allocation SA25)

---

## Charterhouse Strategic Land

---

**Mid Sussex District Council Site Allocations DPD**

Examination in Public

Matter 2: Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA)

# Examination Statement

Land West of Selsfield Road Ardingly (Draft Allocation SA25)

---



## Contents

1.	Introduction	1
2.	Response to the Inspectors Questions	2
3.	Conclusion	6

## 1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Charterhouse Strategic Land. Charterhouse Strategic Land are the sole promoter of Land West of Selsfield Road, Ardingly, (identified in the SHELAA as Site reference 832; identified in the Site Allocations DPD as Draft Allocation SA25).
- 1.2. Prior to the submission of the Site Allocations DPD by Mid Sussex District Council (MSDC) to the Planning Inspectorate for examination, Charterhouse and the consultant team have participated in the formal consultation of the Site Allocations DPD at regulation 18 stage in November 2019, and to the regulation 19 stage in September 2020. The site has previously been submitted to MSDC as part of the Call for Sites for the Strategic Housing and Economic Land Availability Assessment, and Charterhouse Strategic Land, along with their consultant team, have met with Planning Policy Officers on a number of occasions to discuss the strategic opportunity of Land at Selsfield Road, Ardingly.
- 1.3. Charterhouse Strategic Land made representations to the Regulation 19 consultation of the Local Plan, which should be read alongside this Hearing Statement, supporting the allocation of Site SA25. However, alongside this support for the plan, a number of objections have been cited, and the Local Plan as submitted is viewed as being unsound. This view is taken on the basis of failings in positive preparation and effectiveness (most notably the failure of the Site Allocations DPD to distribute development evenly and appropriately, including the reduction of Site Allocation SA25 in size and provision between the regulation 18 and regulation 19 stage).
- 1.4. The location of the site, its surroundings and the vision for Land West of Selsfield Road, Ardingly have been set out in detail at the Call for Sites stage, the Regulation 18 stage, the Regulation 19 Stage, and through discussions with Officers, and have therefore not been reproduced in detail in this statement.

## 2. Response to the Inspectors Questions

- 2.1. Charterhouse have informed the Programme Officer that they wish to participate at the hearing sessions relating to Matter 2 and will be represented by Savills at this Hearing.

---

### Matter 2 – Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA)

---

**Q 2.1 Is the Plan supported by the Sustainability Appraisal and Habitats Regulations Assessment?**

**Q 2.2 What evidence is there that the SA has influenced the Plan and/or undertaken a full assessment of realistic alternatives**

- 2.2. The Sustainability Appraisal (SA) has been undertaken during the process of preparing the Site Allocations DPD, however the Sustainability Appraisal does not clearly justify all of the Council's Policy choices.
- 2.3. All prospective sites have been subject to a site-specific assessment under the Sustainability Appraisal. The Site Allocations that have been derived however, do not clearly follow the conclusions drawn in the Sustainability Appraisal Site Assessments, and the Sustainability Appraisal does not clearly follow the evidence base provided in relation to the Sites.
- 2.4. Charterhouse Strategic Land support the Site Allocations DPD in principle, but do not feel that the Site Allocations DPD that has been produced is sound and robust as it is not supported by an appropriate Sustainability Appraisal.

#### Housing Provision

- 2.5. With regard to volume of housing provision set out in the Site Allocations DPD, as identified in paragraph 6.7 of the SA, 713 of the 3,500 units set out for delivery at the Northern Arc, Burgess Hill allocation that was included in the adopted District Plan will come forward beyond the plan period. Therefore it is necessary to allocate additional sites in the Site Allocations DPD.
- 2.6. MSDC are already on a stepped trajectory for housing supply, with the rate of 876 dpa set until 2023/24, and thereafter increasing to 1,090 dpa from 2024/2025. Such a notable increase, alongside already identified issues in delivery, should necessitate a suitable assessment of the issues in the Sustainability Appraisal. It should also be noted that a projected further increase in provision will likely be required through the Local Plan Review, with the December 2020 Standard Methodology for calculating housing need calculating a current need of 1,114 dwellings per annum to be accounted for in the next iteration of the District Plan. However there is no analysis or commentary provided on these issues.

- 2.7. Given the identified delays that have been incurred at the Burgess Hill strategic allocation, at a level such that it is already known that in the forthcoming 10 years (to the end of the Plan Period) 713 units will not be delivered, it would therefore be pertinent to assume that the likelihood of further delays is high. Accordingly an additional buffer, in terms of a greater number of units allocated in the Site Allocations DPD, should be included to ensure that any further delays can be mitigated.

### Housing Distribution

- 2.8. The distribution of the proposed quantum of housing (as identified in Policy DP4 of the District Plan) is that it should seek to be proportionately distributed across the settlement categories, with a greater proportion at the most sustainable settlements, before tapering down through the settlement categories. This is reflected in the minimum residual housing figures set out in table 2.4 of the Draft Site Allocations DPD, and repeated in table 11 of the Sustainability Appraisal. However, in table 2.4 it is also set out that the allocations for Category 1 settlements (the largest settlements) are almost exactly double the minimum residual figure (and total 1,409 dwellings), whereas in Category 2 and Category 3 settlements, the number of dwellings allocated has fallen below the minimum residential need figure, and totals 343 units.
- 2.9. This proposed distribution does not represent a proportional distribution of housing across the District. It proposes the introduction of 80% of the proposed development in Category 1 settlements, and of that it proposes 1,384 units across East Grinstead and Burgess Hill alone.
- 2.10. The reasoning behind this is set out as being due to:
- *There were no sites submitted, or no suitable sites within a particular settlement or settlements;*
  - *The total yield from all sites submitted to the Council would not achieve the residual figures identified for the settlement or settlements*
  - *The in combination negative impacts from allocating sufficient sites to meet the residual category/settlement need may, on balance, not outweigh any positive impacts anticipated.*
- 2.11. Paragraph 6.43 of the Sustainability Appraisal identifies that the proposed spatial strategy would result in a shortfall at Category 3, and an oversupply at Category 1 settlements. However, as the shortfall can be met by Category 1 settlements, and they are the most sustainable settlements, this is acceptable.
- 2.12. However, the Sustainability Appraisal then goes on to state that (emphasis added), as set out in background document Site Selection Paper 2 *“the starting point is to allocate sufficient sites to achieve the established District Plan distribution. It also describes the role of the settlement hierarchy – if housing need cannot be met within one settlement category, it should be met (in the first instance, and were possible) at a settlement in a higher-level category as these were deemed as being more sustainable.”*

- 2.13. *“The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements)”.*
- 2.14. Given this approach, it would indicate that sites that incur negative impacts should still be considered in order to ensure that the correct distribution of housing was achieved across settlement categories. However, this is felt to have not been appropriately pursued in the formation of the plan and the resultant site allocations.
- 2.15. The Sustainability Appraisal proceeds to analyse sites to seek those that perform well, those that perform poorly, and those that are marginal in order to attempt to seek a representative distribution of sites. It then proceeds to determine that those sites that perform well are allocated in the DPD, and undertakes a detailed look at the marginal sites in order to determine alternative approaches in light of there being only a small margin between proposed allocations and residual need.
- 2.16. However, the Sustainability Appraisal has only looked at the draft allocations as presented at Regulation 19 stage, and not the Regulation 18 DPD, or the SHELAA and site assessments that have been produced. Had it done so, it would have seen that SHELAA 832 proposed a development of 100 units, along with other aspects that would benefit the local community. This was also reflected in the Regulation 18 consultation.
- 2.17. The Sustainability Appraisal does briefly identify that at Regulation 18 Stage SHELAA site 832’s original assessment identified that delivery of 100 units, and that at 100 units a moderate impact on the High Weald AONB will be incurred, that may be reduced through a reduced scale of development. However, it does not address the public benefits that would have been provided through the provision of a larger scheme, and has in no way formally quantified on what level this ‘may be reduced’ or is a valid reason for reduction in this instance. As the most sustainable site in Ardingly, and a Category 3 settlement this site is being under represented in the distribution of development in the District, the development of the site for 100 units and associated community benefits would be the most appropriate course to take. The development of the site for 100 dwellings would make the most appropriate use of the available land resource. This has not been appropriately examined or assessed in the Sustainability Appraisal, which has blindly accepted MSDC’s reduction in the site capacity from 100 to 70 units along with the loss of community infrastructure and associated public benefits.

# Examination Statement

## Land West of Selsfield Road Ardingly (Draft Allocation SA25)

---



- 2.18. The reduction in size of a draft allocation that is not a 'Category 1' settlement, and on a site that is the most sustainable for its settlement, is contradictory to the aims of the DPD and the Sustainability Appraisal. The reduction in size of the developed area of the site, along with the removal of public benefits that would have been provided, is stated as potentially reducing impact of the development of the site in the AONB. However, the Sustainability Appraisal itself identifies that the most sustainable site at a settlement may result in higher negative impacts across objectives than sites at other locations. Therefore the basis of determination of a sites suitability is *"to distribute allocations according to the District Plan Strategy in the first instance"*. The reduction of a site's overall quantum for housing delivery, when it is in a settlement category that is under providing, is contrary to that approach
- 2.19. Therefore it appears that the SA has been influenced by the plan, and it has assessed what has been presented. It has not assessed the proposed allocations and alternatives suitably, and as a result there is an unbalanced quantum and distribution of development that is heavily biased towards larger settlements, when delivery to smaller category settlements can help to ensure their long term sustainability.

### 3. Conclusion

- 3.1. As set out in the comments made above in respect to the Inspectors Matters, Issues and Questions, Charterhouse Strategic Land support the Site Allocations DPD in principle, but do not feel that the Site Allocations DPD that has been produced is sound and robust as it is not supported by an appropriate Sustainability Appraisal.
- 3.2. The Sustainability Appraisal has been led by the Site Allocations DPD; it has not steered the Site Allocations DPD effectively in determining the appropriate quantum of development proposed or the distribution of development proposed. Accordingly it requires revisions, namely:
- The sites proposed for allocation (such as Draft Allocation SA25 / SHELAA ref 832) that provide development in the lower tier settlement categories need to be examined to understand if they can deliver a greater amount of units to the lower tier categories.
  - Changes between Regulation 18 and Regulation 19 allocations need to be assessed and justified.
  - Given existing identified delays in delivery, and an impending increase in delivery requirement as set out in the adopted District Plan, notwithstanding the projected further increase that will likely be required through the Local Plan Review (with the Standard Method most recently projecting a requirement of 1,114 dwellings per annum to be accounted for in the next iteration of the District Plan (as of December 2020)), additional units need to be included in the Site Allocations DPD.
- 3.3. A revised Sustainability Appraisal should be produced with the main modifications



**Guy Dixon MRTPI**  
Director

+44 (0) 1273 200098

[gdixon@savills.com](mailto:gdixon@savills.com)