

Jones Lang LaSalle Incorporated

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

Matter 2 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 2:** *“Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA)”*.
- 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 2 - Sustainability Appraisal (SA) and Habitats Regulation Assessment (HRA)

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

- 2.1 There is no evidence. It is not considered the Council have rigorously considered the reasonable alternative of allocating more housing across the settlement Categories.
- 2.2 MSDC are required to assess potential reasonable alternative strategies against the selected approach developed for the purposes of the Regulation 19 version of the SADPD. The Council purports to have carried out that exercise by considering three potential Options for the SADPD consultation, as set out in the SADPD Sustainability Appraisal – Non-technical Summary Regulation 19 (July 2020) (para 1.40). The three options are identified at Table 7: Site Options and included below for reference.

Option	Sites	Total Supply	Additional Supply (above residual)
A	20 'Constant Sites'	1,424	+144
B	20 'Constant Sites' + Folders Lane, Burgess Hill (x3 sites)	1,764	+484
C	20 'Constant Sites' + Haywards Heath Golf Course	2,054	+774

Table 7: Site Options

- 2.3 However, the above alternative options presented in the SA simply do not address the District Plan spatial strategy of “ensuring a sustainable pattern of development across the District”. The 20 ‘constant sites’ of the 22 sites identified in the ‘selected’ option are common to all 3 Options. For example, Option B includes the 20 ‘constant sites’ and three additional sites at Burgess Hill (Category 1 settlement) while Option C includes the 20 ‘constant sites’ plus another site at Haywards Heath (again in a Category 1 settlement). This means that the alternative options were not alternatives at all as they are solely a choice around the overall number of units to be delivered above the minimum residual requirement.
- 2.4 There is no reasonable alternative presented in relation to the spatial strategy and the distribution of development between the settlement categories. Options B and C simply add further additional dwellings to Category 1 settlements and does not seek to address the glaring imbalance between the other settlement categories. The purported choice provided is delivering either 144, 484 or 774 dwellings above the minimum residual requirement. In each scenario, the minimum target provision was far exceeded in Category 1 settlements. Category 1 targets are met, however, none of the Options meet the Category 2 and 3 target residual minimum.

- 2.5 It is not credible that there are no potentially suitable additional Category 2 and 3 sites that might be considered as reasonable alternatives for the purpose of the sustainability appraisal. The Council does not provide a range of reasonable alternatives and in the context of the evolution of the SADPD, the alternatives should have clear differences on the overall spatial strategy, quantum of housing and distribution. It is evident that there has been no rigorous testing of alternatives as required by the PPG.
- 2.6 The SA also says that additional sites should ideally be drawn from sites from the highest settlement category in the hierarchy (paragraph 6.48) and as a result all additional sites were only considered from Category 1 settlements. This is a wholly unsustainable approach to plan-making. Housing supply should not only be directed at Category 1 settlements, not only because that would be contrary to the spatial strategy in the DP, but also because Category 2 and 3 settlements should be considered as sustainable locations to provide housing in Mid Sussex as per their described functions and characteristics.
- 2.7 There is strong justification that settlements in Category 2 and 3 of the Settlement Hierarchy should be considered as sustainable locations for site allocations as locations outside of the main town centres become increasingly desirable places to live, and there is less need to commute to offices in the main towns, particularly in light of the COVID 19 pandemic. An increase in flexible working will likely decrease the pressure on public transport links in the District and will continue to do so as businesses prepare for the longevity of homeworking. On this matter alone, the assessment criteria in the SA should be reviewed. As a solution to this, we consider that sustainable sites in Category 2 and 3 settlements that lie adjacent to Category 1 settlements, such as Lindfield which lies adjacent to Haywards Heath, would benefit from the higher order services whilst providing greater balance of allocations across settlements.
- 2.8 The SA is generally superficial and categorically fails to consider reasonable alternatives which suggests that the SADPD has not been positively prepared as it does not meet the objectively assessed needs of the Category 2 and 3 Settlements or is justified by not having the most appropriate strategy when considered against the reasonable alternatives.
- 2.9 We consider the absence of any real strategic alternatives to be so severe, that the Council, as required by the legislation and national planning policy, should return to earlier stages of the plan-making progress.

3. Summary

- 3.1 The approach to reasonable alternatives presented in the Sustainability Appraisal is not consistent with the spatial strategy of the District Plan. The emerging Plan not only under-provides for housing in Category 2 and 3 settlements, but the Council also risk not meeting housing numbers across the District if any of the proposed site allocations are non-deliverable.
- 3.2 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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