

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

- 1.1 The purpose of the submitted plan is to address the Council's failure to make adequate provision for housing in its Local Plan; which was found sound only on the basis that a further DPD, in the form of the submitted plan, would allocate and enable an appropriate quantum of new homes to come forwards to meet Crawley's housing shortfall.
- 1.2 The Council's 2018 and 2020 SHELAA both record Crabbet Park, near Crawley as a deliverable site with a potential yield of 2,300 homes and relatively unconstrained, available and with a reasonable prospect of coming forward within the Plan Period (see Appendix A).
- 1.3 The Council's starting point for site selection was the delivery of the Local Plan strategy. While not considered to be an unsound approach in itself, this strategy was aimed at delivering the district's own housing need and was not tested against the requirement to accommodate housing from another authority area.
- 1.4 The nature of the Council's adherence to DP4 and DP6 in the first stage of the site selection process constrains the flexibility to sustainably meet Crawley's housing shortfall. The NPPF requires planning policies to be flexible enough to accommodate needs not anticipated in the plan [paragraph 81].
- 1.5 The Council outwardly dismissed the site at Crabbet Park on the basis that approval would conflict with its spatial strategy. Potential sites were deemed to be in conflict with the Local Plan strategy on the basis either that they may yield levels of housing disproportionately with the settlement hierarchy, or that they were considered to be remote from an existing settlement, as to give rise to objectionable accessibility or wider sustainability issues. The latter approach ruled out sites that were circa 150m or more from an existing built-up settlement.
- 1.6 Having rejected Crabbet Park, the Council appears not to have evaluated this site against any or all of the 17 sustainability criteria used to assess other sites considered in the selection process. No reasons have been given for this disparity of approach between sites, and no specific exception from the application of the sustainability criteria has been claimed in respect of Crabbet Park. There are no site-specific factors or circumstances which would enable the Council to rule out this site and without appraising the site against the fullness of the sustainability criteria.
- 1.7 A cross-comparison of these sites on the basis of these chosen sustainability criteria is therefore not open to the Council, at any practical level. It follows that the Council has no evidence base, or evidence base that has yet been published or consulted upon, from which it has been able to compare (or may proceed to compare) the sustainability of Crabbet Park against other 'so called' high performing sites.

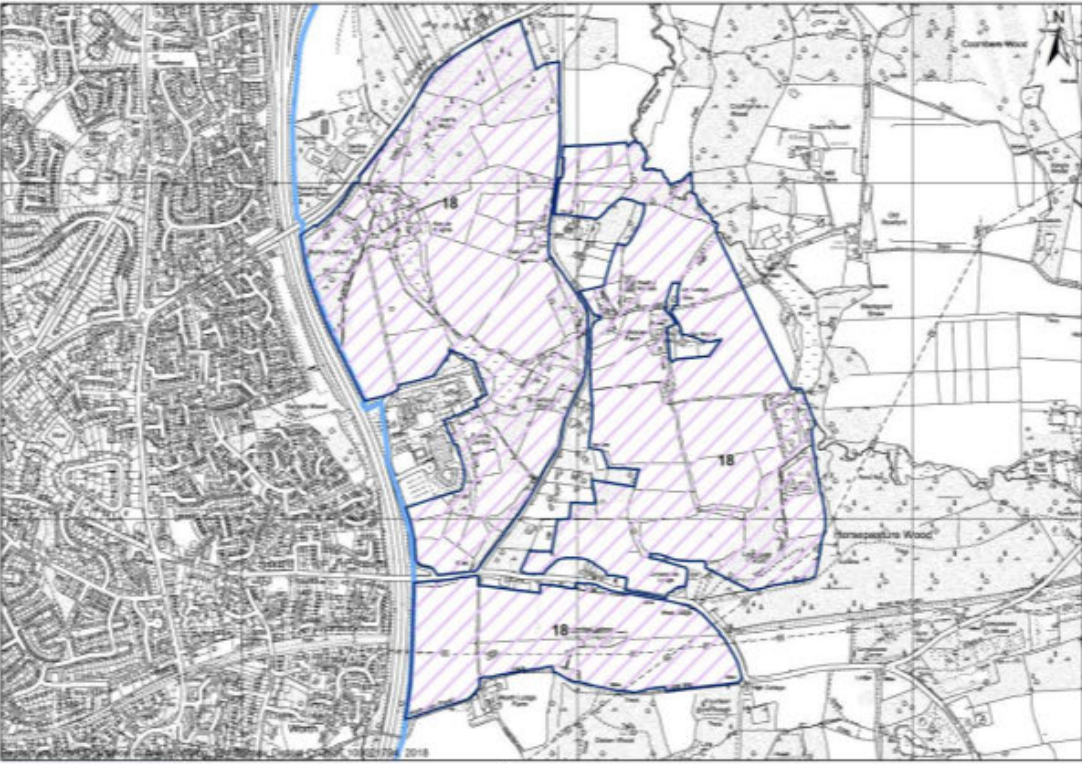
- 1.8 Crabbet Park has demonstrable sustainability benefits, including being close to Crawley's extensive services and infrastructure while avoiding the existing traffic problems in East Grinstead and lying beyond the Ashdown Forest 7km zone of influence. It is not clear, and has not been explained why, these benefits have not been (appropriately) scored against the chosen sustainability criteria used in respect of other potential sites.
- 1.9 When asked why Crabbet Park was rejected, the Council initially held back from providing a specific explanation, eventually confirming that it was due to the site being more than 150m from the built-up area boundary (see Appendix B).
- 1.10 On this basis – being outwardly, the Council's position – it is unclear whether the Council has tested the remoteness of Crabbet Park from a built-up boundary within Mid Sussex or whether it has applied the test to the nearest built-up boundary to Crabbet Park, even if that settlement was situated in a neighbouring district.
- 1.11 Constraining the remoteness test to its own settlements would have no obvious justification and would risk eliminating otherwise highly sustainable sites on the district boundary. If the remoteness test was intended to encompass all settlements, then the test has been mis-applied. Crabbet Park is less than 100m from the extensive built-up area boundary of Crawley.
- 1.12 The 2018 Local Plan allocated a strategic site at Pease Pottage. This site is a considerable distance from any settlement boundary in Mid Sussex; but like Crabbet Park, it is located on the district boundary with Crawley. The Council do not present any evidence to support this inconsistency within its site selection criteria.
- 1.13 It is clear therefore – and no adequate or coherent planning rationale has been explained anywhere, to the contrary – that Crabbet Park would classify as a realistic, reasonable alternative to the sites allocated in the submitted plan and there is no evidence that the Council have undertaken an adequate assessment on the merits, of this reasonable alternative. The consideration or assessment of reasonable alternatives, at the appropriate stage of the plan-making process, is therefore highly questionable.
- 1.14 Instead, the clear and evidenced position is that the Council's initial – and unreasonably early - rejection of the site has been wholly inadequate, unreasoned and is separately internally inconsistent with the approach to sites assessment advocated by the Council.
- 1.15 This separately supports the view that the wider sustainability appraisal and/or environmental assessment of reasonable alternatives, which overlays with the sustainability criteria used, including in respect of Crabbet Park, has been inadequate.

APPENDICES

Appendix A - SHELAA entry for Crabbet Park

Appendix B - Email correspondence with the Council re: Rejection of the site at Crabbet Park

APPENDIX A

SHELAA Ref	18	Parish	Worth
Site Location	Crabbet Park, Old Hollow, Near Crawley		
			
Site uses	Agriculture	Un-Managed Forest	Dwellings
Gross Site Area (ha)	172		
Potential Yield	2300		
Site History			
Absolute Constraint	Flood Zone 2 or 3	✓	
	Site of Special Scientific Interest	✗	
Other Constraints	Ancient Woodland	✓	
	Area of Outstanding Natural Beauty	✓	
	Local Nature Reserve	✗	
	Conservation Area	Development would not have a negative impact on Conservation area and/or Area of Townscape Character	
	Scheduled Monument	✗	
	Listed Buildings	Development may potentially affect listed building/s - mitigation may be necessary	
	Access	Safe access is not available but potential exists to easily gain access	
Suitable	Relatively unconstrained - assessed as Suitable at Stage 1, progress to Stage 2 assessment		
Availability	Site submitted by site proponent to the SHELAA for assessment - considered available		
Achievability	There is a reasonable prospect that site could be developed within the Plan period		
Timescale	Medium-Long Term		

APPENDIX B

From: Tony Sutton <[REDACTED]>
Sent: 18 August 2020 10:18
To: planningpolicy <planningpolicy@midsussex.gov.uk>
Subject: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Dear Sirs,

I have been looking at the various documents you have published for the Allocations DPD currently out to public consultation and cannot locate any supporting papers to justify the decision to dismiss the sites deemed unsuitable earlier in the process. I note many potential sites were deemed to be against district plan policies DP4 and DP6 but no further details were supplied.

Could you supply all the evidence you have to support this decision or provide a link to the relevant pages on the Council's website please?

Regards

Tony Sutton

From: planningpolicy
Sent: 19 August 2020 11:05
To: Tony Sutton
Subject: RE: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Dear Mr Sutton,

Thank you for your email.

The outcome of the assessment of sites against DP4 and DP6 are set out in Site Selection Paper 1 which can be found here <https://www.midsussex.gov.uk/media/4746/site-selection-paper-1.pdf>

With regards to how we have undertaken the public consultation, further details can be found in 2 documents the [Statement of Community Involvement](#) which sets out the general principles of how we undertake public consultation and the [Community Involvement Plan](#) which set out more specific information about how we have undertaken the consultation on the Site Allocation Document.

I hope that this answers your queries but if you do require any further information please let me know.

Regards,

[REDACTED]

From: Tony Sutton <[REDACTED]>
Sent: 28 August 2020 11:08
To: planningpolicy <planningpolicy@midsussex.gov.uk>
Subject: RE: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Thank you for your response but it doesn't address my question.

I am familiar with the initial site selection paper and I realise all potential sites were assessed for conformity with local plan policies DP4 and DP6. I am fully aware of the outcome from this initial selection stage and which sites were deselected as not conforming to DP4 or DP6. You will see my question was not about the decision but what evidence there was presented and by who to support the decision? Can you therefore please let me know whether the council documented the details of the non-conformity – I believe this is a legal obligation to facilitate public scrutiny of the council's decisions. For example, was the site more than 150m from an existing settlement or did the site offer more housing than required ... or both.

I look forward to your early response

Regards

Tony Sutton

From: planningpolicy
Sent: 03 September 2020 17:01
To: Tony Sutton
Subject: RE: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Dear Mr Sutton,

Site Selection Paper 1 was prepared by officers in the planning policy team, who made an informed judgement about whether or not a site conformed with District Plan policies DP4 and DP6.

The evidence used to inform this decision was either from a measurement of the site in proximity to an existing built up area boundary, an exercise undertaken using our GIS mapping systems, or by an assessment of the number of units that the site could accommodate against the number of units identified for each settlement identified in DP4 and DP6. We have not published the details of which category the sites rejected through Site Selection Paper 1 fell into and in some cases the site fell into both categories. The primary objective of Site Selection Paper 1 was to sift out sites that do not comply with District Plan strategy, and whilst there were 2 ways in which a site can be rejected the overall conclusion would be the same.

If you do not think that a site has been assessed correctly through Site Selection Paper 1 then you can make further comments as part of the current consultation.

Regards,

[REDACTED]

From: Tony Sutton <[REDACTED]>
Sent: 07 September 2020 12:55
To: planningpolicy <planningpolicy@midsussex.gov.uk>
Subject: RE: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Dear Mid Sussex Planning

Thank you for your e-mail describing how sites were excluded in the first stage of the Site Selection process.

It is not clear to me why the supporting evidence for the decision to exclude sites has been withheld from public scrutiny as this runs contrary to the Council's own community involvement principle to be transparent.

For each site excluded at this stage I would therefore ask you to provide me with:

1. Whatever supporting material evidence there is for the decisions to exclude these sites at the first stage of the site selection (eg. GIS mapping, Number of potential units assessment), or if there is no such available evidence then please confirm this to be the case, and
2. Which of the selection criteria was found to apply in each case:
 - a. Connectivity with existing settlements, or
 - b. Size of the site in relation to the existing settlement hierarchy and indicative housing requirements for individual settlements, or
 - c. Both

I would be grateful if you would please provide answers to the above points.

Regards

Tony Sutton

From: [planningpolicy](#)
 Sent: 09 September 2020 10:35
 To: [Tony Sutton](#)
 Subject: RE: Site Allocations DPD - SA19 - Request for Evidence of Public Consultation

Dear Mr Sutton,

As you are aware Site Selection Paper 1, at para 4.2 states:

“ An assessment of whether a site conforms to the spatial strategy has been based on two criteria. If a site fails either one of these, it has been assessed as not being compliant with the District Plan strategy. The criteria are:

- Connectivity with existing settlements – The criteria established to assess the degree of separation is based on a distance of 150m from the built up area boundary (as defined on the Policies Maps). 150m represents a distance that the Council considers differentiates between being connected or remote from existing settlements. This has been based on desktop and site assessment. However, there are a small minority of sites within 150m of the built up area which have been assessed as clearly detached from the settlement due to their access or constraints (such as ancient woodland) separating the site from the settlement.
- Size of the site in relation to the existing settlement hierarchy and indicative housing requirements for individual settlements. This criteria is set out in the supporting text to DP6. Whilst the Plan sets out a minimum residual requirement, the Site Allocations DPD should broadly follow the levels of growth set out in DP4. Therefore sites that deliver levels of growth, significantly beyond that required by the District Plan strategy, are not considered to be compliant with the strategy. DP4 states that a District Plan review will begin in 2021 with submission to the Secretary of State in 2023. It will be for this review to address any changes to the overall housing requirement (following a review of this figure based on the new Standard Method outlined in the NPPF), including unmet needs from neighbouring authorities. This review will also be an opportunity to re-promote sites that do not conform to the current District Plan 2014-2031 strategy and policies.”

Please find attached a spreadsheet that indicates under which the criteria that sites were excluded from further consideration.

Regards,



SHLAAID	Address	Settlement	Yield	EXCLUDE - Connectivity	Exclude - SIZE
25	The Walled Garden, behind the Scout Hut, London Road, Balcombe	Balcombe	8	Y	
28	Area south of Redbridge Lane at junction with London Road, Balcombe	Balcombe	45	Y	
67	Castle Field, Cinder Hill Lane, Horsted Keynes	Horsted Keynes	25	Y	
214	Land at Copyhold Lane, Cuckfield	Cuckfield	90	Y	
568	Middle Lodge and land to south, Lindfield Road, Ardingly	Ardingly	60	Y	
663	Field 1, Ludwell Grange, Keysford Lane, Horsted Keynes	Horsted Keynes	27	Y	
764	Land East of Hill House Close, Turners Hill	Turners Hill	30	Y	
802	Land at Foxhole Farm, Foxhole Lane, Bolney	Bolney	16	Y	
837	Land at Little Oddyness Farm, Waterbury Hill, Horsted Keynes	Horsted Keynes	45	Y	
841	Clearwater Farm, Clearwater Lane, Haywards Heath	Haywards Heath	230	Y	
902	Land to the west of Rookwood, Tylers Green, Cuckfield	Cuckfield	84	Y	
903	Land at Meadow Wood and Ashbourne Brook Street, Cuckfield	Staplefield	150	Y	
12	Floran Farm, Hophurst Lane, Crawley Down	East Grinstead	90	Y	
18	Crabbet Park, Old Hollow, Near Crawley	Copthorne	2500	Y	
60	Land at the Spinney, Lewes Road, East Grinstead	East Grinstead	5	Y	
70	Land at junction of Snow Drop Lane / Redles Hill	Wickstead	00	Y	