

planning  
transport  
design  
environment  
infrastructure

Response to Inspector's Issues & Questions: Matter 3.1 Response  
on behalf of Option Two Development Ltd

May 2021 JB/13366



# 1 Introduction

## 1.1 Site Context

1.1.1 This response is prepared on behalf of Option Two Development Ltd ("Option Two"), who control land at Courthouse Farm, Copthorne Common Road, Copthorne and have been promoting it for residential allocation in the Site Allocations DPD.

1.1.2 The site is described further in our Regulation 19 submission. It could be developed either for standard residential development, or a combination of a Class C2 care home, and residential development as set out in Appendices 1 and 2 to our Regulation 19 submission. Indeed they have operators and national house builders/developers who have expressed an interest in developing the site.

### *Previous representations*

1.1.3 My client has promoted Courthouse Farm through the Call for Sites and has made representations to the DPD at both the Regulation 18 and Regulation 19 stages.

## 2 Matter 3.1 New Homes Quantum (policies SA10 and SA11)

### *Q3.1(i) - Is the updated Minimum Residual Requirement for Mid Sussex, which has been reduced from 2,439 units in policy DP4 of the District Plan to 1,280 units in the submitted Plan, supported by the evidence?*

2.1.1 No, the housing supply components do not represent a credible baseline from which to calculate residual need. This is because it is predicated on an unrealistic housing trajectory for the delivery of strategic sites. This in turn will result in a significant shortfall in housing delivery within the plan period. Accordingly, we submit that the plan has not been positively prepared and is therefore unsound.

2.1.2 We have set out further detail in our Reg 19 representations and in answer to Q3.1(iv) below.

2.1.3 A key point here is that to ensure delivery, plans need to be flexible and able to adapt to rapid changes. To this end, a strategy dominated by strategic sites brings into question whether the short to medium-term housing needs of the borough would be adequately addressed because larger sites, by their nature, will not deliver at the consistent rate required to sustain a five-year supply nor meet the associated HDT.

2.1.4 Whether or not the Council believes that these strategic sites will deliver at the rates they have suggested, if delivery slowed significantly on even only one of the strategic sites, there would be a significant risk of under-delivery. This is a

fundamental problem with relying on a small number of strategic sites to deliver a plan.

- 2.1.5 There is no contingency in place should one or all the sites be subject to unexpected delay. A remedy to this strategy imbalance would be to allocate additional small/medium sized sites in and around existing settlements.
- 2.1.6 The over-reliance on strategic sites and lack of flexibility renders the plan ineffective and in conflict with the NPPF.

***Q3.1(iii) - Should an allowance for non-implementation be built into the Plan? Some parties have suggested a figure of 10%.***

- 2.1.7 Yes, we would support a figure of 10% as being appropriate.

***Q3.1(iv) - The Council places a significantly high reliance on the implementation of strategic sites in policies DP9, DP10, DP11 and DP12 to enable the delivery of the District's objectively assessed need over the plan period. These four strategic sites are expected to deliver a total of 5,800 dwellings, or 35.4% of the minimum District requirement of 16,390 dwellings. Is this total realistically deliverable within the plan period, and if not, does the Council need to allocate further additional housing sites in this Plan?***

- 2.1.8 We set out our concerns about the reliance on the strategic allocation to the North and North West of Burgess Hill ("the Northern Arc") in our Reg.19 submission. In particular, we considered the trajectory to be unrealistic, especially when the significant infrastructure requirements are taken into account.
- 2.1.9 We note the Council's progress update as set out in MSDC-01, which continues to paint an optimistic picture.
- 2.1.10 The tables show that only 41 of the 600 units at the Pease Pottage site (DP10) have been delivered to date, whereas the original trajectory had stated that more than a third of the development would be complete by now. MSDC is now projecting that the development will be completed ahead of the original trajectory. It does not provide convincing evidence to support its claim that annual delivery rates will increase from a projected 90/year to as high as 187/year.
- 2.1.11 The annual delivery rates at the North and North-West Burgess Hill site (DP9) are also projected to be very high, at up to 306/year. The Council now states that 2,787 units are due to be built out during the plan period, rather than the 3,287 units stated in the Reg.19 draft plan.
- 2.1.12 It is recognised that the project is a flagship project for Homes England and that their intervention is likely to assist the infrastructure delivery. However, none of this changes the fact that the projected annual delivery rates remain unusually high.

- 2.1.13 If, as we suspect, delivery rates turn out to be significantly lower, this could result in a substantial shortfall which could be well above the 484-unit “oversupply” allowed for within the plan.
- 2.1.14 Accordingly, we remain of the view that additional sites are required to be allocated in order for the plan to be positively prepared and therefore to make the plan sound. In particular, a greater proportion of medium sized sites are required, which can deliver quickly and require minimal intervention to supporting infrastructure, but still make a meaningful contribution to affordable housing needs.
- 2.1.15 It is essential that the plan must be deliverable over the plan period. To ensure delivery, plans need to be flexible and able to adapt to rapid changes. A strategy dominated by strategic sites is a very high risk strategy since it is over reliant on these strategic sites being delivered at the rates hoped for by the Council.
- 2.1.16 In summary then, there is a significant risk that the total delivery of 5,800 homes from strategic sites may not be delivered within the Plan period. The Council should allocate a greater number of medium sized sites in order to mitigate this risk.