

Mid Sussex Site Allocations DPD Examination (Matter 3)

Our ref 62525/01/MS/HBE
Date 13th May 2021
On behalf of Whitehall Homes LLP

Issue 3.2 Proposed Distribution of new homes

This statement is prepared on behalf of Whitehall Homes LLP ('Whitehall'). Whitehall are promoting the 'Swallows Yard' site in Albourne (a Category 3 'Medium Sized Village') for a sustainable development of c.38 to 45 homes. This site is not currently proposed as an allocation in the submitted 'Site Allocations DPD'. Representations were previously made to the Regulation 19 consultation in September 2020 (Respondent ID: 1842). On the 28th April, a request was made to the PO for Whitehall to attend the hearing session on the 2nd June.

These representations have been prepared in accordance with the 'Inspector's Examination Guidance Note' (ID-03). Separate statements have therefore been prepared for each issue.

Does the proposed distribution of the additional new homes in the allocations in the Plan (as set out in table 2.5) to meet the Minimum Residual Housing Requirement, accord with the principles of sustainable development, particularly as set out in policies DP4 to DP6 of the District Plan, including taking account of considerations such as:

(i) Enabling the most sustainable pattern of growth for Mid Sussex, based primarily on the three towns, including the majority of development to be directed towards the town of Burgess Hill, and having regard to be sensitive to key environmental considerations, such as the setting of the SDNP, the High Weald AONB, the Ashdown Forest 7km Zone of Influence, landform and visual impact, conservation of important conservation and heritage assets, wildlife conservation and constraints such as areas at risk to significant flooding;

1.1 No, the proposed distribution of the additional new homes does not accord with the proposed spatial strategy for housing (i.e. District Plan Policies DP4 to DP6) to enable to the most sustainable pattern of growth. In this regard, the District Plan Inspector stated in their report:

"Policy DP6 in the submitted plan included a settlement hierarchy with 5 categories; this is the broad spatial distribution referred to in paragraph 30 above, which MMO4 brings under Policy DP5. This hierarchy is a satisfactory reflection of the scale and range of facilities in each of the settlements, but it does not provide sufficient guidance on the numerical distribution of housing. My Interim Conclusions (Document ID11) indicated that the absence of such guidance was unsound, because it would not provide strategic direction for the Site Allocations DPD, neighbourhood plans, or for development management. There was a significant risk that unbalanced growth could take place in inappropriate locations or that growth in sustainable locations could be suppressed." (Para 32)

Imbalance of development in relation to minimum housing requirements in Category 2 and Category 3 settlements

- 1.2 At the time of the District Plan’s adoption, policy DP4 identified a residual need of 838 units and 311 units in Category 2 (Larger Villages) and Category 3 (Medium Sized Villages) respectively. Policy SA10 in the submitted Site Allocations DPD notes that the updated residual need for both categories was 198 and 371 units respectively but only allocates 105 units in Category 2 and 238 units in Category 3 settlements: leaving 93 units in Category 2 and 133 units in Category 3 settlements of unmet need. Failing to meet the minimum requirements for each category of settlement fails to follow the Council’s evidenced strategy for sustainable growth, is not a positive approach to planning and is unjustified when suitable, available, and achievable sites have been put forward that could meet these needs¹.
- 1.3 The Council set out a ‘Neighbourhood Plan Strategy’ table (Page 37, under Policy DP6) in the District Plan. This table identifies specific minimum requirements that ‘*are assumed to be minimum*’ (page 36) for each settlement in the District (as discussed by the District Plan Inspectors set out above).
- 1.4 Albourne (Category 3 settlement not within the AONB) is one example where these identified needs are not being met as part of the Site Allocations DPD. A neighbourhood plan was ‘made’ in 2016 ahead of the District Plan’s adoption with a single site allocation for two units. This site has not come forward to date. The ‘Neighbourhood Plan Strategy’ adopted as part of the District Plan (2018) identifies a minimum residual need for 41 homes. As of the 1st April 2020, (as detailed in the Council’s latest 5YHLS position – January 2021) there were three other sites in the village with permission for six units so a residual need remains. The Site Allocations DPD as submitted does not propose any development in this village despite an identified need. This approach is not positive planning to meet identified minimum needs and is not a justified approach given the spatial strategy to distribute homes evenly across the district in the most sustainable way.
- 1.5 Settlements like Albourne were identified for development as they not only help meet wider housing needs and balance the distribution of new homes; but they also support future school places, local shops and local jobs. For example, the Albourne CofE Primary School is currently under subscribed with 178 pupils compared to a capacity of up to 210². Without development, the population of a location generally ages; while where new development occurs younger couples and families are more likely to move in. There are suitable, available, and achievable sites being promoted that can be allocated to help meet needs in these settlements – such as Whitehall Homes’ ‘Swallows Yard’ site in Albourne. Leaving these settlements without development does not represent positive planning and relying on windfalls is ineffective and does not provide residents with greater certainty of where development will occur, or indeed deliver the most sustainable solution for development across the district.
- 1.6 The lack of development in Category 3 settlements – despite identified minimum housing requirements – will lead to an imbalance in housing distribution which does not adhere to the sustainable development strategy identified in the District Plan.

¹ Table 3 in document MSDC-01 shows that the Council is overproviding for Category 2 settlements by 291 units but is under providing in Category 3 settlements but for 296 units increased of 133 as per the submitted plan. The reasons for this discrepancy are unclear.

² <https://get-information-schools.service.gov.uk/Establishments/Establishment/Details/126014?searchQueryString=SelectedTab%3DEstablishments%26SearchType%3DLocation%26SearchType%3DLocation%26LocationSearchModel.Text%3DBN6%2B9DH%26OpenOnly%3Dtrue%26LocationSearchModel.AutoSuggestValue%3D50.9352493286133%252c-0.201969996094704>

Imbalance of development in the AONB in Category 3 Settlements

- 1.7 The Council has also focused the majority of new allocated development in Category 3 settlements to locations within the AONB. Of the eight Category 3 settlement allocations, six are within the AONB³ totalling 188 units. This includes the allocation of SA25 ‘Land west of Selsfield Road’ for 70 units; a development that we would regard as a ‘major development’ for which ‘exceptional circumstances’ must be demonstrated (NPPF Para 172). In addition, three of these AONB sites⁴ were in locations where there was no residual need for additional development at the time of the District Plans adoption. Allocation SA25 would also result in an overprovision in its settlement and SA30 is located in a settlement where a recent development for 120 units was approved on appeal.
- 1.8 The distribution of new homes in Category 3 settlements will lead to an imbalance with the majority of new homes built within the AONB.

Summary

- 1.9 When reviewing the proposed distribution of the additional new homes we conclude it both suppresses growth in sustainable locations – such as Albourne – and results in an imbalanced pattern of growth.
- 1.10 The Council argues in its response to the Inspectors initial questions (ref. MSDC-01) that the needs of Category 3 settlements are unable to be met principally because many (albeit not all) of these villages are located within the AONB. This does not hold true given that the Council could have first looked to sustainable sites in villages outside the AONB – such as ‘Swallows Yard’ – before allocating sites in the AONB. Instead, the opposite has occurred with development in the AONB and an imbalance in terms of development in locations that have already met residual minimum needs.
- 1.11 From this, we consider that Policy SA10 and the allocations based on the ‘Site Selection Paper 3: Housing Sites’ paper is not justified. If it were justified, then more sites would have been identified outside the AONB first and where there remains a residual need. Our Reg.19 response (Respondent ID: 1842) provides more detail as to why the ‘Site Selection Paper 3: Housing Sites’ is not robust.
- 1.12 To rectify the current imbalance, as per our response to Matter 3 Issues 3.1(ii), 3.1 (iii), 3.1(iv), and 3.6 more sites should be allocated in Category 3 settlements and in locations outside the AONB, ensuring the plan is positively prepared, effective, and justified.

Word Count: 1,117

³ Including SA25, SA27, SA28, SA29, & SA32

⁴ Including SA27, & SA31

(ii) Providing development to meet local needs in towns and villages which offer key community facilities (including public transport) and some employment opportunities; where settlements have already met their minimum development requirement as set out in the table attached to policy DP4, is it appropriate for this Plan to allocate additional housing?

- 1.13 In principle, this can be a justified approach. However, this should only occur when all settlements needs are met first. In accordance with the District Plan's settlement hierarchy (Policy DP6), the spatial distribution of housing (Policy DP4), and the Neighbourhood Plan Strategy, where there are shortfalls the Site Allocations DPD should seek as a minimum to meet these (Page 37).

Word Count: 61

(ii) Strictly controlling development in the open countryside?

- 1.14 No response.

(iv) Maximising the re-use of previously developed sites which are sustainably located

- 1.15 No response.

(v) With an expectation that development is required to provide infrastructure in accordance with the infrastructure needs of each town, the accompanying Infrastructure Delivery Plan (IDP) or other needs as they arise?

- 1.16 No response.