

# **Mid Sussex Site Allocations DPD Examination Denton Homes Matter 3 Statement**

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**Richard Skelley**

**Denton Homes Ltd**

e-mail: [richard@dentongroup.com](mailto:richard@dentongroup.com)

## 1.0 Introduction

1.1 This Statement is submitted by Denton Homes in relation to Matter 3 of the Mid Sussex District Council Site Allocations DPD Examination.

1.2 Denton Homes have also submitted Statements in response to Matters 1, 2 and 4 of the Examination.

## 2.0 Response to Matter 3 – Does the Plan deliver both the quantitative and qualitative aspects of housing provision in the District Plan to meet Mid Sussex’s requirements over the plan period in accordance with national policy?

### 3.1 New Homes Quantum (policies SA10 and SA11):

- (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 For the reasons set out in this Statement it is not accepted that the reduced housing requirement is justified or represents a sound approach.

- (ii) **The Plan makes provision for 1,764 dwellings in its site allocations (SA12 -SA33), which amounts to an ‘over-supply’ or buffer of 484 dwellings over the residual housing requirement, which is identified as 1,280 dwellings in Table 2.3 of the Plan. Does this increased housing provision, which equates to 37.8% above the minimum residual requirement or 2.95% above the minimum District requirement of 16,390 dwellings over the plan period, amount to a sufficient buffer to enable the Plan to ensure there is enough flexibility of housing land over the plan period? If the Plan is found to be insufficiently flexible in this regard, what further steps should the Council take to rectify this? Are there any sound arguments to support the notion that the amount of the buffer is too great or has been incorrectly applied? Is the buffer excessive in relation to the requirements of paragraph 73 of the NPPF or Framework?**

2.2 For the reasons set out in this Statement it is not accepted that the buffer is excessive or represents a sound approach.

2.3 We strongly concur an over-supply of dwellings is required, for the plan to be sound.

2.4 We strongly suggest that the proposed buffer of 484 dwellings is insufficient to enable the delivery of housing over the plan period.

2.5 It is our view that to provide a buffer, windfall sites be discounted completely, and additional suitable sites allocated to avoid the reliance on large strategic sites, to meet the housing requirement.

2.6 The omission sites being promoted by Denton Homes should be considered for inclusion in the buffer. In the case of Butlers Green in Haywards Heath, the site is at the upper end of the Settlement Hierarchy, and at Pease Pottage despite being in the AONB, they are already developed and screened, and both locations represent sustainable and suitable locations for housing.

2.7 We feel this approach would also encourage the spread of housing requirement through the hierarchy in established and growing settlements, instead of concentrating in the top tiers.

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

2.8 We have significant concerns within this and other matters statements regarding the delivery of sites already within the housing trajectory, especially the large scale allocated and strategic sites.

2.9 It is inevitable there will be non-implementation of sites for a variety of reasons as set out.

2.10 It is suggested that at least 10% should be allowed for non-implementation.

**(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?**

2.11 Given our expressed concerns regarding non-implementation, and delays, we feel that there is too much reliance on the four strategic sites achieving a minimum requirement.

2.12 We await further evidence of delivery from MSDC in advance of the examination.

### **3.2 Proposed Distribution of new homes:**

**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;**

2.13 We strongly agree that the upper tier of the settlement hierarchy should have the most sustainable locations, but this is still subject to specific site analysis.

2.14 And in recognition of the AONB significant coverage in the District, if AONB sites are needed, they should have been assessed by MSDC as being the most sustainable and appropriate ones available in the selection process. As we have set out elsewhere in this Statement we maintain that suitable omission sites should have been allocated.

- (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?**

2.15 Yes, for reasons set out in this Statement.

- (iii) Strictly controlling development in the open countryside;**

2.16 No comments.

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

2.17 It is acknowledged that sustainable previously developed sites are limited, which is why we promoted the benefit of one of the brownfield Pease Pottage site SHELAA Ref 818.

- (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?**

2.18 No comment.

### **3.3 Housing Delivery over the Plan Period:**

**Does the Plan provide sufficient evidence to demonstrate that the proposed new homes total in each of the allocations can be implemented over the plan period, in accordance with the housing trajectory? Can each of the following housing allocations demonstrate their sustainability and deliverability in relation to the following considerations:**

- (i) the willingness (or otherwise) of the landowner(s) to implement their sites on the basis of the relevant policy;
- (ii) safe and secure access, which can be provided within the ownership of the allocated site, or does the scheme rely on the acquisition of off-site land;
- (iii) any conflict with a made Neighbourhood Plan;
- (iv) any conflict with national planning policy;
- (v) any significant infrastructure considerations, including vehicular access, traffic circulation and highway and pedestrian safety, flooding, drainage and sewerage implications; are any of these 'showstoppers';
- (vi) any significant impact on the living conditions of neighbouring occupiers, or future occupiers of the proposed development;
- (vii) any significant impact on the quality of the landscape, e.g. the integrity of any green gaps, and the ecology of the site and the surrounding area, and proximity to ancient woodland;
- (viii) any impact on Conservation Areas, heritage assets or areas of archaeological significance;
- (ix) access to shops, schools, health provision and services, community facilities, public transport and employment, i.e. is the location sustainable;
- (x) contamination or other ground or stability issues; and
- (xi) any other material considerations which could impact on the sustainability of the proposed allocation?

The housing allocations to which considerations (i) to (xi) apply are set out below:

- ***Policy SA12 Land South of 96 Folders Lane, Burgess Hill***

2.19 No comments.

- ***Policy SA13 Land East of Keymer Road and South of Folders Lane, Burgess Hill***

2.20 No comments.

- ***Policy SA14 Land South of Selby Close, Hammonds Ridge, Burgess Hill***

2.21 The deliverability of this site has not been adequately demonstrated.

- ***Policy SA15 Land South of Southway, Burgess Hill***

2.22 There are substantial issues with deliverability and availability of this site given these constraints and the site should be deleted as a proposed allocation until this can be adequately demonstrated.

- ***Policy SA16 Land St Wilfrid's Catholic Primary School, School Close, Burgess Hill***

2.23 Given that the allocation is for 300 dwellings and requires relocation first, it is considered that there is insufficient evidence to justify delivery of development of this site in the 6-10-year time period as set out.

- ***Policy SA17 Woodfield House, Isaac's Lane, Burgess Hill***

2.24 Significant landscape features on site which require retention, as the site is only 1.4 hectares in size it is questionable whether there is adequate space on the site for 30 dwellings after retention of these landscape features.

2.25 Given the uncertainty of the deliverability of the land immediately adjoining the site as part of the Northern Arc it is considered that the deliverability of this site is not clear enough to justify allocation within the sites DPD. The uncertainty of this deliverability also has an implication of the sustainability of the site and proximity to adequate services.

2.26 These matters have not been resolved within the submission version of the SADPD.

2.27 Overall it is not considered that this site is suitable for allocation and should be removed from the Sites DPD

- ***Policy SA18 Former East Grinstead Police Station, College Lane, East Grinstead***

2.28 No comments.

- ***Policy SA19 Land South of Crawley Down Road, Felbridge***

2.29 No comments.

- ***Policy SA20 Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead***

2.30 Notwithstanding the significant constraints to delivery from this site it is notable that the delivery of 550 in 6-10 years as set out in the SADPD is particularly optimistic and would need to be revised to be realistic on the constraints to delivery including the requirement for provision of education on the site.

- ***Policy SA21 Rogers Farm, Fox Hill, Haywards Heath***

2.31 This site is significantly constrained by the presence of heritage assets.

2.32 It is apparent that the heritage constraints and poor sustainability for Rogers Farm weigh heavily against the allocation of the site and this should be readdressed within the final version of the SADPD.

- ***Policy SA22 Land North of Burleigh Lane, Crawley Down***

2.33 No comments.

- ***Policy SA23 Land at Hanlye Lane to the East of Ardingly Road, Cuckfield***

2.34 No comments.

- ***Policy SA24 Land to the North of Shepherds Walk, Hassocks***

2.35 The access for this site is through an adjacent parcel of land which has a ransom strip over this land. The deliverability of this site is therefore in doubt unless a right of access can be confirmed by the site owners.

2.36 No further information has been submitted by the site promoters of the council to confirm rights of access.

- ***Policy SA25 Land West of Selsfield Road, Ardingly***

2.37 No comments.

- ***Policy SA26 Land South of Hammerwood Road, Ashurst Wood***

2.38 No comments.

- ***Policy SA27 Land at St Martin Close, Handcross***

2.39 No comments.

- ***Policy SA28 Land South of The Old Police Station, Birchgrove Road, Horsted Keynes***

2.40 No comments.

- ***Policy SA29 Land South of St Stephens Church, Hamsland, Horsted Keynes***

2.41 No comments.

- ***Policy SA30 Land to the North of Lyndon, Reeds Lane, Sayers Common***

2.42 It is not considered that the development of this site has been justified in sustainability terms.

- **Policy SA31 Land to the rear of Firlands, Church Road, Scaynes Hill**

2.43 No comments.

- **Policy SA32 Withypitts Farm, Selsfield Road, Turners Hill**

2.44 No comments.

- **Policy SA33 Ansty Cross Garages, Cuckfield Road, Ansty**

2.45 This site is not considered to be a sustainable location. A total of four separate sites were considered within Ansty with this being the only one accepted.

2.46 The Transport Technical Note (Document SA33.4) provided as part of the SADPD evidence base contains no further submissions in respect of sustainability of the site.

### **3.4 Five Year Housing Land Supply: Would the Plan at adoption be able to demonstrate that it has a five-year supply of specific, viable and deliverable sites to achieve the Plan's requirements?**

2.47 We cannot find evidence from MSDC that illustrates how the housing trajectory (in Document H2) has been calculated, other than in Document MSDC-01 for those sites allocated under Policies DP8, DP9, DP10 and DP11.

2.48 Accordingly, it cannot be established that the Plan is consistent with paragraph 67 of the NPPF 2019.

### **3.5 Is the reliance in the Plan on windfall sites [504 over the rest of the plan period] realistic?**

2.49 Denton Homes and other housebuilders like us, specialise in windfall development, hence we are aware of the difficulties in bringing such sites forward in a District constrained by AONB.

2.50 In particular policy DP6 will allow up to 9 units adjacent settlement or built up area boundaries, but is difficult in our experience to bring small sites forward under this policy.

2.51 Windfall should be relied on only to provide more than the housing delivery target in numbers, which is meant to be a minimum not a maximum requirement.

2.52 There are a lot of calculations about trajectories and we recognise the constraints in the District, but windfall allowance should not be relied on to contribute towards the housing requirements over the Plan period.

2.53 Further we note MSDC has increased its reliance upon windfall sites, in that they are being relied on over the remaining Plan period, in contrast to Policy DP4 of the District Plan which relies on a windfall allowance through the Plan-period.



**3.6 Additional sites: Bearing in mind the above considerations, and the requirement of paragraphs 67 and 68 of the Framework, should the Plan identify an increased number of specific, deliverable sites in the form of housing allocations?**

2.54 Yes, for the reasons set out in this and our other Statements, there is a clear requirement for additional housing allocations to ensure that the plan is sound.

2.55 Paragraph 68 of the framework sets out the important contribution that Denton Homes and other small housebuilders can deliver via small and medium sized sites. Further recognising that these can be built out quickly, instead of relying on complex larger site allocations.

2.56 The omission sites which Denton Homes have an interest in would fall within this category and can deliver housing in the early part of the plan period.

**3.7 Has an allowance been made for non-delivery of planning permissions for new dwellings, and if so, what is it?**

2.57 We can see no evidence such allowance has been made.

2.58 As set out it is critical to make allowance for non-delivery.

**3.8 Qualitative aspects of housing supply: Is there a need for any qualitative parameters for housing provision in the Plan, such as provision for affordable housing, starter homes, older persons' accommodation (Use Class C2), care homes, accessible housing, student housing, self-build housing and accommodation for gypsies and travellers; on the latter point, does the Plan enable the implementation of District Plan policy DP 33 [Gypsies, Travellers and Travelling Showpeople]?**

2.59 No comment.

**3.9 Is the range of the size of housing allocations in the Plan appropriate to address the qualitative requirements of the District?**

2.60 No comment.

**3.10 Are there any other housing issues which this Plan should be addressing?**

2.61 No comment.