
Examination Statement

Land West of Selsfield Road Ardingly (Draft Allocation SA25)

Charterhouse Strategic Land

Mid Sussex District Council Site Allocations DPD

Examination in Public

Matter 7: Development Management, Uncertainties and Risks

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1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Charterhouse Strategic Land. Charterhouse Strategic Land are the sole promoter of Land West of Selsfield Road, Ardingly, (identified in the SHELAA as Site reference 832; identified in the Site Allocations DPD as Draft Allocation SA25).
- 1.2. Prior to the submission of the Site Allocations DPD by Mid Sussex District Council (MSDC) to the Planning Inspectorate for examination, Charterhouse and the consultant team have participated in the formal consultation of the Site Allocations DPD at regulation 18 stage in November 2019, and to the regulation 19 stage in September 2020. The site has previously been submitted to MSDC as part of the Call for Sites for the Strategic Housing and Economic Land Availability Assessment, and Charterhouse Strategic Land, along with their consultant team, have met with Planning Policy Officers on a number of occasions to discuss the strategic opportunity of Land at Selsfield Road, Ardingly.
- 1.3. Charterhouse Strategic Land made representations to the Regulation 19 consultation of the Local Plan, which should be read alongside this Hearing Statement, supporting the allocation of Site SA25. However, alongside this support for the plan, a number of objections have been cited, and the Local Plan as submitted is viewed as being unsound. This view is taken on the basis of failings in positive preparation and effectiveness (most notably the failure of the Site Allocations DPD to distribute development evenly and appropriately, including the reduction of Site Allocation SA25 in size and provision between the regulation 18 and regulation 19 stage).
- 1.4. The location of the site, its surroundings and the vision for Land West of Selsfield Road, Ardingly have been set out in detail at the Call for Sites stage, the Regulation 18 stage, the Regulation 19 Stage, and through discussions with Officers, and have therefore not been reproduced in detail in this statement.

2. Response to the Inspectors Questions

- 2.1. Charterhouse have informed the Programme Officer that they wish to participate at the hearing sessions relating to Matter 3 and will be represented by Savills at this Hearing.

Matter 7 – Development Management, Uncertainties and Risks

Q 7.2 Overall, does the Plan take sufficient account of uncertainties and risks? How flexible is it?

- 2.2. The Plan does not take sufficient account of uncertainties and risks.
- 2.3. As identified previously, the current District Plan has already identified that 713 homes that were due to be delivered in the Plan period at a Strategic Site Allocation in Burgess Hill will now not be able to be delivered in that window. There is an extremely high reliance on strategic site allocations set out in the District Plan to deliver housing in the District, with over one third of the minimum total housing need attributed to four sites (including the aforementioned Burgess Hill site). This poses a significant risk to future delivery should any further delays arise.
- 2.4. Further to the risk surrounding future delivery, current delivery, based upon a District Plan that was determined to be sound with a suitable buffer in housing delivery less than 4 years ago, has been found to be insufficient. MSDC are unable to currently meet the governments Housing Delivery Test (as of December 2020) and have been required to produce an Action Plan in order to raise the rate of delivery.
- 2.5. The Site Allocations DPD has sought to address risk through proposing the delivery of a quantum of development that is 484 dwellings above the minimum residual housing need. This level of over delivery is identified as a significant step by MSDC. However, it must not be ignored that the preparation of a Site Allocations DPD was a requirement of the District Plan being found sound, and that the housing delivered through the Site Allocations DPD is necessary for the District Plan to deliver a suitable number of dwellings over the plan period. When considering the provision of housing on a District scale, it can be seen that the oversupply that is demonstrated through the District Plan and Site Allocations DPD represents a buffer of just 2% when the development plan for MSDC is considered as a whole. Given the issues in development and delivery that have already been encountered, this is an insufficient buffer.

- 2.6. Question 3.1(iii) of the examination questions raised the prospect of a 10% buffer being included for non-implementation. As set out in the relevant examination statement, this principle is supported, and should be applied to the housing delivery target when looking at the District Plan as a whole. The housing figures set out in the District Plan are a minimum figure. The issues that have arisen in delivery thus far, in conjunction with the identified future rise in housing delivery set out in the plan (rising from the current 876 per annum to 1,090 per annum in 2024/25), along with the standard methodology's most recent calculations of a housing need of 1,114 for Mid Sussex District (as of December 2020) demonstrate that exceeding the minimum figure at this stage by approximately 10% would be the prudent approach to take at this time. This will ensure that the DPD remains robust going forward.
- 2.7. Not only is the quantum of development proposed through the Site Allocations DPD insufficient, the flexibility of the plan is inadequate. The proposed Site Allocations in the DPD are weighted heavily towards Category 1 Settlements (approximately 1,409 out of 1,764 dwellings). Of these allocations in Category 1 settlements, four of them combine for approximately 1,200 dwellings. Whilst this is not allocating development on the scale of strategic sites, this appears to be replicating the approach taken in the District Plan, where the majority of the development proposed is allocated primarily to a few large sites. This approach of focusing development in only a few areas does not proportionally distribute development effectively across the District, and does not allow the plan to have sufficient flexibility should issues arise at one or two of the larger sites. The approach taken increases risk to delivery of development and does not present MSDC with a flexible approach.
- 2.8. The proposed distribution does not represent a proportional distribution of housing across the District. It proposes the introduction of 80% of the proposed development in Category 1 settlements, and of that it proposes 1,384 units across East Grinstead and Burgess Hill alone.
- 2.9. The reasoning behind this approach of heavily weighting development towards Category 1 settlements, and with less allocations than the identified residual need in Category 2 and 3 settlements is discussed in the Sustainability Appraisal, where it states that this is unbalanced approach is due to:
- *There were no sites submitted, or no suitable sites within a particular settlement or settlements;*
 - *The total yield from all sites submitted to the Council would not achieve the residual figures identified for the settlement or settlements*
 - *The in combination negative impacts from allocating sufficient sites to meet the residual category/settlement need may, on balance, not outweigh any positive impacts anticipated.*
- 2.10. Paragraph 6.43 of the Sustainability Appraisal identifies that the proposed spatial strategy would result in a shortfall at Category 3, and an oversupply at Category 1 settlements. However, as the shortfall can be met by Category 1 settlements, and they are the most sustainable settlements, this is acceptable.
- 2.11. However, the Sustainability Appraisal then goes on to say that (emphasis added), as set out in background document Site Selection Paper 2 "*the starting point is to allocate sufficient sites to achieve the established District Plan distribution. It also describes the role of the settlement hierarchy – if housing need cannot be met within one settlement category, it should be met (in the first instance, and were possible) at a settlement in a higher-level category as these were deemed as being more sustainable.*"

- 2.12. *“The Site Selection Paper 2 (paras 6.2 - 6.3) also recognises that, in order to meet the District Plan strategy, conclusions will be compared on a settlement-by-settlement basis with the most suitable sites at each settlement chosen in order to meet the residual needs of that settlement. This may result in some sites being chosen for allocation which have higher negative impact across all the objectives because this will be on the basis that the aim is to distribute allocations according to the District Plan strategy in the first instance; as opposed to simply selecting only the most sustainable sites in the district (as this may not accord with the spatial strategy and would lead to an unequal distribution of sites across settlements)”.*
- 2.13. Given this approach, it would indicate that sites that incur negative impacts should still be considered in order to ensure that the correct distribution of housing was achieved across settlement categories. However, this has not been appropriately pursued in the formation of the plan and the resultant site allocations. As a result, the Site Allocations DPD has poor site distribution across the settlement Categories and little flexibility.

3. Conclusion

- 3.1. As set out in the comments made above in respect to the Inspectors Matters, Issues and Questions, Charterhouse Strategic Land support the Site Allocations DPD in principle, but do not feel that the Site Allocations DPD that has been produced is sound and robust. It does not take sufficient account of uncertainties and risks, and does not learn the lessons in allocation and delivery than can be learned from the currently adopted District Plan
- 3.2. The Site Allocations DPD does not allocate enough units. When the development plan for Mid Sussex is considered as a whole, there is a 2% buffer over the minimum housing delivery required. Given the experiences of delay that have occurred with the currently adopted District Plan, and the knowledge that one of the Strategic sites in the District Plan has already identified that it will not deliver 731 dwellings of its allocation during the plan period (which runs until 2031) it is prudent to heed this as a warning and allocate a sufficient number of dwellings so that this issue does not arise in the future.
- 3.3. It has been identified in the Governments Housing Delivery Test that MSDC are already failing to deliver a sufficient volume of houses from a plan that was determined to be robust and sound less than 4 years ago. Accordingly a greater buffer, and a wider approach to distribution is required in order to overcome this. The Site Allocations DPD as drafted focuses 80% of its allocations in Category 1 settlements, and over 1,200 dwellings in just 4 sites. This unbalanced approach does not allow for sufficient flexibility to ensure housing delivery is maintained at the required levels.
- 3.4. Revisions to this DPD are therefore required that better distribute dwellings across the District and across settlement categories. A greater number of dwellings also need to be planned for to allow for instances of delay or non-implementation. As an example this can be readily achieved through the expansion of identified sites that are subject to allocations in smaller settlements (such as SA25) that have already been identified as suitable and sustainable.

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