

Statement from Mrs Jacqueline Simmons (Resident).

Regulation 19 references 1189185, 1191239,1191333,1191339 & 1191343

Matter 2. Housing supply and headroom

Whether enough housing land has been allocated to ensure that, along with existing permissions and commitments, enough housing land will come forward to meet the housing requirement through the life of the plan and that a 5 year housing land supply will be maintained.

The specific point on soundness that I wish to make concerns the overestimation of the gross potential housing yields for allocated sites. It is based on my previous submissions and also on events and information made known after submissions were made for the previous examination in 2024.

This issue would address the issues raised in the following points in Matter 2.

b) The amount of potential supply headroom over and above the housing requirement

d) The potential for lower than anticipated supply arising from delivery impediments, longer lead in times and slower build out rates

e) The resilience of the plan against such contingencies

Overestimation of the gross potential housing yields for allocated sites affecting the headroom required by the plan and its soundness.

1. The exact method of how the gross potential housing yields for allocated sites are calculated by MSDC for their plan is unclear. In their document MS-TP2: Housing point 2.13 the council advises that they are '*Ensuring site yields are appropriate having regard to local context and site constraints.*' But how this is calculated and what context and which constraints are used by them is not mentioned.

2. It is assumed that the calculation is based on the total hectare of land of the site multiplied by an agreed standard housing density per hectare for that type of land but this has not been made clear. No explanation has been provided as to how site constraints and local context have been identified and calculated, and their what their effect is on the resulting gross potential yield figure. It is also not clear if distinctions have been made in the differences in the suitable density of housing between the character of urban and rural areas, and between the centre of settlements and their edges, reflecting a transition from the built environment to the rural countryside.

3. Many allocated sites have been accepted for development because MSDC have stated that any issues which the site may have can be mitigated. This may be the case, but mitigation methods, particularly in the case of flooding, landscape and biodiversity will require the use of a large proportion of the site.

4. For example, many of the sites are in the Low Weald, whose geology is heavy Wealden clay, and as a result suffer from surface water flooding. To mitigate this issue Suds infiltration methods cannot be used so there is a reliance on Suds attenuation methods instead. This method requires large areas of the site land to be set aside to be used for storing the flood water to regular its discharge to watercourses. It also means that other parts of the site will be considered to be too wet to build houses on. This reduces the actual amount of land in the site that houses can be built on.

5. MSDC council do not appear to have given much detailed thought as to the amount of land required in a site for mitigation when calculating gross potential housing yields. This unsubstantiated and artificially assumed gross number is then included in, and used to justify, the total number of newbuild houses which they state will be supplied to meet their housing targets.

6. For their calculations MSDC position would appear to rely on additional details about constraints and context emerging when actual planning applications are made and then adjusting their figures from gross to net. However, when that has happened so far in cases, (such as allocated sites DPSC4 Land at Chesapeake Sayers Common, DPSC6 Land to the West of Kings Business Centre Sayers Common and DPA1 Batchelors Farm Burgess Hill) the reduction from gross to net house yields has been 20% or more. All these sites are in the Low Weald, on heavy Wealden clay, and the reductions have been due to surface water drainage, landscape and biodiversity requirements. It is noted that strategic sites DP3C1, DPSC3, DPSC5 and DPSC7 are also situated in this same area of the Low Weald.

7. It is also noted that MSDC had been warned throughout the process by other parties, including residents, and provided with evidence that the gross potential housing yields that they proposed for some sites were unachievable due to constraints of the type discussed above. An example is DPSC6 above where at both Reg 18 and Reg 19 stages they were provided with evidence of flooding on the site and that the gross projected yield of 100 was unobtainable. This was ignored by MSDC and the gross housing yield was not amended until when in October 2025 the developer submitted their Planning application admitting that the gross yield of 100 was not obtainable and amending it to a net one of 80.

8. MSDC has allowed for a small amount of Headroom in their housing supply figures which they state in their report MS-TP2: Housing point 3.5 *is providing resilience and contingency should some sites not come forward at the time or rate anticipated*. However this only covers delays in starting building the houses or essential infrastructure and financial issues. It does not cover reductions in the number of houses being built on sites due to the overestimation by MSDC and the site developers of the original gross number of how many houses a site could actually accommodate, due to the reasons mentioned above, and having a significantly lower net yield figure instead.

9. This issue results in the Headroom housing figure provided by MSDC in their plan as being not robust enough to absorb these potential differences between gross and net figures and therefore it is unsafe and unsound. To resolve this the gross potential housing yield figures should be recalculated. This is to allow for the inclusion of the constraints on each site caused by the need for land to be set aside to provide the mitigation which the council has advised each site needs to address their particular issues in order to make them deliverable. Alternatively MSDC needs to identify further sites to increase its potential housing supply numbers to provide a larger Headroom figure which has greater resilience and contingency.

Other risks of the over estimation of potential yield of housing numbers for allocated sites.

10. The overestimation of the gross potential housing yield of allocated sites also incurs other risks. These risks can occur if a site is given a gross potential yield which takes the position of houses are to be built on the whole of the site, without fully taking into account its context and constraints. However, when the planning application for the site it is submitted it is found that because of mitigation and other constraints only part of the site can be built on. This then causes a risk in the site's sustainability if the original gross yield is still kept to on the reduced amount of land, causing overcrowding, lower design quality and a poorer outcome for residents.

11. It should be a requirement that a specific housing density figure, appropriate for the type of site and the context of its setting, is used in when calculating yields of each site to ensure the delivery of the high quality of design sought in the Mid Sussex Design Guide. Also, the yield of houses to be delivered by the site should be reduced in line with this density to match the actual amount of land available to build on once its constraints have finally been established.

12. An example of this happening is with Allocated site DPA1 Batchelors Farm, Burgess Hill. In the now submitted planning application DM/25/2634, the Planning Statement of October 2025 Page 37 point 6.27 explains this process by saying "*It is acknowledged that the draft Plan allocation for the site envisages the delivery of 33 dwellings at this site, but surface water drainage, landscape and biodiversity requirements have determined that a relatively low-density approach (circa 19 units per hectare) would be an appropriately*

sensitive solution to this edge of town location. The scheme responds positively to the adjoining open areas and includes large enhanced ecological margins that are incorporated within the indicative layout. Therefore we consider that 26 units is appropriate for the site's location at the edge of the settlement, where housing density would normally be expected to taper off."

13. However, on other sites this realistic and sustainable approach has been seen to be compromised with site developers in similar situations either not reducing their housing numbers or by not reducing them sufficiently. Both situations are to the detriment of the quality of the proposed development. The result is developments with a decrease in their design quality, have a higher housing density than is appropriate for the site both its location and character. It also results in the rise of new issues and poorer outcomes for future and current residents to deal with.

14. This can be seen in the in the planning application DM/25/2661 for site DPSC5 where the amount of land available on the site to build on has decreased because of flooding mitigation measures but there has been no corresponding reduction in house numbers. This has caused detrimental increase in density to this edge of settlement site and a poorer outcome for residents. It is also seen in planning application DM/25/3067 for site DPSC6 where the number of houses has been decreased but by less proportionally than the amount of land lost to house building due to flood mitigation. As the original number of 100 houses was actually at a density level out of character for this edge of settlement development it is now even more so, causing an inappropriate and damaging increase in the site's housing density.

15. The first priority in such situations should be to deliver a high quality development with appropriate density for its situation, character and location to meet the needs of the future and existing residents around it. However the pressures of developers looking to maximise profits, and a council focused on meeting a housing target for the whole district with very little Headroom, can and do get in the way of this priority thereby compromising it. By setting an unrealistic gross housing yield for a site and then being reluctant to reduce it sufficiently to a realistic yield when the real situation of the site is actually looked at does not help anyone. It leads to an unsound and unsustainable situation for all.

Conclusion

The setting of overestimated and unrealistic gross potential housing yields for allocated sites, by not taking into account the amount of land lost to accommodate constraints and mitigation measures, causes harm throughout the proposed District Plan and makes it unsound. It promotes an artificial and unachievable potential yield figure for housing delivery which is then used in order to justify meeting a theoretical district wide housing figure.

If it not mitigated by a large enough Headroom figure to cover the reduction in the number of houses built per site when the constraints and mitigations are actually taken into account at the planning stage MSDC will fail in meeting its housing targets. If MSDC attempts to keep to the unrealistic gross potential housing numbers per site, even when the amount of land available to build on is reduced, then that would lead to unsustainable site densities, lower quality developments and poorer outcomes for the residents.

These situations make the MSDC housing target unachievable and the Plan therefore unsound. Either the gross potential housing yields for each site need to be recalculated to lower, realistic and achievable figures or the number of houses in the Headroom figure needs to be increased to make the total proposed housing supply robust and resilient and the Plan sound.