

Mid Sussex District Plan 2021-2039
Matter 6: The Selection of Sites for Allocation
in the Plan
Statement on behalf of A2Dominion

February 2026

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1. Introduction

- 1.1 This Statement has been prepared on behalf of A2Dominion to the Mid Sussex District Plan Review Examination (Matter 6: The selection of sites for allocation in the plan).

2. Matter 6: The selection of sites for allocation in the plan

The rationality and effectiveness of the site selection process.

a) The soundness of the process which led to the inclusion of site allocations in the plan and the exclusion of other sites, including the consideration of mitigation measures to address constraints

2.1 This Statement addresses the soundness of the site selection methodology underpinning the Mid Sussex Local Plan, with particular reference to the consideration of reasonable alternatives and the influence of environmental constraints on the spatial strategy and site selection.

Consideration of Reasonable Alternatives

2.2 Paragraph 20 of the Framework states the strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and the definition of justified in the Framework's glossary is 'an appropriate strategy'. There is a difference between an appropriate strategy and the most appropriate strategy. That said, the Sustainability Appraisal considered reasonable alternatives and to consider this response, we refer to the 'Sustainability Appraisal: Main Report including Non-Technical Summary (Regulation 19)' (document DC7).

2.3 So far as spatial options are considered, these appear to be:

- *“Option 1: Maintain the existing spatial strategy set out in policies DP4 and DP6 of the Adopted District Plan, with proportionate growth across the hierarchy of settlements, with main settlements accommodating greater levels of growth.*
- *Option 2: Growth to support the sustainability potential of existing smaller settlements, with limited growth in protected landscapes. This spatial Option seeks to support growth in settlements with existing facilities, such as retail opportunities, schools, and health care. While recognising that urban extensions of a strategic size bring opportunities to support the development of new facilities.*
- *Option 3: Creating a new sustainable settlement with associated facilities.*
- *Option 4: Focus development in the three towns utilising existing facilities and transport links.*
- *Option 5: Prioritise development on brownfield land.”*

2.4 These can be summarised as: maintain the status quo; growth to support the sustainability potential of existing smaller settlements; a new settlement; development in the three towns; and finally, the prioritisation of PDL.

- 2.5 We have not commented on the relative merits of those options as our view is that the reasonable alternatives are flawed for more fundamental reasons.
- 2.6 At no point do those spatial options consider the prospect of accommodating growth on the edge Crawley, demonstrably the most sustainable area in the vicinity; or the more direct question of accommodating growth for unmet needs close to where it arises. Notwithstanding the fact that Crawley should plainly be a relevant factor to the consideration of spatial options for growth in the area (due its sub-regional importance and the range of services and facilities it provides), but throughout the preparation of the Plan, it has been well known that unmet needs, including those from Crawley, would exist.
- 2.7 We note that in the Council's Site Selection Methodology Paper (Regulation 19) (2023) (Document SSP2) does include commentary on the accessibility of sites to settlements, both within, and outside of the District (see for example page 20). The fact that, having recognised the role of settlements such as Crawley and Brighton, the Council did not then assess spatial strategy options in proximity to those towns is of concern.
- 2.8 In relation to Site 674, there is no evidence suggest that the Council had particular regard to the proximity of the site to Crawley (see Appendix 3 to Document SSP2, the Site Selections Conclusions Paper (Regulation 19) (2023)).
- 2.9 We also consider the Council's site assessment process was flawed because conclusions reached in relation to specific sites to not appear to be justified. For example, in relation to site 674, the Council found:
- Is the proposed scale of development proportionate to the size of the existing settlement? No
 - Does the site have historic field boundaries? Yes
- 2.10 In response to those questions and the Council's conclusions we note:
- The Council did not give any explanation as to how the development of this site would not be proportionate to the size of Pease Pottage which is a sustainable community, recently expanded by development of the DP9a east of Pease Pottage site.
 - The site is a man-made landscape, being a redundant part of the adjacent golf course, and whilst its boundaries may or may not be historic, they are not a barrier to development
- 2.11 We recognise that the Inspector will not want to hear site-specific submissions, so we simply draw attention to those matters as an example as to how the Council's assessment process is either flawed or relies on unsubstantiated conclusions.
- 2.12 In summary, our position is that the Council's approach has:
- Artificially and arbitrarily restricted the availability of land in the District based on an erroneous application of policy;

- Utilised incorrect and unsubstantiated conclusions to overstate the implications of considerations;
- Taken an inconsistent approach to when mitigation is taken into account (see comments below regarding sites within / outside the National Landscape); and
- Ignored a significant, strategic cross-boundary matter (namely unmet housing need) in both the site assessment process, and the consideration of spatial strategies.

National Landscape (AONB)

- 2.13 Mid Sussex is a district characterised by a high proportion of environmental and policy constraints, including the National Landscape (formerly AONB). While the presence of such constraints is an important consideration, the evidence indicates that the Council have exerted a disproportionate influence over the Plan’s strategy and site selection outcomes.
- 2.14 In particular, land within or adjacent to the National Landscape has been treated as effectively unsuitable for allocation in principle, rather than being subject to a balanced and site-specific assessment. This approach has materially narrowed the range of sites considered suitable for allocation and has skewed the site selection process away from otherwise sustainable locations. We do note that there are a small number of allocations (SA25, SA27, SA28, SA29, DPA29) within the National Landscape, however with the exception of DPA29, these appear to be carried over from the current Development Plan.
- 2.15 National planning policy does not designate National Landscapes as an absolute constraint to development. The NPPF requires that great weight be given to conserving and enhancing landscape and scenic beauty, but it does not preclude development within such areas. Rather, it anticipates that proposals will be assessed on their individual merits, taking account of scale, design, need, and the effectiveness of mitigation.
- 2.16 The site selection process does not demonstrate that this balanced approach has been applied. Instead, the presence of the National Landscape designation has been used as a primary reason for exclusion, without sufficient consideration of whether:
- the specific site could accommodate development without harm to landscape character;
 - development could be sensitively designed to conserve and enhance landscape qualities; or
 - mitigation measures could adequately address identified impacts.
- 2.17 To support the assertion that MSDC has approached the National Landscape in that manner, we refer to the ‘Site Selection Conclusions Paper (Regulation 19)’ document (2023) (document SSP2) which found, in relation to site 674 that:

“Areas of Outstanding Natural Beauty (AONB) should be protected and enhanced. The site is located within the High Weald AONB. Development of the site would cause detrimental impact to the AONB and should be avoided. (NPPF Para’s 176,177). The site is therefore considered unsuitable for development and has been excluded from further assessment.”

2.18 The same conclusions are contained in the ‘Site Selection Conclusions Paper - Updated for Submission (2024)’ (document SSP3).

2.19 Those conclusions are not based on an analysis of any benefits which might be derived from a scheme and appear to be binary: is the site in the National Landscape or not and, if so, would there be a degree of harm.

2.20 In Appendices 3 and 5 of documents SSP2 and 3, the Council comments that ‘no exceptional circumstances’ have been identified. However, in our view, that is a misrepresentation of the NPPF as, in contrast to the release of land from the Green Belt, there is no ‘exceptional circumstances’ test which applies to the National Landscape at the plan-making stage (it is recognised that the NPPF states applications for major development should be refused other than in exceptional circumstances).

2.21 However, even if the Council are right that there is an exceptional circumstances test to be met, then that assessment could have regard to factors such as the ability of the Plan to address unmet needs close to where they arise, and without displacing that need further afield in the District from where it arises.

2.22 We recognise that paragraph 182 of the NPPF states that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

2.23 Paragraph 182 of the NPPF is not an absolute constraint. Even the expectation that development within the National Landscape should be ‘limited’ must be seen in context as that does not suggest that development, even major development, cannot be provided for. In that regard we note that the Council itself allocated (in the current Development Plan) land to the east of Pease Pottage in the National Landscape for residential development to serve the needs of Crawley (which it had already granted by the time of the Plan’s adoption).

2.24 It is our submission that the abovementioned influences on the strategy have compounded the fact that the Plan fails to grapple with the unmet needs arising from Crawley Borough to the north. Had the Council recognised that the National Landscape is not a bar to development (as it has when allocating and granting permission for a strategic allocation east of Pease Pottage in the National Landscape), then it may well have identified greater scope to address strategic cross-boundary matters. This

amounts to a policy interpretation that goes beyond the requirements of national policy and undermines the justification of the Plan.

- 2.25 Where sites outside the National Landscape are concerned, the Plan demonstrates a willingness to rely on mitigation, infrastructure provision, and design-led solutions to address constraints. However, this flexibility has not been applied consistently to sites affected by a landscape designation.
- 2.26 National policy requires a balance between landscape considerations and the delivery of sustainable development to meet identified needs. The Plan's approach does not clearly demonstrate that this balance has been struck. Instead, landscape designation appears to have been elevated above other material considerations, including housing need, settlement sustainability, and deliverability.

b) The rationale behind the selection of the strategic and larger site allocations

- 2.27 The Plan's reliance on a limited number of strategic and larger site allocations is, in part, a consequence of the restrictive interpretation of constraints across much of the district. By treating National Landscape designation as a near-absolute constraint, the Council has significantly reduced the pool of potential sites and, as a result, has been driven towards fewer, larger allocations in locations perceived to be less constrained.
- 2.28 This approach is not the outcome of a balanced spatial strategy, but rather a constraint-led exercise that prioritises avoidance over sustainable planning and mitigation.
- 2.29 An over-reliance on strategic sites introduces risks to the effectiveness of the Plan, particularly in relation to delivery timescales and flexibility. Strategic sites are inherently complex and often dependent on significant infrastructure provision, land assembly, and long-term market conditions. This is discussed further in our response to Matter 5.

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