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## **Reconvened Stage 1 Hearings Statement**

# **Matter 2 – Housing Supply and Headroom**

Prepared for:

**Fairfax Acquisitions Ltd**

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## Executive Summary

*Fairfax Strategic Acquisitions Ltd ("Fairfax") has a controlling interest in land east of Ansty (SHELAA Ref: 736) that should be allocated as a new garden community for up to 1,450 dwellings (and associated infrastructure) in helping to address the identified housing need during the plan period.*

*The Plan fails to plan for sufficient housing growth and places undue reliance upon the delivery of housing from a small number of strategic sites which will fail to deliver at the rates suggested by the Council and additional site allocations should therefore be identified.*

*Fairfax's representations may be summarised as follows:*

- *The Plan is **not positively prepared** as it fails to deliver the identified housing need. It should plan for **at least 23,370 dwellings in the period 2023 to 2041** (comprising 19,620 in meeting needs within MSDC @1,090dpa PLUS the provision of 3,750 dwellings in helping to address unmet needs from Crawley). Thereafter, there remains a need to provide an additional quantum of homes to meet the unmet need arising from Brighton & Hove;*
- *The Plan is **not consistent with national policy** having regard to the obligation to provide a strategy for at least 15 years post adoption.*
- *The Plan is **not justified** having regard to the approach envisaged to maintain a rolling five year supply of housing land and/or in relation to the approach to the allocation of sites for housing, such that it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.*
- *The Plan is **not effective** and will fail to provide a five year supply of deliverable housing land on adoption and address the objectively assessed housing need.*

*The failure to provide sufficient deliverable site allocations will serve to frustrate attempts to address key factors affecting worsening affordability and denying people the opportunity to own their own home, contrary to Government policy under paragraph 60 of the NPPF which is seeking to significantly boost the supply of housing to address the current housing crisis.*

*The above changes are necessary to ensure the Local Plan satisfies the tests of soundness at paragraph 35 of the NPPF (September 2023)<sup>1</sup>.*

<sup>1</sup> Paragraph 234 of the 'current' NPPF (Dec 2024) states that Local Plans that reach the Regulation 22 stage on or before 12 March 2025 will be examined under the relevant previous version of the NPPF. As such, the Mid Sussex Local Plan is to be examined against the requirements contained in the September 2023 NPPF.

## Context and Background

- 1.1. This Statement has been prepared by Woolf Bond Planning Ltd on behalf of Fairfax Acquisitions Ltd (“Fairfax”), and addresses several questions posed for Matter 2 of the Reconvened Stage 1 Hearing Sessions as set out in the Inspector’s Schedule of Matters, Issues and Question (“MIQs”) (IDJB-05).
- 1.2. As set out at footnote 1 on page 2 above, the Local Plan is being examined for consistency against the September 2023 version of the NPPF. Accordingly, all references to the NPPF in this Statement relate to that version (unless otherwise stated).
- 1.3. Our answers to the questions should be read in the context of our position that (i) the housing requirement is insufficient to meet identified needs, (ii) insufficient deliverable and developable land is identified in the submitted Local Plan to ensure a deliverable and developable supply of land; and (iii) the Local Plan should cover a 15-year period from the anticipated date of adoption (NPPF, paragraph 22).
- 1.5. The Plan would not be sound without modifications to include:
  - Revising the Plan period to cover a 15 year period post adoption (2023 to 2041)<sup>2</sup>;
  - Increasing the housing requirement to ***at least 23,370 dwellings in the period 2023 to 2041 (comprising 19,620 in meeting needs within MSDC @1,090dpa PLUS the provision of 3,750 dwellings in helping to address unmet needs from Crawley). Thereafter, there remains a need to provide an additional quantum of homes to meet the unmet need arising from Brighton & Hove.***
  - Identifying additional site allocations (within revised settlement boundaries)

<sup>2</sup> To extend 15 years post adoption in late 2026. The effective period for the Plan would therefore be April 2027 to March 2042 (an extension of 2 years) given monitoring undertaken on broadly financial years (1<sup>st</sup> April to following 31<sup>st</sup> March).

## 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.**

- a) **Anticipated housing supply over the plan period**
- b) **The amount of potential supply headroom over and above the housing requirement**
- c) **The supply trajectory over the plan period**
- 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**
- f) **The 5 year housing land supply position at adoption**
- g) **The ability to maintain a rolling 5 year housing land supply**

### Anticipated housing supply over the Plan period

- 2.1. The Council's Topic Paper MS-TP2 proposes to cover the period 2021 to 2040.
- 2.2. The Council is planning for a total of 20,674 dwellings during the 19 year period, at 1,088dpa. This figure includes 999dpa for MSDC's needs and a purported 89dpa in helping to meet some of Crawley's unmet needs.
- 2.3. Our Matter 1 Statement sets out our position relating to the calculation of the housing requirement to be met in the plan period (22,280 dwellings in the period 2023 to 2040; and 23,370 dwellings in the period 2023 to 2041).
- 2.4. Stating the obvious, there are two sides to the equation. The first is to calculate an appropriate housing requirement figure to be met during the plan. The second is to identify deliverable and developable sites in seeking to meet the requirement.
- 2.5. Unfortunately, **Topic Paper MS-TP2 lacks the information necessary to assess whether the Council can demonstrate a sufficient supply of sites.** Appendix 2 simply includes a bar graph trajectory which identifies components of supply by type. There is no detailed site breakdown with delivery assumptions on a year by year basis. Accordingly, it has not possible to interrogate

- the Council's assumptions as it is not known what sites are relied upon to deliver at what monitoring year during the plan period.
- 2.6. We became aware of a belated publication of a Large Site Housing Trajectory (as at 1 April 2025) (Document H8) at the point of settling our Statements. Accordingly, we have not had time to interrogate the supply assumptions contained therein. We will seek to do so ahead of the Hearing Session. Whilst the trajectory is welcome, it is unfortunate that it has been published at such a late stage.
- 2.7. Given the lack of available information leading up to the preparation of our Statement, it has not been possible to answer the specific questions. In order to have a meaningful discussion at the Hearing Session, it would assist proceedings if the Council could circulate a detailed trajectory for review.
- 2.8. In the meantime, what we can take from MS-TP2 is an overall supply figure relied upon by the Council from the 2023 base-date to 2040 of 19,001 dwellings.
- 2.9. Table 1 below compares the 19,001 supply figure from MS-TP2 (for the period 2023 to 2040), against the Council's derived requirement figure for that period; and our scenarios from our Matter 1 Statement.

*Table 1: The Supply Positions*

	<b>Council 2023 to 2040</b>	<b>Council 2023 to 2041</b>	<b>Woolf Bond Scenario 1: 2023 to 2040</b>	<b>Woolf Bond Scenario 2: 2023 to 2041</b>
<b>A. Requirement</b>	<b>18,676</b>	<b>19,675</b>	<b>22,280</b>	<b>23,370</b>
<b>Supply</b>				
Completions (2023/24 – 2024/25)	2,084	2,084	2,084	2,084
Commitments (existing allocations and Permissions)	7,991	7,991	7,991	7,991
Sustainable Communities	5,816	5,816	5,816	5,816
Housing Sites (DPA1 – DPA17)	1,446	1,446	1,446	1,446
Windfall	1,664	1,664	1,664	1,664
<b>B. Total Supply</b>	<b>19,001</b>	<b>19,001</b>	<b>19,001</b>	<b>19,001</b>
<b>Shortfall/Surplus (A-B)</b>	<b>+325</b>	<b>-674</b>	<b>-3,279</b>	<b>-4,369</b>

- 2.10. The requirement figure we use for the 'Council' in the period 2023 to 2014 extrapolate the 999dpa by an additional year (to 2041).
- 2.11. The only scenario that shows a potential surplus against the requirement is by applying the Council's derivation of the housing requirement in the period to 2040. In all of the scenarios, there is a demonstrable shortfall against the requirement figure.
- 2.12. Moreover, due to the absence of a detailed trajectory in the Topic Papers (with the Council's assessment only covering the period of 2040 in any event), it has not been possible to scrutinise the delivery assumptions for individual components of supply. In the circumstances, it is demonstrably the case that the Council has failed to identify sufficient deliverable and developable sites in meeting needs during the plan.
- 2.13. Even if all of the 19,001 dwellings relied upon by the Council are realised as completions during the plan period, there remains a need to allocate additional sites for 3,279 dwellings in our Scenario 1, increasing to 4,369 dwellings in our Scenario 2.
- 2.14. This is before considering the approach to addressing some of Brighton and Hove's unmet need.
- 2.15. **There is no supply headroom.** This necessitates additional housing allocations, which will need to be subject to a further round of consultation and a further round of hearing sessions.

### **The supply trajectory over the Plan period**

- 2.16. As explained above, although MS-TP2 provides a bar chart for the Council's supply<sup>3</sup>, it does not provide the annual expected breakdown of delivery on a site-by-site basis.
- 2.17. However, there is a 'rolling five year supply' table on page 24 of MS-TP2 (Table 20). It seeks to show five year housing land supply positions from 2025/26 to 2034/35. Again, it has not been possible to assess the delivery assumptions upon which the figures are based.

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<sup>3</sup> Appendix 2 of MS-TP2

- 2.18. As a comparative exercise, we have taken the information from Table 20 and applied it to our requirement scenarios for the periods to 2040 and 2041. Table 2 below refers.
- 2.19. Our assessment applies a flat (or level) requirement, reflecting the need to significantly boost housing supply. As our Matter 1 Statement explains, the Council's proposed stepped requirement<sup>4</sup> results in a housing requirement to 2031 which is below the 1,090dpa figure in Policy DP4 of the adopted Local Plan (Policy DP4). This is the antithesis of boosting supply.
- 2.20. Whilst Table 2 indicates that five year supply positions could be maintained on a stepped trajectory, this is heavily dependent upon the realism of the expected contribution from allocations in the submitted plan, as clearly illustrated in the bar chart<sup>5</sup>.
- 2.21. Table 2 illustrates the failure of the plan to provide an adequate housing supply given its inability to maintain the minimum 5 year housing supply.
- 2.22. Table 2 takes the figures from Table 20 in MS-TP2 and compares them against our scenario 1 and 2 requirements.
- 2.23. Based upon the Council's delivery assumptions, for which no information has been provided, it is clear that there is unlikely to be a five year supply of deliverable housing land for most five year periods.

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<sup>4</sup> Advanced in Table 15 of MS-TP2

<sup>5</sup> Appendix 2 of MS-TP2

Table 2: Annual breakdown of forecasted delivery in MS-TP2

Year	Completions <sup>6</sup>	5 year supply from <sup>7</sup>	Council			WBP			
			Requirement		Years Supply	2023-40 Plan period		2023-41 Plan period	
			Annual	5 years <sup>8</sup>		Annual <sup>9</sup>	Years supply	Annual <sup>10</sup>	Years supply
2021/22	1,187		999						
2022/23	1,053		999						
2023/24	1,247		999			1,311		1,298	
2024/25	837		999			1,311		1,298	
2025/26	1,017	5,632	999	5,245	5.37	1,311	4.09	1,298	4.13
2026/27	1,219	6,167	999	5,245	5.88	1,311	4.48	1,298	4.52
2027/28	1,221	6,208	999	5,442	5.70	1,311	4.51	1,298	4.55
2028/29	1,087	6,219	999	5,640	5.51	1,311	4.52	1,298	4.56
2029/30	1,088	6,465	999	5,837	5.54	1,311	4.70	1,298	4.74
2030/31	1,552	6,611	999	6,034	5.48	1,311	4.80	1,298	4.85
2031/32	1,260	6,444	1,187	6,232	5.17	1,311	4.68	1,298	4.73
2032/33	1,232	7,201	1,187	6,232	5.78	1,311	5.23	1,298	5.28
2033/34	1,333	6,649	1,187	6,232	5.33	1,311	4.83	1,298	4.88
2034/35	1,234	5,927	1,187	6,232	4.76	1,311	4.31	1,298	4.35
2035/36	1,385		1,187			1,311		1,298	
2036/37	2,017		1,187			1,311		1,298	
2037/38	680		1,187			1,311		1,298	
2028/39	611		1,187			1,311		1,298	
2039/40	???		1,187			1,311		1,298	
2040/41	N/A							1,298	
<b>Total</b>	<b>21,260</b>		<b>20,673</b>			<b>22,287</b>		<b>23,364</b>	

**The potential for lower than anticipated supply from delivery impediments longer lead in times and slower build out rates**

2.24. MS-TP2 recognises the significant contribution from the draft allocations towards the overall housing supply<sup>11</sup>. This is especially important with respect to the expected contribution for the

<sup>6</sup> Derived from MS-TP2, Tables 16 & 20 alongside Appendix 4. For the 2030/31 supply, deducted the forecast completions 2026-30 as shown in Appendix 4 from the figure in Table 20. This approach applied for subsequent years

<sup>7</sup> As per Table 20 of MS-TP2

<sup>8</sup> Differs from 2<sup>nd</sup> row of Table 20 i.e. 5 year target at April 2028 is e3 years at 999dpa + 2 years at 1,187dpa (total of 5,371) with 5% then added. This is a total of 5,640 dwellings rather than 5,245 dwellings as advanced by the Council in Table 20.

<sup>9</sup> Five year requirement is 6,883 dwellings ((1,298 x 5) + 5%)

<sup>10</sup> Five year requirement is 6,815 dwellings ((1,311 x 5) + 5%)

<sup>11</sup> The light blue coloured part of the bar chart in Appendix 2 and the reliance upon 431 dwellings within the current five year supply (2025/26-2029/30) from draft allocations without submitted applications in Table 18

three strategic sites allocated in policies DPSC1-3.

2.25. The Regulation 19 Representations submitted obo Fairfax<sup>12</sup> explained the reasons why delivery on these sites would not be realised at the rates envisaged and relied upon by the Council.

2.26. The Council has not provided evidence regarding both the lead in times and subsequent delivery rates anticipated. In its absence, the approach of the Council is not justified, especially as independent research indicates<sup>13</sup> that even once applications are submitted<sup>14</sup> there is an average of over 6 years from this point until the first dwelling is completed<sup>15</sup> with delivery thereafter between 68dpa and 188dpa<sup>16</sup>. On this basis, the earliest any dwellings could contribute towards supply would be summer 2032.

**The resilience of the plan against such contingencies**

2.27. As indicated above, we are of the opinion that the submitted Plan has failed to demonstrate the deliverability or developability of the components of supply relied upon by the Council in seeking to meet housing needs during the plan period.

SBGR/WBP/9161

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<sup>12</sup> Paragraph 3.33

<sup>13</sup> "Start to Finish: How quickly do large-scale housing sites deliver?" (3<sup>rd</sup> edition) Lichfields (March 2024)

<sup>14</sup> Noting that as of 2<sup>nd</sup> February 2026, none have yet been registered on the three largest sites

<sup>15</sup> Figure 3.1 shows at least 6.6 years for schemes of 1,500 or more dwellings whereas for those of between 1,000 and 1,499 dwellings it is an average of 6.2 years

<sup>16</sup> Figure 4.1 shows that for schemes of 1,000-1,499 dwellings delivery average 68-101 dwellings, for schemes of 1,500-1,999 dwellings delivery is between 74 and 130dpa whereas for larger schemes the range is 100-188dpa.





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