



Planning Inspectorate

Examination of the Mid Sussex District Plan 2021-2039

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Dear Mr Marsh

As you know, I have been appointed to hold an independent examination of the Mid Sussex District Plan Review. I have replaced Louise Nurser, the Inspector who was previously appointed to this task.

This letter sets out the current position and the way forward.

In the Written Ministerial Statement of 27 November 2025, the Minister of State for Housing and Planning stated that the regulations for the new plan-making system would not save the Duty to Co-operate, and that this requirement would be removed for emerging plans coming forward under the current system.

The examination of the Mid Sussex District Plan Review will now take place under these changed circumstances, and in the interests of fairness it will be necessary to make a fresh start. I shall not have regard to any previous correspondence or any of the previous Inspector's notes, conclusions or rulings.

Previous correspondence on the website relating to the local plan examination should be held separately and should be clearly distinguishable from everything that is produced from now on. All correspondence up to this point relating to the conduct of the examination rather than the merits of the submitted local plan should be removed from the examination website.

For the avoidance of doubt, the plan will continue to be examined under the transitional arrangements set out in paragraphs 234 and 235 of the December 2024 National Planning Policy Framework. That includes the pre-December 2024 standard method for calculating local housing need. Thus the relevant policies for the purposes of the examination will be those in the December 2023 Framework.

That said, the development management-related policies of the December 2024 Framework (and the new Framework that will supersede it in due course) will be material considerations in deciding planning applications, so there is value in ensuring the plan is future proof. Paragraph 232 of the December 2024 Framework will be relevant as regards the relationship between the plan's housing requirement and the up to date local housing need figure.

Please will the Council provide updated evidence and/or the latest position on the subjects listed in Annex 1. Topic papers should be produced on the key subjects,

incorporating these updates. I am reasonably flexible as to their length: they need to have enough information in them to be meaningful. This piece of work is time-critical if the provisional hearings timetable is to be achieved.

I am aware that at the time of the earlier hearings the Council had proposed a modification which would move the end date of the plan back to 2040. I am content with that date and do not propose that it should be moved back further.

New hearings will take place as soon as practicable, with a provisional start date of 24 February 2026 and an anticipated timescale of around three weeks. Depending on commitments we might have a week's break in the middle of sitting although I do not want to prolong the programme too much.

Hearing matters will address the spatial strategy, site selection, the housing requirement, housing supply, affordable and specialist housing, business and the economy, the proposed sustainable communities and some of the larger site allocations.

It is not my intention to hold standalone sessions on legal compliance, sustainability appraisal, habitats, landscape and environmental quality, transport, social infrastructure and viability. These subjects may arise as part of the hearing matters described above. A provisional timetable for the hearings is set out in Annex 2 but I would welcome the Council's input before moving to confirm dates and programme.

At this stage I do not envisage holding hearings into other matters unless a significant issue emerges, but I am open to the views of the Council on this. I believe that everything else, including legal compliance, engagement and development management policies, can be dealt with in writing.

I shall send the Council a schedule of comments on the plan's development management policies, together with suggested modifications where these are necessary to make the plan sound. The Council should accept them and make the necessary changes as a first stage in the creation of the schedule of main modifications.

At the same time I shall also send the Council my comments on its own suggested word changes arising from the regulation 19 consultation. I can only recommend main modifications where they are required for soundness, but the Council may be able to include some of the word changes as minor modifications. This is a discussion that we can have in due course.

The housing requirement, unmet need in the housing market area, and the anticipated housing supply position, are obviously important subjects. When producing its topic papers on these subjects I should like the Council to have regard to my comments in Annex 3.

Provisional milestones for the production of evidence and statements are set out in Annex 4. This timetable is designed to enable the examination to make efficient progress.

As long as the critical points regarding the evidence base and housing requirement can be resolved quickly, I will send the Council a set of questions which will form the basis of the hearing topics, and we can establish a firm hearing schedule.

I look forward to hearing from you.

Kind regards

Jonathan Bore

Jonathan Bore MRTPI

INSPECTOR

17 December 2025

Annex 1

Updating evidence

Please will the Council provide updates for the following, as far as is practicable.

- a) The local published housing need (LHN) figure derived from the current standard method.
- b) The Council's considered view on what the plan's housing requirement should be in the light of my comments in Annex 3 to this letter.
- c) The current position on housing supply and the anticipated supply trajectory over the plan period, taking into account committed and allocated sites, recent planning permissions, resolutions to grant, and anticipated commencement and delivery rates.
- d) From b) and c), anticipated supply headroom, the anticipated 5 year housing supply position on adoption and the ability to retain a rolling 5 year supply.
- e) Affordable and specialist housing needs.
- f) Business and economic needs and land supply.
- g) Infrastructure planning including highways and social infrastructure.
- h) Relevant updates relating to nearby authorities, for example progress on local plans, declarations of unmet housing need, and changing circumstances in respect of water neutrality.
- i) Public engagement and public policy alignment.

Annex 2

Provisional hearing dates (to be confirmed)

Week 1 (provisionally starting Tuesday 24 February 2026)

Day 1	Introductions and arrangements Matter 1: The spatial strategy, including the distribution of development, the influence of the District's environmental qualities and plan-level transport and other infrastructure considerations
Day 2	Matter 2: The housing requirement, including LHN and unmet needs
Day 3	Matter 2 continued: Housing supply and headroom; the ability to maintain a rolling 5 year housing land supply, having regard to anticipated delivery from allocated and committed sites
Day 4	Matter 2 continued: Housing of particular types: affordable housing, and housing for different groups such as older persons' housing, custom and self-build and gypsies and travellers Matter 3: The plan's approach to industrial and business development

Week 2

Day 5	Matter 4: the site selection process having regard to the spatial strategy, the SHLAA, site level constraints (e.g. transport and flooding) and potential mitigation measures
Day 6	Matter 5: DPSC Gen and Sites DPSC1, DPSC2 and DPSC3
Day 7	Matter 5 continued: Sites DPSC4, DPSC5 and DPSC6
Day 8	Matter 5 continued: Sites DPSC7, DPA7 and DPA12

Week 3

Day 9	Any overspill
Day 10	Inspector's summing up, Council's closing, Inspector's closing
Day 11	Reserve
Day 12	Reserve

Annex 3: The housing requirement and supply headroom

There needs to be a shift from the position in the submitted plan, which conflates a relatively small amount of supply headroom with an allowance for unmet needs from other authorities.

The plan should seek to accommodate Mid Sussex's own housing requirement fully. This will be calculated using the standard method that existed prior to the publication of the 2024 National Planning Policy Framework.

In setting the housing requirement the plan should also seek, as far as is reasonably possible, to respond to declared unmet housing need. In making this point I acknowledge the District's landscape, environmental and highways constraints as well as the Council's concern over settlement coalescence. Crawley is of immediate relevance, being in the same principal housing market area, adjacent to Mid Sussex and with a clearly declared figure for unmet need from a recent local plan. I expect Mid Sussex to make an allowance based on a reasonable proportion of that figure. Using Crawley as the basis for the calculation does not mean of course that the unmet needs of other authorities are ignored. The reality is that additional housing provision in Mid Sussex may be taken up by households from Crawley, Horsham, Brighton, Mid Sussex, or elsewhere. The point is that the plan will help meet a proportion of identified unmet housing need.

The additional allowance for unmet housing need should be specifically identified, and should be included as an integral part of the Mid Sussex plan's housing requirement figure rather than as part of the supply headroom. It might be stepped to reflect the declared position in Crawley.

As regards the identification of housing sites, it is not necessary to identify specific sites in the plan for the accommodation of unmet need from specific places. A further point is that the plan can identify broad areas for growth from year 10 onwards if it is not possible to identify precise sites. However, it is important to bear in mind that larger sites have long lead-in times and it is in all parties' interests to make expectations as clear as possible.

I turn now to supply headroom, which is the difference between the theoretical housing supply from all sources and the plan's stated housing requirement. It is sometimes misrepresented as over-provision but should in fact be regarded as a necessary contingency, because some allocated or committed sites do not come forward at the time or rate anticipated. There is no government guidance on the subject of headroom, but there is considerable risk in operating with no supply headroom or a very small contingency and it is strongly in the Council's interest to maintain adequate supply headroom over and above the housing requirement figure. This will help maintain a rolling 5 year housing land supply, protect the plan, prevent its policies from becoming out of date, and enable the Council to retain full control over housing development during the life of the plan. I would therefore ask the Council to give very careful thought to ensuring that there is an adequate housing supply. This will form part of Matter 2.

Annex 4: Milestones

Assuming a start date of for the hearings of 24 February, a provisional set of milestones is as follows.

Inspector's suggested modifications regarding development management policies: early January

Council's evidence updates (see Annex 1): 16 – 23 January

Council's response on modifications to development management policies: 30 January

Hearing matters, questions and timetable: 30 January

Hearing statements: 13 February

Hearings: 24 February onwards.

It is recognised that this is a challenging timetable, but the aim is to move the examination forward expeditiously. It is assumed that much of the information required for updating the evidence base already exists, and that prospective participants have previously produced hearing statements which can be readily updated.