

High Weald Joint Advisory Committee

Woodland Enterprise Centre
Hastings Road
Flimwell
East Sussex TN5 7PR

Tel: 01424 723011
Email: info@highweald.org



High Weald
National
Landscape

www.highweald.org

Working together to care for an Area of Outstanding Natural Beauty

Mid-Sussex District Council

Emailed to policyconsultation@midsussex.gov.uk

11th March 2026

Dear Sirs

Mid-Sussex District Plan 2021 – 2039 Regulation 19 Consultation: Post Hearings – Site Selection Methodology Review paper

Thank you for inviting us to comment on the Post Hearings – Site Selection Methodology Review paper (MS-12).

We understand that this document has been prepared in response to the discussion at the Hearing sessions for Matters 5 and 6. It describes the methodology that the Council will apply to re-appraise housing sites in the SHELAA in light of the Inspector's request to increase housing supply. This will include looking at SHELAA sites in the High Weald National Landscape (HWNL).

Overall Housing Supply Strategy

Firstly, we would set out that whilst we understand that it is right and proper that all potential sites are considered and assessed in the process of preparing a Local Plan, including sites within National Landscapes, nevertheless it must be recognised that, importantly, the NPPF allows for strategic policies in Local Plans to provide for **less than the housing need** in certain circumstances (ref NPPF paras 69 and 11 (b) (i)).

Paragraph 189 of the NPPF sets out that 'great weight' should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which (along with National Parks & the Broads) 'have the highest status of protection in relation to these issues'. It also sets out that '**the scale and extent of development within these designated areas should be limited**'.

Statutorily designated National Landscapes are outstanding, iconic landscapes whose distinctive character and natural beauty are so precious that they are safeguarded in the national interest. They are of immense value to the nation, offering a wide range of public goods and services.

The Government, in their published [Government response to the proposed reforms to the NPPF](#) (Government response for Questions 1 and 2) published 20th July 2024, stated:

"The standard method identifies the minimum number of homes needed and local planning authorities are expected to plan to meet their housing needs in full. However it is recognised that there may be local constraints on land and delivery that could justify a lower housing requirement figure." (N.B. Underlining added for emphasis).

That Government response also clarified that the NPPG had been updated accordingly. The NPPG also clarifies the difference between local housing need and housing requirement:

Anglesey
Arnside and Silverdale
Blackdown Hills
Cannock Chase
Chichester Harbour
Chilterns
Clwydian Range
Cornwall
Cotswolds
Gower
Cranbourne Chase and Dee Valley
West Wiltshire Downs
Dedham Vale
Dorset
East Devon
Forest of Bowland
Howardian Hills
High Weald
Isle of Wight
Isles of Scilly
Kent Downs
Lincolnshire Wolds
Llyn
Malvern Hills
Mendip Hills
Nidderdale
Norfolk Coast
North Devon
North Pennines
North Wessex Downs
Northumberland Coast
Quantock Hills
Shropshire Hills
Solway Coast
South Devon
Suffolk Coast and Heaths
Surrey Hills
Tamar Valley
Wye Valley

“The housing requirement is the minimum number of homes that a plan seeks to provide during the plan period. Once local housing need has been assessed, as set out in this guidance, authorities should then make an assessment of the amount of new homes that can be provided in their area. This should be justified by evidence on land availability, constraints on development and any other relevant matters.” (Paragraph: 040 Reference ID: 2a-040-20241212)

Paragraph 11 (b) (i) of the NPPF sets out that local planning authorities should provide for objectively assessed needs for housing and other uses, as well as any unmet needs from neighbouring areas, **unless** *“the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area”*. The assets referred to are listed in footnote 7 and include National Landscapes, the relevant policies for which in the Framework being 189 and 190.

Accordingly, the NPPG (natural Environment) clarifies that, with regard to National Landscapes:

*“The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas **may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas...**”* (Paragraph: 041 Reference ID: 8-041-20190721.) (bold text added for emphasis)

Whilst we acknowledge the intention to seek to meet as far as possible the OAN, this must be carried out in the context of the limited scale and extent of development in National Landscapes required by the NPPF, and within the context of the ‘great weight’ to be given to conserving and enhancing their landscape and scenic beauty.

Further, this must be carried out in a way which is compliant with the [High Weald AONB Management Plan 2024-2029](#) This statutory document is adopted by all the relevant local authorities with land in the High Weald National Landscape as their policy for the management of the area and for the carrying out of their functions in relation to it, and is a material consideration for planning applications affecting the HWNL.

Proposed Methodology

- We trust that the HWNL Unit will be considered one of the ‘technical specialists’ described in para 7 (third bullet point) used to inform the judgement reached by the Council.
- We would expect the assessment of any site in, or affecting the setting of, the High Weald to be predicated on the NPPF requirement to give ‘great weight’ to conserving and enhancing landscape and scenic beauty in National Landscapes, and to include:
 - Assessment against the Statement of Significance set out in the statutory [High Weald AONB Management Plan 2024-2029](#) which describes the natural beauty of the HWNL. We would also highlight that, in carrying out site assessments, it is important to remember that ‘natural beauty’ is holistic, and that it is the conservation and enhancement of *all* these aspects of natural beauty that is the primary purpose of designation;
 - Assessment against each of the Objectives set out in that Management Plan;
 - Assessment being informed by Landscape sensitivity studies for each site, to assess whether the principle of development of the site is appropriate, in terms of impacts on the natural beauty of the HWNL, and then, if the principle of development is

- considered appropriate, to inform the quantum of development and extent of site coverage that may be appropriate; and
- Consideration of cumulative impacts on the HWNL of multiple sites, with regard to the requirement of NPPF para 189 that *'the scale and extent of development within these designated areas should be limited'*.
 - We consider the above list should also apply to the steps outlined in paragraph 8 of the proposed methodology, i.e. the Council's assessment of whether any new sites should be discounted at Stage 2 (b), or whether any sites previously rejected at Stage 2(b) should be progressed to the next stage of the process.
 - We are concerned by the inclusion in the second bullet point of paragraph 8, of references to *'any benefits that could potentially arise from its [the site's] development'*, in order to be consistent with para 11 (b) of the NPPF. In fact, the matter of 'benefits' only comes into play in 11 (b) (ii) – importantly, the first test at 11 (b) (i) is an absolute test (not a weighed one), that OAN should be planned for *"unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area"* with Footnote 7 confirming that NPPF policies related to National Landscapes (i.e. 189 and 190) are in the list of such policies. Moreover, the HWNL Management Plan sets out that any policy or action may be considered harmful to the HWNL if it results in the loss of, or material harm to, any of the components of character. Government advice pertaining to s.85 of the CRoW Act for National Landscapes [Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes - GOV.UK](#) sets out that *"as far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes."* Nevertheless, we will be happy to provide advice to the Council as part of the consideration of individual sites in this regard.
 - We also consider the above list should also apply where relevant to the steps outlined in paragraph 9 of the proposed methodology, i.e. the assessment of any sites in /affecting the setting of the HWNL that are being considered at Stage 2 (c). However, we would wish to see the final sub-bullet point of para 9 (relating to the wider ambitions for individual settlements) expanded to include reference to the conservation and enhancement of the natural, built and historic environment, including landscapes. This would reflect the NPPF (para 20 (d)) regarding the overall strategy in plan-making.
 - For the same reason, we would wish to see the list of local social and economic benefits or other local priorities in paragraph 10 expanded, to include reference to the conservation and enhancement of protected landscapes.

The above comments are advisory and are the professional views of the HWNL Unit's Planning & Design Advisor on the potential impacts on the High Weald landscape. They are not necessarily the views of the HWNL Joint Advisory Committee.

Yours sincerely,

Diane Russell BSc Hons Dip Arch PgDip Arch Cons
 Planning & Design Advisor, HWNL Unit

Advising on an outstanding medieval landscape; connecting people, protecting beauty, restoring soils and nature.