

Representations to Examination Hearing of Draft Mid Sussex District Plan 2021-2039

Matter 6: Selection of Sites for Allocation in the Plan

Prepared by dowsettmayhew Planning Partnership Ltd as Instructed by

Hurstpierpoint & Sayers Common Parish Council

February 2026

Document Reference: 167-07-73 Version - 2.0

1. INTRODUCTION

- 1.1. This document comprises Representations for, and on behalf of, Hurstpierpoint and Sayers Common Parish Council (the 'Parish Council'), to the Examination Hearing of the draft Mid Sussex District Plan 2021-2039.
- 1.2. These Representations have been prepared following the submission of Representations by the Parish Council in response to the statutory consultation on (i) the Consultation Draft (Regulation 18) Mid Sussex District Plan 2021 - 2039 (December 2022); the (ii) the Submission Draft (Regulation 19) Mid Sussex District Plan 2021 - 2039 (February 2024) (the 'Draft Plan'); and (iii) representations in response to, and attendance at, the Stage 1 Examination Hearings in October 2024.
- 1.3. These Representations relate to the 'Matters and Issues' (MI) outlined by the Inspector, and in particular MI6: the selection of sites for allocation in the plan.
- 1.4. The Parish Council seek to supplement these Written Representations by attending and participating in the Hearings in relation to this Issue and Matter.

2. MATTER AND ISSUE 6: THE SELECTION OF SITES FOR ALLOCATION IN THE PLAN

- 2.1. The Inspector has identified that the key issue in respect of MI6 is 'the rationality and effectiveness of the site selection process'. This includes the soundness of the process which led to the inclusion/ exclusion of sites for allocation in the Plan, including the consideration of mitigation measures to address constraints, and the rationale behind the selection of the strategic and larger site allocations.
- 2.2. The methodology used by the Local Planning Authority (LPA) to assess candidate sites for allocation within the Draft Plan is detailed in the District Plan Review: Site Selection Methodology (October 2023).
- 2.3. This notes that all housing should be provided in sustainable locations that is well located to existing settlements, or if not in compliance with this, they should form part of a new standalone settlement in order to support the delivery of sustainable communities.
- 2.4. The site selection process is summarised as having followed a three step approach: comprising Stage 1 - Site Identification through the Strategic Housing Land Availability Assessment; Stage 2 - Site Selection Process (which comprised three sub-phases); and Stage 3 scenario/in-combination testing.
- 2.5. The main comparative assessment process is contained within Stage 2. This is identified as comprising the following sub-stages:
 - Stage 2(a): Relationship to Settlements;
 - Stage 2(b): Showstoppers; and
 - Stage 2(c): Overall Assessment.
- 2.6. The methodology sets out that sites disconnected from existing settlements were rejected at Stage 2(a) unless they could provide significant on site facilities and services.

- 2.7. The Stage 2(b) assessment comprised consideration against 14 criteria split into environmental constraints; deliverability; and accessibility. The methodology noted that it may be possible to improve the impact against certain criteria by mitigating negative impacts, but it is not for Council (at that stage) to establish the specific mitigation that would be required in order to improve any negative impacts.
- 2.8. It was noted that 'showstoppers' comprised environmental constraints and deliverability considerations, including high impact on the High Weald National Landscape; significant areas of flood risk/historic flood events; and severe access issues that are not likely to be mitigated.
- 2.9. The methodology set out that the Stage 2(c) assessment comprised an appraisal taking account of the performance against all criteria.
- 2.10. The Council's appraisal of sites against the methodology is summarised in the District Plan 2021-2039: Site Selection Conclusions Paper (October 2023).
- 2.11. This notes that the SHELAA had identified 270 sites with a prospective yield of some 32,283 dwellings. Of this, 100 sites were rejected at Stage 2(a) (yield of 7,040 dwellings); with a further 46 sites rejected at Stage 2(b) (yield of 4,436 dwellings); and a further 75 sites rejected at Stage 2(c) (yield 6,153 dwellings).
- 2.12. The Paper sets out an analysis of the assessment of significant sites. It notes there were a total of 6 sites submitted for consideration. Of these, the Draft Plan includes allocations for 3. Of these, 2 were noted as coming forward under the criterion of the third key principle of the Spatial Strategy (Growth at Existing Sustainable Settlements Where it Continues to be Sustainable to do so), whilst the allocation for significant development at Sayers Common was considered to come forward under the fourth key principle (Opportunities for Extensions to Improve the Sustainability of Existing Settlements).
- 2.13. The Paper notes that two significant sites were assessed under this fourth key principle, comprising Land at Ansty Farm, and Land South of Reeds Lane. The Council considered that the latter performed better of the two sites for a number of reasons. This includes that opportunities for sustainable transport improvements had been identified, that the Reeds Lane site was proposing secondary education provision and that there were a number of smaller sites within Sayers Common which could enable an integrated masterplan growth across the settlement, thus unlocking sites that on their own may not be sustainably located.
- 2.14. The background documents set out that the Council's assessment of candidate housing sites for allocation in the Draft Plan were heavily impacted by the four guiding principles of the Plan's Spatial Strategy.
- 2.15. It is clear that the fourth guiding principle, added as a further limb from the principles used in the previous version of the District Plan was added on the basis that the assessment of candidate sites against the first three guiding principles did not deliver a sufficient yield of housing numbers for the Authority.
- 2.16. The addition of the fourth guiding principle was thus a mechanism for facilitating consideration of additional sites being promoted that did not adhere to the first three principles.

- 2.17. In particular, this principle seeks to facilitate the allocation of additional significant sites for development.
- 2.18. This is reflected in the Background Papers noting that sites proposed for over 1,000 units would not be assessed against the initial criteria applied to all other candidate housing sites i.e. their relationship to existing settlements.
- 2.19. This demonstrates that the site selection process was not rigorous in the early stages for any site promoted for development over a 1,000 houses in comparison to smaller sites.
- 2.20. It is considered that the Stage 2(b) assessment (Showstoppers) was not applied with an appropriate level of granular analysis. For example, a number of sites within the AONB were discounted at Stage 2(b) on the basis that they were considered to represent major development, even though they were of comparable size, or potentially could have been of comparable size, to the Policy Allocation DPA4: Land off West Hoathly Road, East Grinstead.
- 2.21. The Council should have assessed the potential for sites that were discounted at Stage 2(b) to have been revised and/or brought forward with mitigation, to address the concerns that were raised.
- 2.22. Had this approach been applied, it is likely a number of the excluded sites would have been identified for allocation in the Draft Plan, on the basis that they complied with the first three guiding principles of the Spatial Strategy. The Draft Plan could have included allocated sites that were sequentially preferable in sustainability terms and complied with the core elements of the Spatial Strategy.
- 2.23. At the point the LPA concluded additional sites were needed that had not been found against the first three guiding principles, they added a fourth, to facilitate the allocation of further candidate sites, previously considered unsuitable.
- 2.24. In applying this approach, the site selection process was then biased towards the 'significant' sites that had been promoted. This was on the basis that they were assumed to deliver infrastructure that other sites had not proposed. This effectively created an option between two significant sites that did not comply with the first three guiding principles, but could be considered to comply with the created fourth principle.
- 2.25. The LPA's justification in their Site Selections Paper for the allocation of significant development in Sayers Common is shown to be on the basis of the infrastructure offerings by the scheme promoter; in particular the provision of a secondary school, together with the potential for delivery of sustainable transport improvements.
- 2.26. The Council's conclusion that this could be achieved applying a masterplan growth approach across the settlement then also enabled other sites previously considered unsuitable to be considered for allocation.
- 2.27. However, the Council do not appear have applied this approach consistently. They did not return to review all sites previously excluded in the context of the prospective significant allocation.
- 2.28. For example, sites that were discounted by the LPA at Stage 2(a) (for example Site ID 786 (land east of AvTrade) and Site 1124 (Land at West House Farm) do not appear to have been reviewed in the context of the allocation of DPSC3.

- 2.29. This serves to reinforce a further inconsistency in the Council's allocation approach.
- 2.30. The LPA appear to have allocated sites on the basis of the entirety of the area being promoted, rather than based on a spatial strategy or analysis.
- 2.31. For example in relation to the allocation of land south of Reeds Lane (Policy DPSC3), the entirely detached western limb of the site promoted is more remote from services and facilities than other sites that have been discounted on the basis of lack of connectivity to local facilities. This applies to sites beyond Sayers Common, and includes others within the wider District.
- 2.32. The site allocation process should have critically assessed differing parts of sites allocated, and not as a singular entity.
- 2.33. There does not appear to have been a critical analysis as to whether only part of a site should come forward, or whether only elements of a site should be considered suitable for housing, whilst others reserved for other purposes, including for example, but not limited to, landscape buffer zones.
- 2.34. This further demonstrates the absence of a clear masterplan strategy approach to the allocation of sites in and around Sayers Common.
- 2.35. It is therefore considered that the approach to the allocation of sites applied by the Council is unsound.
- 2.36. The Council have applied a lower bar to large sites enabling them to bypass Stage 2(a); there is an absence of granular analysis at Stage 2(b) that resulted in the omission of sites which, subject to mitigation, may have been acceptable; and the assumption of assumed benefits that would come forward with significant sites (without an associated masterplan to ensure delivery), results in a unjustified bias in favour of large promoted sites. The latter, combined with the Council's acceptance of all parts of the significant site promoted at Sayers Common, results in an incoherent and contradictory spatial layout through the site allocations.
- 2.37. It is considered that the site selection process should be reviewed to apply a more balanced, iterative and granular appraisal process. This should include considerations of whether all sites put forward should be considered in their entirety and/or whether lesser or mitigatory measures should be included to address harm identified.