

**Examination Statement
2026
Matter 6 – Selection of Sites**

Mid Sussex District Plan

Representations on behalf of Crest Nicholson

13 February 2026

Lucid
Planning

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1. Introduction

- 1.1 This Statement has been prepared by Lucid Planning on behalf of our Client, Crest Nicholson, who has an interest in the land to the north of Old Wickham Lane, Haywards Heath (SHELAA Ref 988). This Statement is prepared in response to the Inspectors' Matters, Issues and Questions.
- 1.2 Representations have been made on behalf of our Client throughout the production of the emerging Local Plan and these representations expand upon earlier representations. While efforts have been made not to duplicate the content of previous representations, this Statement draws on previous responses where necessary.
- 1.3 These representations have been prepared in recognition of prevailing planning policy and guidance, particularly the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.4 These representations respond to the Inspectors' 2026 MIQs but do not necessarily respond to all questions raised under this Matter but focuses on those questions of particular relevance to our Client's interests.
- 1.5 These representations have been considered in the context of the relevant NPPF that the District Plan is being examined under - NPPF September 2023 - and tests of 'soundness' as set out at paragraph 35 of that NPPF. This requires that a Local Plan be:
- **Positively Prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with National Policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

2. Response to Matter 6 – Selection of Sites

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

Introduction

- 2.1 As no additional information has been presented by MSDC on this Matter, these representations are taken from Crest’s original representation to Matter 2 at the 2024 Examination.

Dismissal of Development in Haywards Heath and East Grinstead

- 2.2 Haywards Heath, East Grinstead and Burgess Hill are Category 1 Towns, the highest category in the settlement hierarchy in Mid Sussex. They appear, to one degree or another in Options 1, 4 and Option 5 of the SA.
- 2.3 Despite a number of acknowledgments (e.g. Page 122 of the SA) that focussing development in the three towns would likely lead to a significant positive impact on economic growth and in the three towns and would have a likely major positive impact on objectives for health and wellbeing, education, community and crime, climate change, and transport (as well as contributing to the creation of 20 minute Neighbourhood’s – one of the Plan’s main Sustainable Development objectives) – Option 2 (growth in smaller settlements) was preferred.
- 2.4 Further, development has been severely restricted in Haywards Heath (and East Grinstead) without strategic consideration, reasoning or evidence. This outcome is difficult to reconcile with the principles of sustainable spatial planning and the stated objectives of the Plan.

Haywards Heath: A Highly Sustainable Town

- 2.5 Haywards Heath is a Category 1 Town - the highest and most sustainable form of settlement in the district - with a rail station, education and health facilities that is well located to serve the south of the district and the towns in Coastal West Sussex. It is outside of the High Weald National Landscape and outside the South Downs National Park but is located within both the North West Sussex and Brighton and East Sussex HMA and FEMA.
- 2.6 Local Plan Table 2a (page 41) has been re-ordered below to show the number of allocated plots being proposed by the Council in order of magnitude for each settlement and the Council's settlement category as a point of reference.

Settlement	Plot Allocations	Category
Sayers Common	2393 plots	Cat 3 - Medium Village
Burgess Hill	1708 plots	Cat 1 - Town
Copthorne	1500 plots	Cat 2 – Larger Village
Crawley Down	387 plots	Cat 2 – Larger Village
Haywards Heath	226 plots	Cat 1 - Town
Bolney	200 plots	Cat 3 – Medium Village

- 2.7 The distribution shown above suggests that development has not been proportionately directed toward the most sustainable settlements within the hierarchy. In the absence of clear evidence demonstrating why Category 1 settlements are comparatively constrained, the allocation pattern raises questions as to whether the most appropriate spatial strategy has been translated into site allocations.

2.8 It is the Council's responsibility, in accordance with the aims and objectives of the Local Plan to deliver sustainable development. The hierarchy of movement, which seeks to ensure that people walk or cycle, then use public transport and only where such opportunities do not exist fall back on car travel, is key to achieving sustainable development. Locations such as Land at Old Wickham Lane, Haywards Heath represent opportunities to consolidate development within walking and cycling distance of services, employment and rail infrastructure, thereby supporting the hierarchy of movement embedded in national policy.

The Site Selection Process

2.9 There are a number of sites around Haywards Heath that could overcome the site selection reasons for rejection if there was a more strategic approach to growth at Haywards Heath and further consideration of submitted evidence such as high level development layouts and mitigation measures that could be provided. The question for the Examination is not whether an assessment was undertaken, but whether it was sufficiently iterative and proportionate, particularly where mitigation evidence was submitted which could materially alter the site's performance against specific criteria.

2.10 Some planning consideration of sites has obviously taken place during the evolution of the District Plan, as the Crest site at Old Wickham Lane in Haywards Heath (Ref 988) was initially considered in the 2023 SHELAA to be able to accommodate 171 dwellings, but this was reduced to 60 in subsequent stages. The site was finally being rejected at Stage 2c as "*Development of the site would cause less than sustainable harm: High impact to a grade 11* listed buildings. It is not considered that the benefits of development would outweigh harm or loss to the asset*".

2.11 Further, paragraph 38 of the SSP1 Site Selection Methodology states that the Council welcomes the submission of any evidence/technical reports/etc that would assist in undertaking the assessment. Representations to the Reg 19 Plan made on behalf of Crest demonstrated how the site layout could be

designed to mitigate against the heritage impact. The accompanying Heritage Report, prepared by RPS dated October 2021 (which is sufficient to inform a decision on the suitability of the proposed development in regard to built heritage issues, in accordance with paragraph 189 of the NPPF) concludes,

“The Site is formed of pasture fields lying to the north of the extended built area of Haywards Heath. The Site is bound by a rail line in the west, built development to the south and east and further pasture land to the north. The Site has been identified as making a moderate contribution to the significance of relevant built heritage assets as a positive element in their semi-rural or edge of settlement setting.

*The proposed development represents a further erosion (lesser than the degree undertaken in the 20th Century) of the semi-rural character of the immediate setting of the relevant built heritage assets. The proposed development incorporates a number of design measures that respond to this contribution to built heritage significance. **Based on the available information the proposed development is considered to preserve the significance of relevant listed buildings and avoid and minimise potential harm to heritage assets, with potential adverse impacts being limited to a low or very low level of less than substantial harm.** (Author’s emphasis).*

- 2.12 Given that heritage impact was identified as the sole reason for rejection at Stage 2c, it is necessary to consider whether the Council properly evaluated the submitted mitigation evidence before concluding that the site should not progress. Where evidence demonstrates that harm would be less than substantial and capable of mitigation through design, a reasoned explanation is required if such evidence is to be discounted.

2.13 As such, Land at Old Wickham Lane should be allocated and help Mid Sussex meet further unmet need from Brighton & Hove within a wider and more sustainable spatial strategy that helps the Council provide 20 minute neighbourhoods and meets its own objectives.

Conclusions

2.14 In circumstances where the housing requirement and spatial strategy are under review as part of this Examination, it would be appropriate for the Inspector to consider whether Main Modifications are necessary to ensure that the site selection process reflects:

- A spatial strategy which proportionately favours the most sustainable settlements
- Proper consideration of submitted mitigation evidence
- A transparent balancing exercise where identified harm is less than substantial; and
- The need to ensure a sufficient supply of deliverable sites to support any uplift in the housing requirement.

2.15 If the housing requirement is increased or clarified through this Examination, it will be necessary to revisit the site selection exercise to ensure that sustainable and deliverable sites such as Land at Old Wickham Lane are appropriately assessed in that context.

2.16 Without such reconsideration, the site selection process cannot be said to be fully justified or effective.

2.17 Alternatively, if this cannot be done within a reasonable timeframe (six months is suggested) the District Plan should be found unsound and the work set out in paragraph 2.30 above undertaken under the new plan-making system proposed by the Government. This would ensure plans are fully evidenced and prepared with neighbouring authorities to meet unmet housing need and 'capable of being found sound' prior to submission.

Summary on Matter 6

- 2.18 The allocation pattern does not appear to proportionately reflect the settlement hierarchy, nor does it demonstrate that mitigation evidence capable of reducing site impacts was fully considered. In the context of significant housing need and the potential requirement for additional provision, the robustness of the site selection process is central to the Plan's soundness.