



Representation to the Examination of the Mid Sussex District Plan 2021-2040 – Matter 5

**DMH Stallard LLP on behalf of Riverdale Land South of Henfield Road, Sayers
Common**

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Introduction

This representation is submitted on behalf of Riverdale in response to the Matters and Issues ("IDJB-05") raised by Inspector Jonathan Bore for the examination of the Mid Sussex District Plan 2021-2040 ("the DP"). This representation responds to the Inspector's Matter 5 questions concerning the spatial strategy in the DP and the effectiveness and soundness of the proposed distribution of new development in meeting social, economic, and environmental objectives, and whether it will achieve more than the sum of its parts and amount to positive planning.

Riverdale supports the spatial strategy as a sound framework for the distribution of development in the District. However, whilst Riverdale's Matter 1 and Matter 2 Statements identify concerns regarding the sufficiency of housing provision and headroom, this Matter 5 Statement also identifies that the spatial strategy at Sayers Common remains incomplete relative to the Council's own stated intentions at Regulation 18 stage.

The Regulation 18 draft policy for what is now DPSC3 stated that *'opportunities to improve connectivity and master planning between the eastern and western parcels of the site, by inclusion of further land parcels on the southern boundary, should be investigated.'* This investigation was never undertaken, and the reference was removed at Regulation 19 stage without explanation. Riverdale submits that the spatial strategy at Sayers Common would be strengthened by completing the investigation and allocation process that the Council itself commenced, thereby achieving the improved connectivity and consolidated master planning that the Council recognised as beneficial.

As a fallback, Riverdale submits as follows. There is no good reason to have omitted the relevant text from the regulation 18 draft policy from what is now DPSC3, and its omission

means that the spatial strategy for Sayers Common is unsound as it fails to enable development to come forward outside of the allocations that would support the spatial strategy for Sayers Common, support the infrastructure that needs to be delivered by the Sayers Common sites, and can do so without any identified environmental harm. The relevant text from the regulation 18 draft policy should therefore be reinstated in order to achieve soundness and to enable further sustainable opportunities for growth at Sayers Common, adjacent to the allocations, to come forward in accordance with the development plan rather than in conflict with it.

Matter 5: The Spatial Strategy

The effectiveness and soundness of the proposed distribution of new development in meeting social, economic and environmental objectives, whether it will achieve more than the sum of its parts and whether it will amount to positive planning.

a) Whether the plan's apportionment of development to larger and smaller settlements and freestanding allocations, and to different sizes of site, is effective in ensuring delivery and in meeting community needs.

Riverdale supports the DP's approach to apportioning development, which is founded upon a coherent spatial strategy comprising four key principles: protection of designated landscapes; making effective use of land; growth at existing sustainable settlements where it continues to be sustainable to do so; and opportunities for extensions to improve the sustainability of existing settlements.

This approach is consistent with paragraph 11(a) of the NPPF 2023 which requires all plans to promote a sustainable pattern of development that seeks to meet the development needs of their area, align growth and infrastructure, and improve the environment. It is also broadly justified under paragraph 35(b) of the NPPF 2023 as an appropriate strategy taking into account the reasonable alternatives, having been informed by the Sustainability Appraisal which considered various spatial options including maintaining the existing spatial strategy, growth to support sustainability of existing smaller settlements, creating a new sustainable settlement, focusing development in the three towns, and prioritising brownfield land.

The DP's approach to Sayers Common exemplifies the fourth element of the spatial strategy, namely "*opportunities for extensions to improve sustainability of existing settlements.*" This element recognises that there are settlements with only limited services where development of an appropriate scale can provide infrastructure and services which will meet the needs not only of the new community, but those of the existing community as well. The DP identifies that this can be achieved by developing a single large site providing facilities and services on site, or a combination of smaller sites that collectively could support new schools, neighbourhood centres and employment opportunities.

At Sayers Common, the DP allocates sites DPSC3 through DPSC7, which together will deliver approximately 2,543 dwellings alongside substantial infrastructure including an all-through school, neighbourhood centre, healthcare facilities, community buildings, and enhanced sustainable transport connections. The Sayers Common Statement of Common Ground confirms that this growth has the ability to improve the sustainability of the existing surrounding communities and play a key role in delivering the housing needs of the District over the plan period.

However, Riverdale submits that the effectiveness of the spatial strategy at Sayers Common could be enhanced through the completion and consolidation of the growth allocation at this location. The DP itself recognises at the Regulation 18 stage that "*opportunities to improve connectivity and master planning between the eastern and western parcels of the site, by inclusion of further land parcels on the southern boundary should be investigated.*" This recognition reflects the inherent logic of the spatial strategy and the benefits of comprehensive development at sustainable locations.

The effectiveness of development in meeting community needs is directly correlated with the scale and comprehensiveness of that development. A more complete allocation at Sayers Common would generate additional section 106 funds that would financially support and de-risk the delivery of necessary infrastructure and provide additional population who would use the educational and community facilities that will be provided as part of DPSC3, rendering them more viable in the long term. This approach would accord with the DP's vision for Sayers Common, which mandates that developments be "*considered collectively rather than individually, integrating with the existing settlement of Sayers Common, and promoting opportunities for enhanced connectivity between the sites*

themselves and the existing community so that the entire settlement can take advantage from the services and facilities being provided in proximity."

a) The relationship between the spatial strategy and transport objectives, transport infrastructure and transport constraints.

Riverdale considers that the spatial strategy properly addresses transport considerations in accordance with paragraph 108 of the NPPF, which requires transport issues to be considered from the earliest stages of plan-making so that the potential impacts of development on transport networks can be addressed and opportunities to promote walking, cycling and public transport use are identified and pursued.

The DP embodies the concept of 20-minute neighbourhoods, which the NPPF 2023 encourages through its focus on significant development being located in places which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Policy DPT1: *Placemaking and Connectivity* requires development to create liveable communities which embody 20-minute neighbourhood principles, demonstrate accordance with the movement hierarchy, and deliver attractive, healthy places with permeable street networks.

The Sayers Common allocations have been assessed within the strategic highway model developed by SYSTRA to underpin the Mid Sussex Transport Study and test the impact of planned development on the strategic and local highway network. The Statement of Common Ground confirms that the development could be served by suitable bus routes to enhance modal choice, and that suitable walking and cycling routes can be provided to connect the proposed development sites to surrounding areas, together with targeted enhancements to the existing public rights of way and bridleway networks.

The comprehensive masterplan for Sayers Common incorporates a central movement route running north-south through the development, supplemented by a sustainable travel corridor providing continuous green space and routes for active travel. Active travel routes will be integrated across the development, providing safe and convenient access to services, and a bus route through the development will encourage sustainable travel to Burgess Hill, Hurstpierpoint and Hassocks.

Critically, the effectiveness of this transport strategy is enhanced by the comprehensive nature of the Sayers Common growth allocation. A more complete allocation would

support the viability of new public transport services referenced in Policies DPSC3 through DPSC7, each of which requires development to "*include enabling the viability of new public transport services.*" The critical mass of population necessary to support viable sustainable travel solutions is acknowledged in the DP strategy itself.

Furthermore, the DP identifies that sustainable expansion of an existing settlement will help provide the critical mass to support viable sustainable travel solutions and improved active travel connectivity for all the community, reducing the need to travel by car and reducing the district's carbon footprint. Completing the growth allocation at Sayers Common through inclusion of the land parcels identified for investigation at Regulation 18 stage would enhance the viability and resilience of these sustainable transport connections by consolidating population and supporting higher-frequency bus services and that would directly contribute to achieving these transport objectives.

b) Whether the spatial strategy takes an appropriate approach, at the strategic level, towards climate change mitigation, countryside protection, environmental protection, flood risk and heritage.

Riverdale considers that the spatial strategy takes an appropriate approach to these matters, consistent with the requirements of soundness under paragraph 35 of the NPPF.

Climate Change Mitigation

The DP's spatial strategy directly addresses climate change mitigation through its focus on sustainable locations and the 20-minute neighbourhood concept. The Sustainability Appraisal confirms that the DP embeds the principles of 20-minute neighbourhoods, with policies seeking to deliver development that manages and mitigates climate change risks, whilst transport-related policies promote low carbon modes of transport in preference to private car usage.

Policy DPSC GEN requires Significant Sites to support vibrant and inclusive communities which embody local living/20-minute neighbourhood principles of a complete, compact, and well-connected neighbourhood with advanced digital infrastructure, in which people can meet most of their daily needs within a convenient walk or cycle ride. The Sustainability Appraisal records major positive impacts for climate change and transport objectives for Policy DPSC GEN.

The concentration of growth at Sayers Common, as a sustainable extension to an existing settlement, minimises the carbon footprint of development by providing residents with access to services and facilities locally, reducing the need for car-based travel. Completing the growth allocation at this location would enhance these climate benefits by supporting more viable public transport services and consolidating the investment in sustainable infrastructure.

Countryside Protection

The spatial strategy explicitly prioritises protection of designated landscapes, particularly the High Weald National Landscape and the South Downs National Park. Paragraph 176 of the NPPF makes clear that the scale and extent of development in protected landscapes should be limited, and the DP reflects this requirement.

The site selection process has directed growth away from protected landscapes towards locations outside the National Landscape and National Park. The Sayers Common area falls outside both the High Weald National Landscape and South Downs National Park, making it an appropriate location for strategic growth. None of the proposed sites at Sayers Common are located within a Conservation Area.

The Sustainability Appraisal's assessment of spatial options confirms that Option 2 (growth to support sustainability of existing smaller settlements) limits growth in protected landscapes whilst supporting settlements with existing facilities. This aligns with the approach taken at Sayers Common.

Environmental Protection

The DP's approach to environmental protection at Sayers Common is secured through detailed policy requirements. Policy DPSC3 requires a minimum of 20% biodiversity net gain, integration of sustainable drainage systems to deliver biodiversity and environmental improvements, and enhancement of existing public rights of way. The comprehensive masterplan shows how development will be delivered through a landscape-led approach, with existing trees, hedgerows and other landscape features retained wherever possible and supplemented by extensive areas of new tree planting, open space, and habitat creation.

The Sustainability Appraisal records that Policy DPSC GEN achieves major positive impacts on biodiversity objectives, whilst Policy DPSC3 achieves neutral impact on biodiversity following mitigation through the 20% biodiversity net gain requirement.

Flood Risk

The spatial strategy appropriately addresses flood risk through Policy DPS4: *Flood Risk and Sustainable Drainage*, which has been expanded to reflect national planning policy guidance. The Sayers Common allocations specifically require development to follow a sequential approach by directing development away from areas of flood risk and mitigate impacts through integration of sustainable drainage systems.

Policy DPSC3 requires the creation of a new wetland area adjacent to the eastern access point designed to ease flooding associated with the low point of the B2118, demonstrating how the development will contribute positively to flood management. The Sustainability Appraisal records minor positive impact for flood risk objectives for Policy DPSC3.

Heritage

The spatial strategy protects heritage assets through detailed policy requirements informed by Heritage Statements. Policy DPSC3 requires a layout and design which preserves the setting of Grade II Listed Buildings Wellington Cottage, North Pottersfield and South Pottersfield Cottages. Other Sayers Common allocations contain similar requirements in relation to relevant heritage assets in their vicinity.

The Sustainability Appraisal records neutral impact on cultural heritage objectives for Policy DPSC3.

Enhancing Soundness Through Comprehensive Growth

Riverdale submits that the DP's effectiveness would be enhanced through the completion and consolidation of the Sayers Common growth allocation. The DP's own vision for Sayers Common recognises the importance of comprehensive development, stating that "*it will be crucial that these developments are considered collectively rather than individually, integrating with the existing settlement of Sayers Common.*"

Completing the growth allocation would:

1. **Support infrastructure delivery:** Additional development would generate section 106 contributions to support and de-risk the delivery of infrastructure at DPSC3, including the all-through school, neighbourhood centre, and sustainable transport improvements.
2. **Enhance viability of community facilities:** A larger population would support the long-term viability of the educational, healthcare, and community facilities planned for Sayers Common.
3. **Strengthen public transport viability:** The critical mass of population necessary to support viable public transport services would be enhanced by more comprehensive development.
4. **Accord with DP strategy:** Completing the allocation would directly implement the fourth element of the spatial strategy concerning opportunities for extensions to improve sustainability of existing settlements.
5. **Address headroom concerns:** The Inspector's initial letter identified concerns about the "*relatively small amount of supply headroom*" and indicated that the Council should give careful thought to ensuring adequate housing supply. As demonstrated in Riverdale's Matter 2 Statement, the proposed headroom of 567 dwellings is inadequate; completing the growth allocation at Sayers Common would contribute to addressing this concern.
6. **Provide certainty:** Completing the allocation will give a high degree of certainty that it will come forward during the plan period. However, as a fallback, and without prejudice to that submission, Riverdale contends that the policy wording of DPSC3 should be amended to make it clear that proposals for further development on adjacent parcels of land will be considered even if they are for more than 10 units provided that they accord with and support the objectives and vision for Sayers Common set out in the plan.

This approach would be wholly consistent with the Inspector's indication that "*the overall soundness of the spatial strategy will be scrutinised*" and would represent positive planning that achieves more than the sum of its parts.

Conclusion

Riverdale supports the spatial strategy of the DP as a sound approach to the distribution of development that accords with the December 2023 NPPF. The strategy appropriately:

- Apportions development between larger and smaller settlements and different sizes of site in an effective manner;



- Addresses transport objectives through the 20-minute neighbourhood concept and movement hierarchy; and
- Takes an appropriate strategic approach towards climate change mitigation, countryside protection, environmental protection, flood risk and heritage.

The focus on Sayers Common as a location for strategic growth to improve the sustainability of an existing settlement is well-founded and represents an effective, though incomplete, implementation of the spatial strategy. Riverdale submits that the effectiveness of this approach would be enhanced through the completion and consolidation of the growth allocation at Sayers Common, ensuring comprehensive delivery of infrastructure and community facilities that will benefit both new and existing residents.