



Hearing Statement – Matter 6: Site Selection

Mid Sussex District Council – Examination in Public

Prepared on behalf of Miller Homes Ltd

Prepared by:

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Appendix A Colwell Farm, Haywards Heath: Site Location Plan



1.0 Introduction

- 1.1 This statement has been prepared by SLR Consulting Ltd on behalf of Miller Homes Ltd in respect of the Mid Sussex District Plan (2021 – 2039) Examination in Public. The Statement focuses on questions raised by the Inspector in their MIQs in relation to Matter 6: The selection of sites for allocation in the plan.
- 1.2 By way of background, Miller Homes has an interest in Land at Colwell Farm ('the site'), which is located on the eastern edge of Haywards Heath and has capacity to deliver up to 80 new homes on the edge of one of the district's most sustainable settlements. The site has reference 844 in the Council's site assessment documentation. The location of the site is shown in Appendix 1.



2.0 Site Selection

- 2.1. Matter 6 of the Inspector’s MIQs seeks to clarify the rationality and effectiveness of the site selection process undertaken by the council.
- 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;
 - b) The rationale behind the selection of the strategic and larger site allocations.
- 2.2. This statement addresses matters relevant to topic areas (a) and focuses on:
- (i) Inconsistent and/or opaque application of the Council’s Housing and Economic Land Availability (HELAA) methodology to candidate sites;
 - (ii) Insufficient explanation of why reasonable alternative sites (including Colwell Farm) were excluded before detailed mitigation was considered; and
 - (iii) Gaps in the audit trail between evidence, consultation responses and the resulting shortlist of allocations, which inhibit the Inspector’s ability to conclude the plan is justified and effective.

Background

- 2.4. We do not believe that the Mid Sussex Local Plan has demonstrated a robust, transparent, proportionate or justified site-selection process, particularly regarding the comparative assessment of reasonable alternatives. This, to a greater extent, is driven by the reduced LHN proposed, which in turn leads to fewer allocations. We have also set out in our response to MIQ Matter 5, that the Spatial Strategy is flawed, where the spatial distribution of proposed new homes is not to the most sustainable locations.
- 2.5. Furthermore, we do not believe that adequate consideration of mitigation measures has been taken to into account, including at the Miller Homes’ site at Land at Colwell Farm. Our concerns are framed against the tests of soundness in the NPPF and the requirements for proportionate and consistent evidence gathering in plan-making.
- 2.6. As we have set out in our responses to MIQs Matters 1 and 2, we do not believe that a sufficient number of homes are being planned for. Moreover, this approach results in an inadequate number of sites being allocated for homes.

Inconsistent and/or opaque application of the Council’s Housing and Economic Land Availability (HELAA) methodology to candidate sites

- 2.7. The site-selection process for new Local Plan allocations must go beyond just mathematical supply:
- It must demonstrate comparative, criteria-based assessment of reasonable alternatives.
 - It must show how constraints were balanced, and whether mitigation could make sites acceptable.



- Where sites have been excluded from consideration, particularly at stage 3, provide a clear rationale for their exclusion, with regard to the housing requirement and the need to meet that requirement with a robust supply.
- 2.8. The current plan documents fall short of these requirements in our opinion.
- 2.9. The site selection evidence published does not provide a single, accessible audit trail showing:
- How each candidate site was scored,
 - How constraints were appraised,
 - How mitigation was assessed, and
 - Why some sites progressed while others (including Land at Colwell Farm) were rejected, particularly at the final stage 3 assessment.

Insufficient explanation of why reasonable alternative sites (including Colwell Farm) were excluded before detailed mitigation was considered

- 2.10. The absence of evidence of the site selection process undermines the “justified” test of soundness in the NPPF. The MSDC 5YHLS technical methodology does show how deliverability is calculated, but does not show how allocation choices were comparatively made. This is fatal to the assessment.
- 2.11. The Plan must demonstrate that site constraints were not treated as absolute barriers where standard or achievable mitigation could address them.
- 2.12. There is no published evidence that other sites, such as Land at Colwell Farm, which have been subject to active planning interest (e.g. outline application activity in the Haywards Heath area), were meaningfully tested for:
- Highway access design solutions,
 - Ecological mitigation,
 - Drainage/SuDS strategies,
 - Heritage or local character impacts,
 - Phased delivery to align with infrastructure upgrades.
- 2.13. Land at Colwell Farm has seemingly been excluded from being allocated due to some of the constraints’ assessments. However, it is unclear why the site was excluded.
- 2.14. The Site Selection Appendix 3 Site Assessment Proforma’s does provide ratings for the sites but does not make a clear conclusion as to the site selection or rejection. Using Colwell Farm (siter ref 844) as an example, the assessment confirms a majority positive outcomes with only two negative outcomes.
- 2.15. Using Colwell Farm site (ref 844) as an example again, Appendix 5 ‘Response to Omission sites’ finally confirms the site is rejected at stage 3, but does not indicate why it was rejected. To the contrary, it confirms that in respect of Heritage ‘*Heritage alone is not the reason for the site being rejected [sic] rather it is the cumulative impact of the site*’. No



indication is given as to how the ‘cumulative impacts’ have given rise to the site's rejection.

- 2.16. The Local Plan Sustainability Appraisal (SA), whilst giving each site a rating against sustainability objectives, also does not provide a clear explanation as to site rejection. By way of example, site 844 is comparable in its scoring to other sites, including a number of the proposed site allocations, but no explanation is given why it was rejected whilst others were taken forward to allocation.
- 2.17. As we have set out, Land at Colwell Farm has previously been the subject of outline proposals, which has demonstrated that the site is a credible, realistic and deliverable site. This is reinforced by the MSDC officer’s recommendation to approve planning permission on Land at Colwell Farm (DM/25/0445).
- 2.18. This failure to publish clear conclusions as to how decisions to reject sites have been reached is a critical failure, particularly in the context of the need to increase the planned housing delivery within the district (for the reasons set out in matters 1 and 2 statements. Reasonable alternatives appear to have been excluded prematurely, contrary to NPPF expectations.
- 2.19. Land at Colwell Farm appears to be included as a reasonable alternative site, but this is not made clear. However, the Site should be included in the reasonable alternatives portfolio and, given the additional homes we believe are now required, the Land at Colwell Farm should be allocated for housing.
- 2.20. As such, there are other sites, such as Land at Colwell Farm, equally as suitable, especially within the Haywards Heath area which we have demonstrated to be highly sustainable, that should be included as housing allocations.



3.0 Conclusion

3.1. The Mid Sussex Local Plan’s site-selection process is currently weakened by:

- A lack of transparency,
- Insufficient demonstration of comparative assessment,
- Limited evidence that mitigation was fully tested,
- Premature/inexplainable exclusion of deliverable sites such as Colwell Farm.

3.2. We recommend the following modifications in order for the Plan to meet NPPF soundness tests:

MM1 – A new appendix should be set out including *all and every* considered site and to include the following:

- Clearly setting out each site’s scoring.
- Mitigation options considered;
- Comparative evaluation against chosen allocations;
- Clear reasoning for inclusion/exclusion.

This aligns the Local Plan with NPPF requirements for proportionate, transparent evidence and allows for proper scrutiny of the site selection process.

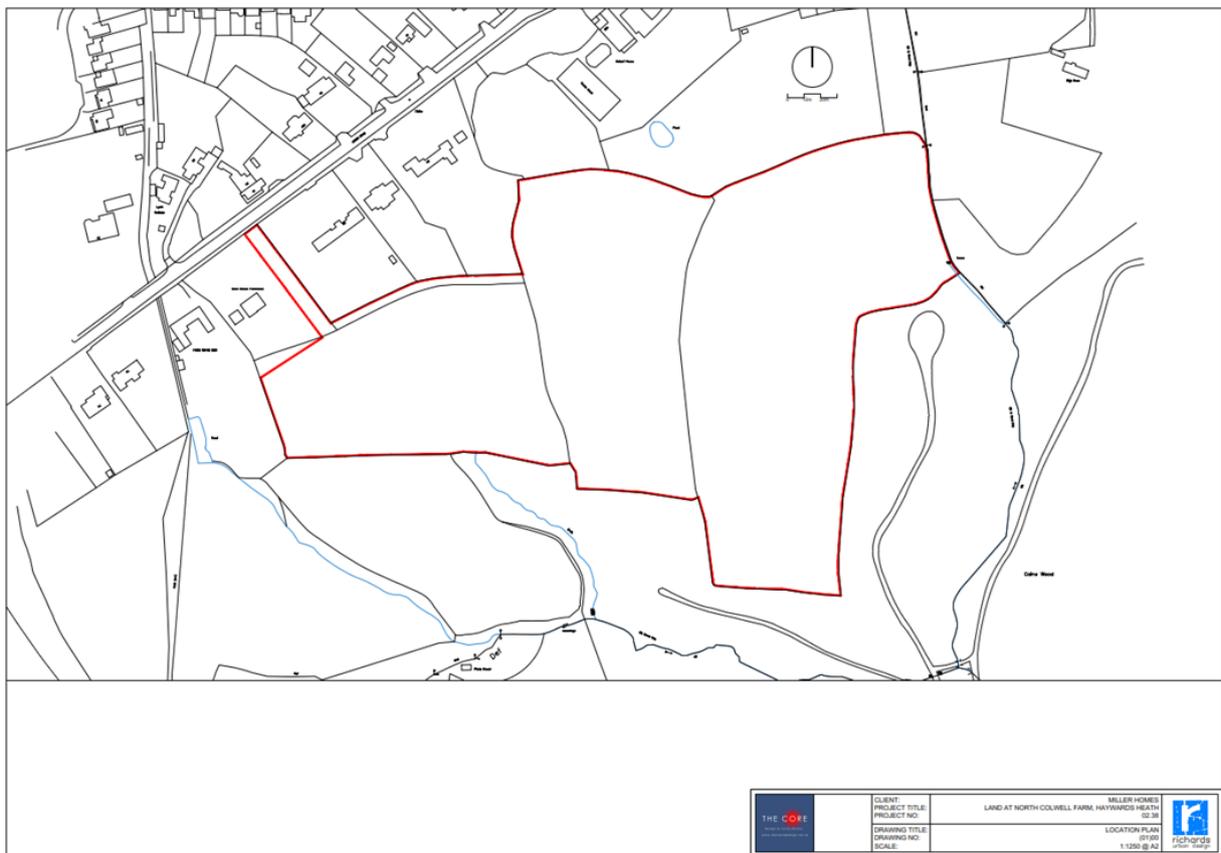
3.3. **MM2** – The Council should undertake a mitigation-led re-assessment of all reasonable alternatives, including Colwell Farm, to determine whether additional sites can be assessed as suitable for development and help ensure deliverability and choice.

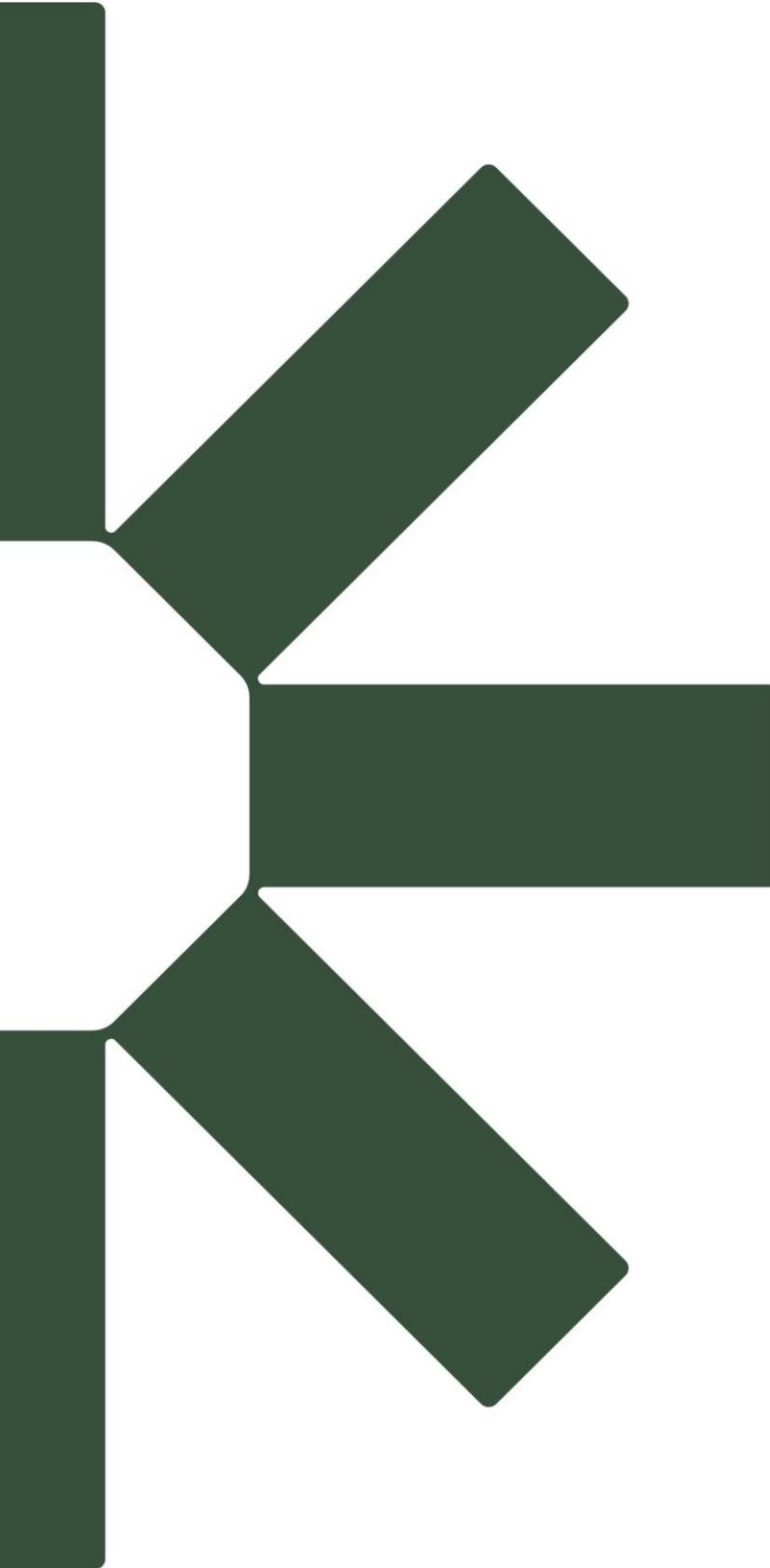
3.4. By adopting the Main Modifications proposed above, especially a published audit trail and mitigation testing, the Council can bring the Plan into conformity with the NPPF’s soundness tests and ensure it is positively prepared, justified, effective, and consistent with national policy.



Appendix A Colwell Farm, Haywards Heath: Site Location Plan

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Making Sustainability Happen