

Examination into the soundness of the Mid Sussex District Plan 2021-2039

GUIDANCE NOTE FROM THE INSPECTOR

The hearings on the above plan will commence at 10.00am on 24 February 2026 and will form part of my examination into the soundness of the Plan.

Introduction

1. I am the Planning Inspector appointed by the Secretary of State for Communities and Local Government to examine the soundness of the Mid Sussex District Plan 2021-2039. I have prepared this guidance note. Its purpose is to explain the procedural and administrative matters relating to the examination.
2. The Programme Officer (PO) for the Examination is **Charlotte Glancy**. She is acting as an independent officer for the Examination, under my direction. Charlotte will be responsible for organising the programme of hearings, maintaining the examination library, recording and circulating all material received, and assisting me with procedural and administrative matters. She will also advise on any programming and procedural queries. Any matters that the Council or representors wish to raise with me should be addressed to the Programme Officer. She can be contacted by: bankssolutionsuk@gmail.com
3. Information about the progress of the Examination and links to documents are provided on Mid Sussex District Council's website:

<https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review-examination/>

The Inspector's role

4. My task is to consider the soundness and legal compliance of the Plan, on the basis of the relevant legislation and the guidance in the National Planning Policy Framework (the NPPF). By virtue of the transitional arrangements in paragraphs 234 and 235 of the 2024 version of the NPPF, the relevant national planning policies under which the plan will be examined are those of the December 2023 Framework.
5. Considering soundness involves examining the Plan to determine whether it is:
 - (a) *positively prepared* – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;
 - (b) *justified* – an appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence;
 - (c) *effective* – deliverable over its period and based on effective joint working;
 - (d) *consistent with national policy* – enabling the delivery of sustainable development in accordance with the NPPF's policies.
6. Further details of the examination process are set out in Procedure Guide for Local Plan Examinations, the latest version of which is dated 27 November 2025. [Link] See Annex A for details of where to find this document and other useful publications and advice.
7. My starting point for the examination is that the Council have submitted what they consider to be a sound plan, as the NPPF requires. Those seeking changes must demonstrate why the plan is unsound by reference to one or more of the tests of soundness.
8. I will seek to address unresolved issues concerning the soundness or legal compliance of the plan through the examination hearings, and through consideration of written submissions. It should be emphasised that my role is not to improve the plan, but to determine whether or not it meets the soundness tests. It is possible that further work will need to be carried out by the Council. If that is the case, the timetable, when known, will be posted on the website.

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9. After the hearings have closed, I will prepare a report for the Council with my conclusions. If I find the plan is legally compliant and sound in all respects, my report will recommend its adoption. If I find that it is non-compliant or unsound in any respect, I will recommend modifications to make it compliant and sound. My report will deal with the main issues concerning the soundness of the plan, taking into account all the representations received. It will not deal with the detail of each individual representation.
10. Consultation will take place on any main modifications required to make the plan sound, and where appropriate, modifications may also need to be covered by a revised sustainability assessment. The Council may then formally adopt the plan, incorporating the modifications which I recommend.

Number of representations

11. 1155 valid representations were received on the plan.

Progressing your representations

12. Representors may have already indicated whether their views should be dealt with in written form or whether they feel that they need to come and discuss them orally at a hearing session. **However, in order to participate in a particular hearing session you must inform the Programme Officer by 5pm on 3 February 2026, citing which session(s) you wish to participate in.** In doing so it is important to understand that written and oral submissions will carry the same weight and I will have equal regard to views put at a hearing or in writing. Participation at a hearing session will only be useful and helpful to me if you need to participate in a discussion concerning the soundness or legal compliance of the plan. The housing topics will be of a technical nature. In the interests of fairness to other participants, no additional request to appear at hearing sessions will be accepted after the date specified above, unless there are special circumstances justifying it.
13. The right to participate in a hearing extends only to those who have proposed changes to the plan in order to make it sound and legally compliant. There is no need for those who have supported the plan to take part in the hearings. The hearing sessions will be recorded and made available through the Council's website to enable people to follow the discussions. I may invite additional participants to participate in the hearings where I think they are needed to enable the soundness of the Plan to be determined.
14. Those who wish to proceed by written means can rely on what they have already submitted. The original representations should have included all the points and evidence necessary to substantiate them, so there will be no need to submit further material based on the original representations. However, an opportunity does exist to submit further written material in the form of a hearing statement. This should be limited to responding to the matters, issues and questions that I have identified. They should not merely repeat the representations or stray beyond the issues to which each original representation refers. Further details regarding hearing statements are set out below. If any person or organisation wishes to submit a further written statement, an electronic copy should be supplied to the Programme Officer by **5pm on 10 February 2026**. A separate statement should be supplied for each matter addressed; please do not combine responses to more than one matter within a single statement.

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The hearing sessions

15. The hearing sessions for the examination will take place at the following location:

Council Chamber, Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS

16. The hearings will take the form of a series of discussions based on the matters, issues and questions that I have identified. They will concentrate only on the major topics; many of the more detailed matters are being dealt with in writing.

17. An agenda will be issued in its final form about a week before the hearing session. The agenda may be narrower and more focused than the matters and issues accompanying this note, in response to the submitted evidence and statements. I will concentrate on the issues that I need to hear more about. The emphasis will be on testing for soundness.

18. I will lead the hearings and go through the identified issues and questions by means of a structured discussion. This will be in the form of a set of questions from myself and responses from the participants. The aim of the hearings is to enable me to gain the information necessary to come to a firm conclusion and decision on the agenda items.

19. Please take careful note of the following bullet points.

- Participation is arranged through the Programme Officer. In the interests of efficiency the Programme Officer and I will seek to allocate participants to sessions where we consider they would make the most effective contribution.
- Where several different people or groups have submitted similar representations on the same matter, the Programme Officer will ask prospective participants to nominate a single spokesperson.
- Short hearing statements will be welcomed (see below for details).
- There will be no formal presentation of evidence, as I will have read all the relevant representations and statements beforehand, and will expect all the other participants to have done so.
- There is no cross-examination and is very common for people to participate without professional or legal representation.
- However, participants may be supported by legal and professional experts if they wish, who will be treated as part of their team.
- In the interests of efficiency it may be necessary to restrict the number of participating individuals from each team. Participants should nominate one well-briefed spokesperson to speak for them. Exceptions to this will be made where barristers have been appointed or where two or three technical experts are necessary to explain the evidence.
- The hearings will be inquisitorial rather than adversarial and will be short and focused with careful control over the discussion and the time taken.
- For each topic or sub-topic I will set out the matters to be covered and then invite individuals to make their contribution in response to the points I have raised.
- Be aware that for some topics I may go round the table only once.

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- Counter argument is acceptable where it adds to the evidence but contradiction for the sake of it is not encouraged.
- I will intervene to stop the unnecessary repetition of points.
- Participants should respond to the questions raised rather than simply reading out their already submitted written representations.
- All participants will have an equal opportunity to contribute but for each topic the Council will have the final say.
- No more evidence can be submitted once the hearing session has closed, except with my agreement.

The hearing timetable

20. The hearings are due to open at 10.00am on 24 February 2026. As indicated above, a timetabled agenda will be produced in due course and will be published on the Council's website. Regular updates to the agenda will be available on the Council's website, or in paper form from the Programme Officer. Invitations will be sent out by email in advance.
21. The hearing sessions will normally start at 10.00am and 2.00pm each day, but these times may vary if longer or shorter sessions are necessary. A programme for the hearing sessions will be finalised ahead of the hearings. Participants should check the Council's website for confirmation of start times. Short breaks will be taken at convenient points in the mid-morning and mid-afternoon, and lunch will usually be taken at about 1.00pm. It is the responsibility of individual participants to ensure that they are present at the correct time and are fully committed to attend the whole hearing session to which they have been invited; latecomers may not be admitted. The proceedings of each hearing session will be streamed and recorded and will be accessible from the Council's YouTube Channel. This will allow those who wish to follow the hearings but who are not invited as participants to follow the discussions.

Examination Library: <https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review-examination/>

22. Documents prepared by the Council are available to view on, or download from, the Council's website. As additional Examination Documents are produced, including participants' hearing statements, they will be added to the library. The library will therefore include all the documents that you are likely to need to refer to. If anyone is in any difficulty gaining access to documentation, please contact the Programme Officer.

Hearing statements

23. The following provisions should be carefully read and followed. Otherwise statements will be returned.
24. Short written statements may be produced by each representor. There should be one separate statement for each matter. Each statement can cover any of the issues identified in the Inspectors' Matters and Issues but should not stray beyond those issues. Written statements for the hearings must be:
 - clearly headed with the name of the representor;
 - limited to no more than 3,000 words per matter (except for those produced by the Council), but additional relevant appendices may be attached;
 - confined to the issues and questions that I have identified;
 - no longer than is necessary to deal with their subject matter;
 - clearly related to the original representation whilst avoiding unnecessary repetition.

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25. Hearing statements from all participants except for the Council should be emailed to the Programme Officer to arrive by **5pm on 10 February 2026**, for Matters 1 to 6, and **5pm on 17 February 2026** for Matter 7. The Council's hearing statements for Matters 1 to 6 should be emailed to arrive with the Programme Officer by **5pm on 13 February 2026**, and for Matter 7, **5pm on 20 February**. All participants should adhere to the timetable for submitting statements.
26. Whilst there is nothing to prevent you from relying on your original representations or on hearing statements that were prepared for the 2024 hearings, it is helpful for statements to be based on the most recent evidence.
27. Late submissions and additional material (other than that invited by us) are unlikely to be accepted on the day of the relevant session. If material is not received by the deadlines stated below, the PO will assume that you are relying only on the original representations.
28. Please email electronic versions of all statements and appendices to the Programme Officer [PO] in Word or PDF format, bankssolutionsuk@gmail.com
29. Please only submit appendices to statements where they are essential. The statement should make it clear why they are relevant. Appendices should have a contents page and be paginated throughout. They do not need to contain extracts from any publication that is already before the examination, such as the Submission, Supporting and Examination Documents, provided the relevant parts of those documents are adequately cross-referenced. The 3,000-word limit does not apply to appendices, but they should respect the aim of succinctness.
30. The Council must produce statements dealing with all my issues and questions. The Council's statements must explain why they consider the plan to be sound or compliant in that particular aspect and, if appropriate, the effect the changes sought by other parties would have on soundness. The Council may also include any responses they wish to make to the matters raised by the original representations. Because of these additional requirements, the Council's statements are not subject to the 3,000-word limit, but they should still be succinct.
31. Hearing statements will be posted on the Examination website, so that they are available to all participants and anyone else who wishes to read them. Because they will be available in this way, they will not be circulated directly to participants.

Statements of common ground

32. The Council and participants are strongly encouraged jointly to produce statements of common ground, to assist with the understanding of relevant matters, clarify where there is agreement, and to identify or resolve areas of dispute. These will enable the hearing to concentrate on the key issues that need further testing to establish whether the plan is sound. They could, for example, include agreed wording of a suggested change to a policy, agreed factual information, or clearly-identified points of disagreement. Statements of common ground should be submitted in time to feed into the relevant hearing statement by the 10 February 2026. Exceptionally I may accept a statement of common ground beyond this date should it help to clarify a particular matter.

Site visits

33. Where necessary, I will visit sites and areas referred to in the representations and statements. These visits will generally take place unaccompanied by any other parties, unless I need to arrange access to private land.

Closing the examination

34. The examination will remain open until my report is submitted to the Council. However, no further representation or evidence will be accepted after the hearings sessions have closed, unless I specifically request it. Any late unsolicited material will be returned.

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Finally

35. I emphasise:

- I will have equal regard to representations made in writing and those made orally at the hearings;
- any further statements must focus on my matters, issues and questions and there must be separate statements for each matter;
- be aware of the need for succinctness, respecting the letter and spirit of the 3,000 word limit, and the other requirements; and
- you must meet the deadline for the submission of statements.

Jonathan Bore

INSPECTOR

12 January 2026

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ANNEX A

Sources of relevant documents and advice

A. The Council's website

All documents and information for the Local Plan examination are available on the Council's website at:

<https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review-examination/>

Please contact the Programme Officer if you have any difficulty accessing or locating documentation.

B. Relevant legislation

These documents can be searched for and found at: <http://www.legislation.gov.uk>:

C. Guidance from the Planning Inspectorate

Procedure Guide for Local Plan Examinations (November 2025). This can also be found at <http://www.legislation.gov.uk>