

Mid Sussex District Plan Review Examination

Our ref 65901/04/MS/RN
Date 10 February 2026
From Lichfields obo Berkeley Latimer

Subject Matter 1: The Housing Requirement

1.0 Issue 1: Whether the plan's housing requirement makes sufficient provision for new homes

a) Local Housing Need

- 1.1 Within its previous representations, Berkeley Latimer raised concerns on the consistency of the submission Plan with NPPF (2023) Paragraph 22 in respect of the Plan horizon of 2039. We note the Council has proposed to modify the Plan to extend the plan-period to 2040. Berkeley Latimer supports this modification, which also reflects the view set out in the Inspector's initial letter (IDJB-01) that such a change is necessary. The Local Housing Need (LHN) is to be set in the context of that plan period.
- 1.2 The Council's 'MS-TP2: Housing' paper, sets out an updated LHN calculation to reflect the 1st April 2025 base date, lowering the LHN figure to 999dpa. Whilst noting this is the correct application of the methodology, the 999dpa figure is a rounding down of 999.415 (685 x 1.459) meaning over the plan period the figure of 18,981 identified in MS-TP2 para 3.4 is slightly lower than actual LHN over the plan period. It would be positive, prudent and clearer to refer to LHN at 1,000 dpa and 19,000 over the plan period within the Plan.
- 1.3 We note the analysis at MS-TP2 para 1.8-1.10 regarding the December 2024 NPPF Para 234b transitional arrangements indicating that where a housing requirement to be adopted meets less than 80% of the NPPF 2024 standard method figure it would trigger a need for work to immediately begin on a new Plan. The Council has identified that the full LHN using NPPF 2024 standard method would be 1,358 dpa, 80% of which is 1,087 dpa, with the paper going on to indicate that (para 3.33) the proposed housing requirement of 1,088 dpa would therefore be 80.1% of the NPPF 2024 figure and "*meet the transitional arrangement*". It may not be a topic on which this Examination should opine, but we observe that the 1,088 dpa housing requirement figure - by including within its total an allowance for unmet needs from neighbouring authorities (as below) - would not of itself meet more than 80% of Mid-Sussex's own local housing need under the NPPF 2024. Berkeley Latimer therefore objects to the Council's conclusion in this respect; we highlight this to confirm that in any event, the Local Plan will need to be reviewed providing an immediate mechanism (as set out in current NPPF policy) by which to address any shortfall in providing sufficient new homes within this Local Plan.

b) Unmet need from neighbouring authorities and its effect on the plan's housing requirement

- 1.4 As noted by the Inspector within IDJB-01, the plan should respond as far as reasonably possible to the declared unmet housing need, identifying Crawley as an area of immediate relevance being located within the same housing market area as Mid Sussex. Within Annex 3 of IDJB-01, the Inspector states that *“the additional allowance for unmet housing need should be specifically identified”*.
- 1.5 At Table 14 of MS-TP2, the council has identified that the proposed housing supply over the plan period is 21,241, which is 2,260 houses over the base LHN requirement (as stated by the Council) of 18,981.
- 1.6 The Council has split this ‘oversupply’ of housing to both make a specific contribution to unmet needs in the housing requirement element of policy (DPH1) and any residual to provide a level of headroom for resilience. We address the ‘headroom’ element in our response in Matter 2.
- 1.7 In respect of the unmet needs element, it is for the Council to make a judgement whether the quantum of housing delivery in Mid Sussex has been planned proactively to assist other authorities within the wider HMA in meeting their unmet needs. The Council indicates that the proposed housing requirement of 20,674 (1,088 dpa) comprises a Mid Sussex LHN component of 18,981 (999 dpa) and unmet need contribution component of 1,693 dwellings (89 dpa).
- 1.8 In respect of allocating that unmet need to a specific neighbour, Para 3.27 of MS-TP2 confirms that the Council has utilised a hierarchy system to allocate excess supply which is not required to directly address the needs of Mid Sussex. The Council identified that the first priority is to address the needs of the Northern West Sussex HMA and as such confirms that the 1,693 dwellings will contribute towards the unmet needs arising in the Northern West Sussex HMA, predominantly at Crawley. Given the level of unmet need within the Crawley Local Plan (7,505 dwellings), this means no housing will contribute to meeting unmet need from other areas.
- 1.9 Berkeley Latimer consider that this is a pragmatic approach to unmet need, noting that NPPF 2023 paragraph 35a requires that *“unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development”*. Unmet needs are clearly not being addressed in full, albeit if there were a requirement for additional homes to help contribute towards such unmet needs, this could be addressed through allocating suitable sites that have been assessed in the SHLAA and/or future Plan making, acknowledging that there is likely a need to immediately review the Plan per transitional arrangement.

c) Whether the housing requirement needs to be uplifted to meet any other need such as that for affordable housing

- 1.10 The SHMA Update (October 2024) (examination ref H6) provides a more up to date picture than the previous SHMA conducted in 2021 and supporting the submitted Local Plan. It

utilises more recent Census data (2021) and updated population estimates. The SHMA suggests that the need for rented affordable housing has decreased¹ from 470 homes per annum within previous SHMA to 383 homes per annum, and that there has been a narrowing of the gap between the costs of renting and buying in the area, leading to a decrease in the need for intermediate or low cost home ownership. Across both components of affordable housing need, there remains a large need for the provision of affordable housing that would not be met by the Plan's supply, albeit such a position is not unusual in many plans. The uplift component from Mid-Sussex's own LHN will support delivery of additional affordable housing.

- 1.11 We also note the need for older person's housing has risen, with the SHMA confirming that the estimated need for dwellings with support or care had risen from 1,887 to 2,222 (and similar for nursing and residential care bedspaces from 211 to 690). The Council has indicated² that the wording of the Policy DPH4 (Older Person's Housing and Specialist Accommodation) will need to be updated; however, Berkeley Latimer considers that the Council will need to go further than this.
- 1.12 Policy DPH4 currently seeks to allocate two sites specifically for older person's specialist accommodation, whilst making provision for older person's accommodation as part of four site allocations including DPSC3: Land to the south of Reeds Lane, Sayers Common (Berkeley Latimer's site). The increase in older person's housing arising from the SHMA is a c.18% uplift from the position previously planned for. Berkeley Latimer considers that the Council will need to consider the requirement for this uptick in specialist housing to be reflected in potential additional components of supply; with it not evidenced to be appropriate that the existing identified site allocations within DPH4 could additionally accommodate the higher older person's housing need identified. This in turn may lead to additional housing land supply specifically for older persons requirements to be identified which could also support an increased housing requirement, or be addressed through future reviews of the local plan.

d) Whether a stepped requirement is appropriate

- 1.13 Berkeley Latimer has some concerns regarding the introduction of a stepped requirement, noting this is newly introduced and was not part of the Submission Plan. The justification for this is set out in MS-TP2 paragraphs 4.3-4.6 and relates to three points; (1) a temporary fall in committed supply (2) reliance on strategic allocations; and (3) Crawley's trajectory and when unmet needs are likely to arise. We deal with each of these in turn below:
- 1 It is recognised that the Council has achieved records of strong housing delivery over the past three years as evidenced by the housing delivery test results.³ This in turn will have led to sites that would have been committed in the earlier years of this plan if adopted sooner to now be already, or in the process of, being built. This may in part be why the Council sees there is a fall in the now-committed supply. However, as the Council sets out, the introduction of a position statement to encourage applications is

¹ Para 3.8 Mid Sussex SHMA Update October 2024 and Table 3.4

² Para 4.42 MS-TP2 Housing

³ Table 9, MS-TP2

seeking to mitigate this; and the Sayers Common allocations are a case in point of applications that have and are coming forward in response to this. We can see no reason why that would not continue to bring forward components of supply, until the new Local Plan is in place (as is the case for Berkeley Latimer's site at DPSC3).

- 2 It is indicated that the reliance on strategic allocations is justification for the introduction of a stepped trajectory,⁴ including the longer lead in times that are associated with these sites and that they can be expected to deliver later in the plan period. However, Berkeley Latimer considers that the delivery of new homes in Sayers Common would not face particularly longer lead in times and that strategic allocations can deliver across the plan period. In Berkeley Latimer's view, the Council has taken a precautionary approach with respect to delivery on strategic allocations,⁵ noting with regards to the three significant strategic sites that "*all three sites anticipated to deliver in year 6 onwards*". We understand the Council's reasons, albeit Berkeley Latimer's view is that its site DSCP3 is likely to start delivering more quickly than that assumption, as we will explain in our response to Matter 7.

Furthermore, this is not specifically different from the submitted Local Plan, which did not include a stepped trajectory. The Council note that 73% of the dwellings proposed for allocation are on significant strategic sites (DPSC1: West of Burgess Hill/North of Hurstpierpoint, DPSC2: Crabbet Park, and DPSC3: Land to the south of Reeds Lane Sayers Common). But similarly, Table 3 of Document H4⁶ which supported the submitted version of the plan for examination identified 4,850 of the 6,832 total dwellings then proposed to be allocated in the plan were on the same three strategic sites identified above, which comprise 71% of the total dwellings proposed for allocation. There is not a significant shift in the proportion of sites allocated within strategic allocations that would necessitate the change to a stepped requirement.

- 3 Whilst the Crawley Local Plan trajectory does show a significant drop-off from year 12, the unmet needs from that Plan are arising across the whole plan period (i.e. against a Plan-based need of 755dpa even at trajectory peaks of 600dpa, unmet needs are still occurring).

- 1.14 Berkeley Latimer would not support a position whereby any stepped housing requirement is used as a means to try and manage the timescales for when appropriate development is permitted to come forward, taking into account the level of need under the December 2024 Standard Method.

⁴ Para 4.5, MS-TP2

⁵ Para 4.6 MS-TP2

⁶ H4: Housing Supply and Trajectory Paper July 2024