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# Examination Statement

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Matter 3 - Mid Sussex District Council District Plan  
2021-2039 – Examination in Public

Matter 3: Vision, Objectives and Spatial Strategy

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Prepared For: Danworth Farm Ltd

# Examination Statement

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## Glossary

Mid Sussex District Council	<b>MSDC</b>
Emerging Mid Sussex District Plan 2021-2039	<b>The Plan</b>
Danworth Farm Ltd	<b>Danworth</b>
Regulation 18	<b>R18</b>
Regulation 19	<b>R19</b>
Sustainability Appraisal	<b>SA</b>
Housing Need and Requirement Topic Paper	<b>HNRTTP</b>
Housing Supply and Trajectory Paper	<b>HSTP</b>
Housing Market Area	<b>HMA</b>

## 1. Introduction

- 1.1. This Examination Statement has been prepared on behalf of Danworth Farm Ltd (Danworth). Danworth are the sole promoter of Land at Cuckfield Road, Hurstpierpoint (Site Reference 1075).
- 1.2. Prior to the submission of The Plan by MSDC to the Planning Inspectorate for examination, Danworth and their consultant team have participated in the formal consultations of the Local Plan at R18 and R19 stage. In addition, the site has been submitted to MSDC through the Call for Sites process and assessed through the Strategic Housing and Economic Land Availability Assessment..
- 1.3. Danworth made a number of objections to the R19 Plan through the representations submitted, which should be read alongside this Hearing Statement. It is our view that the Plan as submitted is not sound. This view is taken on the basis of failings in positive preparation and effectiveness (as it does not appropriately account for identified housing need of neighbouring Local Authorities) and has flaws in the evidence base (notably the Sustainability Appraisal).
- 1.4. Since the submission of the R19 representations, further evidence base documents have been published that are relevant to this matter, notably the Housing Supply and Trajectory Paper (document H4), and the Housing Need and Requirement Topic Paper (document H5). Documents that were not available for comment at the R19 stage will therefore be addressed in this Hearing Statement.
- 1.5. The location of the site, its surroundings and the vision for the Land at Cuckfield Road, Hurstpierpoint were set out in detail in the representations made to the R18 and the R19 Plan consultation (Respondent ID: 1191235).
- 1.6. This Examination Statement addresses the following questions:
  - 37.
  - 39.
  - 42.
  - 43.

## 2. Response to the Inspectors Questions

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### Matter 3: Vision, Objectives and Spatial Strategy

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**Issue 2: Whether the Spatial Strategy is justified, positively prepared, effective, and consistent with national policy?**

**Q37: How does the spatial strategy and the distribution of development relate to neighbouring settlements outside of the District such as Crawley to the north?**

- 2.1. The spatial strategy set out in The Plan has not actively sought to relate to existing neighbouring settlements outside of the District.
- 2.2. In geographical terms, development has been distributed across the district away from the Tier 1 settlements of East Grinstead and Haywards Heath, with minimal development allocated within or adjacent to these settlements. The only existing settlement that will see significant growth will be Burgess Hill, with the proposed strategic allocation (*DPSC1: Land to the West of Burgess Hill/North of Hurstpierpoint*) on the western side.
- 2.3. Development in the northern part of the District, at the proposed Crabbet Park allocation (*DPSC2: Land at Crabbet Park*), is bordered on its western side by the M23, which in turn demarcates the boundary of Mid Sussex District and Crawley Borough. The geographical location of Crabbet Park means that it is inevitable that future residents will seek to utilise the amenities and services of Crawley. However, despite the identified unmet housing need of Crawley, there is no acknowledgement or intention of the Crabbet Park site (or indeed the Plan as a whole) addressing Crawley's identified housing shortfall of 7,505 dwellings through this allocation (identified definitively in the Inspectors Report of the Crawley Local Plan - extract included in Appendix 1: page 31, paragraph 110). This is a marked step change from the previous plan, where MSDC agreed to accommodate some of Crawley Borough Council's unmet need (1,500 homes, as set out in policies DP4 and DP5 Mid Sussex District Plan 2014-2018).
- 2.4. On a wider scale, the majority of the proposed development in the south of the District lies primarily within the Northern West Sussex Housing Market Area (NWSHMA), and also the Greater Brighton and Coastal West Sussex HMA.
- 2.5. The HNRTTP paper identifies that within the NWSHMA (which includes the entirety of Crawley Borough and a large part of Horsham District, including Horsham itself) there is a shortfall of 9,882 dwellings (paragraph 38). In the Greater Brighton and Coastal West Sussex HMA, there is an estimated need of 30,000 dwellings for the period to 2050 (paragraph 40).

- 2.6. There is clear, identified, unmet housing need in the local housing market areas (and the corresponding neighbouring local authority areas) which requires greater housing delivery through The Plan. As identified in the HNRTP in paragraph 34, the part of the District between Burgess Hill, Haywards Heath, and the M23 provides an area where housing delivery will assist in meeting the needs of both HMA's. The focus of delivery has been to the west of Burgess Hill, which, whilst falling in the area of Mid Sussex that lies within both key HMA's, would most likely contribute towards meeting needs of those in the Greater Brighton and West Sussex HMA, and be less likely to contribute to the NWSHMA.
- 2.7. Given the known unmet need in Crawley and immediate difficulty in achieving housing delivery in Horsham, it is imperative that the spatial strategy seeks to 1) allocate more homes to meet housing need and 2) does so in areas of the District that are located within the shared HMA area but are physically closer to both Crawley and Horsham. Furthermore, the *North West Sussex Statement of Common Ground – Housing* document identifies that where there is potential to address other authorities with unmet needs, Priority 1 will be the NWSHMA (Document DC4, p8).
- 2.8. The Spatial Strategy is therefore not positively prepared, effective or justified and requires revision to allow a greater level of housing delivery in order to make The Plan sound. The Land at Cuckfield Road, Hurstpierpoint is technically unconstrained and scores well in the Sustainability Appraisal, and as such is ideally placed to provide much needed additional housing during the plan period.
- 2.9. **Q39. How have the constraints within the District, such as the High Weald Area of Outstanding Natural Beauty and the setting of the South Downs' National Park influenced the strategy of the Plan?**
- 2.10. The evidence base for The Plan has not adequately demonstrated why constraints such as AONB prohibit MSDC from doing more and delivering a greater quantum of housing that would allow the identified unmet need of neighbouring authorities to be delivered. MSDC has accepted in the past that major development in the AONB may be necessary to deliver unmet need – as evidenced by the development at Pease Pottage. National Policy sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and AONB's but does not state that development should be refused. NPPF Paragraph 177 identifies that permission for applications in the AONB should be refused other than in exceptional circumstances and "*where it can be demonstrated that the development is in the public interest*".
- 2.11. The identified shortfall in housing delivery from neighbouring areas (including both Crawley Borough and Horsham District, as well as the larger NWSHMA and the Greater Brighton and West Sussex HMA) needs to be addressed. Housing delivery to meet identified private and affordable housing need in a part of the country where, (as identified in the R19 representations paragraphs 3.23-3.29) housing is increasingly unaffordable, and delivery of housing is clearly in the public interest.
- 2.12. Given the constraints present within the District, the development strategy has focused growth outside of Areas of Outstanding Natural Beauty or the South Downs National Park. However, the extent of unmet neighbouring need is so fundamental that it needs to be part of a much greater consideration and exploration of the spatial strategy.

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- 2.13. The Spatial Strategy is therefore not positively prepared, effective or appropriately justified and requires revision to allow a greater level of housing delivery in order to make The Plan sound.
- 2.14. **Q42. What reasonable alternative options were considered as part of the Plan’s preparation and why were they discounted?**
- 2.15. The Options reviewed as part of the Local Plan Strategy were set out in Table A-3 (page A-5) of the SA:

Table A-3: Alternative spatial options for growth considered.

Option	Description of Spatial Option
Option 1	Maintain the existing spatial strategy set out in policies DP4 and DP6 of the Adopted District Plan, with proportionate growth across the hierarchy of settlements, with main settlements accommodating greater levels of growth.
Option 2	Growth to support the sustainability potential of existing smaller settlements, with limited growth in protected landscapes. This spatial Option seeks to support growth in settlements with existing facilities, such as retail opportunities, schools, and health care. While recognising that urban extensions of a strategic size bring opportunities to support the development of new facilities.
Option 3	Creating a new sustainable settlement with associated facilities.
Option 4	Focus development in the three towns utilising existing facilities and transport links.
Option 5	Prioritise development on brownfield land.

- 2.16. On page A-8 of the SA, Option 2 is identified as delivering both Mid Sussex’s Housing Need and a surplus of approximately 1,000 dwellings. It should be noted that at the bottom of page A-8 it is identified that Option 2 is the preferable option, but it will also incorporate elements of Option 1 to allow growth at existing sustainable settlements.
- 2.17. Option 2 is identified in table A4 (page A-6) of the SA as the Option that would provide the highest level of housing delivery.



Table A-4: Summary of assessments of potential impacts of the spatial Options.

Spatial Option	SA Objective													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Housing	Health and wellbeing	Education	Community and Crime	Flooding & surface water	Natural resources	Biodiversity & geodiversity	Landscape	Cultural heritage	Climate change & transport	Energy and waste	Water resources	Economic regeneration	Economic growth
1	+/-	+	++	++	0	-	-	-	-	+	+/-	+/-	++	++
2	++	+/-	+/-	+/-	0	-	-	-	0	-	+/-	+/-	+	+
3	+	+/-	+/-	+/-	0	-	-	-	0	-	+/-	+/-	-	+
4	+/-	++	++	++	0	+/-	-	+	+/-	+	+	+/-	++	++
5	+/-	+	++	++	+	++	+/-	+/-	+/-	+	+	+/-	++	++

2.18. It is set out on page A-8 of the SA that this option would only provide approximately 1,000 dwellings more than the identified minimum housing need. It is then set out in paragraph 70 of the HNRTTP that a supply figure above this would likely not be compatible with the plan strategy and is likely to require allocation of sites that have been rejected for their significant harm and/or non-compliance with national policy.

2.19. Notwithstanding a sites compatibility with the plan strategy, a higher level of delivery should have been examined through the SA to understand the impacts and explore reasonable alternatives for a higher level of growth. This would be a reasonable approach as a number of sites that have been through the site selection process can still be made suitable (for example, site 1075, Land at Cuckfield Road, Hurstpierpoint would be an appropriate site). To fail to assess a higher level of growth to the detriment of sites that could readily come forward with technical amendments is a significant oversight that undermines the robustness of the SA.

2.20. **Q43. Are any main modifications necessary for soundness, if so, why?**

2.21. To make the plan sound, a greater number of dwellings are required to be delivered within the plan period. In particular, allocations are required in locations capable of meeting the needs of neighbouring authorities within the Greater Brighton and West Sussex HMA, and the NWSHMA.



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- 2.22. Allocation of Land at Cuckfield Road, Hurstpierpoint (site ref. 1075) as a further allocation for 150 dwellings would contribute towards addressing these failures within the plan. This site scores similarly in the SA to the other proposed allocations, and is within the ownership of one landowner and is readily deliverable, with development able to contribute to housing delivery within the first five years of the plan period.

## 3. Conclusion

- 3.1. This Examination Statement has been prepared on behalf of Danworth Farm Ltd with regards to site 1075 Land at Cuckfield Road, Hurstpierpoint. It provides answers to the questions raised by the Planning Inspector under *Matter 3: Vision, Objectives and Spatial Strategy* of the MIQ's
- 3.2. The Spatial Strategy is not justified, positively prepared, suitably effective, or consistent with national policy. The National Planning Policy Framework clearly identifies that outstanding need from neighbouring authorities should be addressed as part of an emerging Local Plan. The provision of only 1,042 dwellings over the housing requirement and no acknowledged attempt to address neighbouring need is contrary to the details and approach set out in the NPPF.
- 3.3. The Spatial Strategy utilised has been assessed in the SA, but it has not been subject to an appropriate level of scrutiny and reasonable alternatives have not been explored in full, as a strategy that seeks to address some of the unmet need from the two HMA's has not been tested.
- 3.4. In order to deliver a sound plan a greater level of housing delivery is required or specific and compelling justification is required to evidence why this is not possible. Crawley alone has an identified shortfall of 7,505 homes. The evidence base Housing Topic Paper further identifies a shortfall of up to 30,000 homes from the Greater Brighton and Coastal West Sussex HMA for the period until 2050. The planned level of housing delivery set out is palpably insufficient for the evidenced need. The level of housing delivery in the plan needs to be significantly increased in order for the Plan to appropriately address identified needs and be found sound.

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## Appendices

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to 'estate regeneration' being an underestimated source of capacity but there are no large-scale regeneration initiatives or schemes being contemplated that could justifiably feed into the Local Plan as a 'broad location' in accordance with NPPF paragraph 68b.

108. As a purposefully planned New Town there is a clear demarcation between residential and the main employment areas. Consequently, mixed use developments within the main employment areas are not an option for increasing the housing capacity within the Borough. Notwithstanding the need to maintain the provision of employment land and premises<sup>29</sup>, the incursion of housing into main employment areas would create challenging issues for living conditions and the 'Agent of Change' principle<sup>30</sup>. Several main employment areas are subject to Article 4 directions restricting PD, including Class MA.
109. Overall, we consider that the Plan has sought to accommodate as much of the housing need as reasonably practicable and that no stone has been left unturned. The Plan takes a positively prepared approach to town centre redevelopment and to windfall capacity such that we are satisfied that it is justified and effective that the housing requirement in the Plan reflects the likely supply.
110. As a consequence of clarifying the plan period it would be necessary to extrapolate the housing requirement by an additional year to increase the overall minimum requirement from 5,030 to 5,330 dwellings. **MM2** and **MM24** would do this, and we recommend them so that the Plan would be effective. Allied to this, the extent of unmet housing need would increase from 7,050 to 7,505 dwellings. **MM5** and **MM26** would clarify this figure within the Plan and again we recommend them for effectiveness.

## Conclusion

111. Subject to the MMs identified above the housing need would be soundly based and the supply-based housing requirement would be justified and positively prepared.

## **Issue 3 – Does the Plan positively and proactively encourage sustainable economic growth through its policies and the identification of Gatwick Green as a strategic employment location, to flexibly meet anticipated needs over the plan period?**

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<sup>29</sup> As assessed in the review of existing employment stock and premises in the EGA

<sup>30</sup> NPPF paragraph 187

