

Mid Sussex District Plan 2021-2039

Schedule of Proposed Modifications

July 2024

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Schedule of Proposed Modifications to the Regulation 19 Submission Draft District Plan

July 2024

Mid Sussex District Council is submitting the Mid Sussex District Plan 2021 – 2039 (District Plan) to the Secretary of State for Examination. The Council has prepared the District Plan in accordance with legal and policy requirements and believes the District Plan meets the necessary legal and soundness tests. The District Plan has been prepared using a robust and transparent process, based on guidance, best practice and a proportionate evidence base.

The District Council will be formally requesting that the Inspector recommends any such modifications considered necessary to make the District Plan sound under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 (as amended), including consideration of, and amendment to, the proposed modifications put forward by the District Council as part of its submission.

The Council is proposing modifications to the Submission Draft District Plan (2021 – 2039) (Regulation 19). As appropriate, this includes suggested modifications raised through representations received during the Regulation 19 consultation. The proposed modifications are contained in this schedule. These proposed modifications do not materially affect the substance of the plan, its overall soundness or the submitted sustainability appraisal. The proposed modifications relate to points of clarification, factual updates and typographical or grammatical errors. The reasons for making each of the changes are clearly set out in the schedule.

The following format has been used to show the proposed modifications:

Underlined bold text = new text proposed

~~Strikethrough text~~ = text proposed to be deleted

All document references are to the Regulation 19 Submission Draft District Plan (2021 – 2039) (December 2023).

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
Chapter 1				
M1	Update – a new District Plan	National Planning Policy requires plans to look ahead for a minimum of 15 years from adoption (anticipated 2024 2025). The Plan period therefore extends to 2039 2040, 9 8-years beyond the 2018 District Plan.	To ensure a minimum of 15 years from adoption date. (Other consequential changes for District Plan wording, will be made if change is supported at Examination, apart from DPH1:Housing see Modification Ref M67).	NPPF
Chapter 2				
M2	Background	Under Sussex Coast header on page 10 delete 'Crawley' from list: ● Crawley	Correction	Crawley Borough Council (1189681)
Chapter 5				
M3	District Plan Vision	Amend wording of Vision to read: [...]. Our aim is to maintain, and where possible, and to improve the social, economic and environmental wellbeing [...].	Strengthen and consistency with NPPF	Natural England (1196374)
M4	Strategic Objectives - Environment	Revise or include an additional objective that aims: To protect and enhance the natural environment, achieving net gains in biodiversity, nature recovery and tree cover.	Consistency with NPPF	Natural England (1196374)
M5	Strategic Objectives - Environment	Objective 4 should be amended to read: To protect conserve and enhance valued landscapes for their visual, historical and biodiversity qualities.	Consistency with NPPF	Natural England (1196374)
Chapter 6				
M6	Updated District Plan Strategy	Amend District plan strategy (pg. 33) to read: 'Protection Conservation and enhancement of the High Weald AONB and South Downs National Park .	Correction and consistency with NPPF	Natural England (1196374)
M7	Protection of the High	Add an introductory paragraph before the 'How?' section.	Clarification	Council / Natural England

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	Weald AONB	From the 22nd November 2023, all AONBs are to be known as National Landscapes. The High Weald National Landscape remains designated an Area of Outstanding Natural Beauty (AONB) and is referred to as such in policy, legislation and guidance. For this reason, the Mid Sussex District Plan continues to refer to the High Weald AONB and references to the High Weald AONB Management Plan remain, in line with the Countryside and Rights of Way Act 2000. The statutory purpose of the landscape designation remains unchanged.		(1196374) / High Weald National Landscape Partnership (1194408)																																																																																																																																																																																																																
M8	Spatial Strategy - Distribution	<p>Replace Table 2a – Commitments by Settlement and Table 2b – Commitments by Parish with updated versions which include figures as at 1st April 2024.</p> <table border="1"> <thead> <tr> <th>Settlement</th> <th>Commitments (at 1st April 2023)</th> <th>District Plan 2021 – 2039 Allocations</th> <th>Total Housing Supply 2021 - 2039</th> </tr> </thead> <tbody> <tr><td>Albourne</td><td>88</td><td>0</td><td>88</td></tr> <tr><td>Ansty</td><td>16</td><td>75</td><td>91</td></tr> <tr><td>Ardingly</td><td>42</td><td>0</td><td>42</td></tr> <tr><td>Ashurst Wood</td><td>99</td><td>8</td><td>107</td></tr> <tr><td>Balcombe</td><td>33</td><td>0</td><td>33</td></tr> <tr><td>Bolney</td><td>40</td><td>200</td><td>240</td></tr> <tr><td>Burgess Hill</td><td>5,169</td><td>1,708</td><td>6,877</td></tr> <tr><td>Copthorne</td><td>260</td><td>1,500</td><td>1,760</td></tr> <tr><td>Crawley Down</td><td>124</td><td>387</td><td>511</td></tr> <tr><td>Cuckfield</td><td>85</td><td>0</td><td>85</td></tr> <tr><td>East Grinstead</td><td>1,408</td><td>45</td><td>1,453</td></tr> <tr><td>Handcross</td><td>71</td><td>0</td><td>71</td></tr> <tr><td>Hassocks</td><td>726</td><td>25</td><td>751</td></tr> <tr><td>Haywards Heath</td><td>1,005</td><td>226</td><td>1,230</td></tr> <tr><td>Hickstead</td><td>0</td><td>0</td><td>0</td></tr> <tr><td>Horsted Keynes</td><td>55</td><td>0</td><td>55</td></tr> <tr><td>Hurstpierpoint</td><td>13</td><td>90</td><td>103</td></tr> <tr><td>Lindfield</td><td>224</td><td>0</td><td>224</td></tr> <tr><td>Pease Pottage</td><td>217</td><td>0</td><td>217</td></tr> <tr><td>Sayers Common</td><td>85</td><td>2,393</td><td>2,478</td></tr> <tr><td>Scaynes Hill</td><td>21</td><td>30</td><td>51</td></tr> <tr><td>Sharpthorne</td><td>47</td><td>0</td><td>47</td></tr> <tr><td>Slaugham</td><td>8</td><td>0</td><td>8</td></tr> <tr><td>Staplefield</td><td>1</td><td>0</td><td>1</td></tr> <tr><td>Turners Hill</td><td>64</td><td>0</td><td>64</td></tr> <tr><td>Twineham</td><td>10</td><td>0</td><td>10</td></tr> <tr><td>Warninglid</td><td>5</td><td>0</td><td>5</td></tr> <tr><td>West Hoathly</td><td>5</td><td>0</td><td>5</td></tr> <tr><td>TOTAL</td><td>9,921</td><td>6,687</td><td>16,607</td></tr> </tbody> </table> <p>Table 2a - 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M9	DPS1	<p>Amend criterion 5 to read:</p> <p>Development will be required to protect existing trees, woodland and hedgerows and their soils and seek opportunities to plant new hedgerows and appropriate species of trees in appropriate places including street trees. Detailed policy requirements are set out in Policy DPN4: Trees, Woodland and Hedgerows.</p>	Consistency with DPN4	CPRE (1189028)																																																																																																																																																																																																																
M10	DPS2	<p>Updated supporting text:</p> <p>All development in its design, construction, operation and use will be expected to contribute to the reduction of carbon emissions, increase resilience to the impacts of climate change and improve sustainability. Applicants will need to consider:</p> <ul style="list-style-type: none"> Measures that move towards zero carbon development Energy use Preventing overheating 	Written Ministerial Statement – Planning – Local Energy Efficiency Standards Update December 2023	Various – all promoters Home Builders Federation (1190702)																																																																																																																																																																																																																

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		<ul style="list-style-type: none"> • Water resources and water efficiency • Minimising waste <p>To assess if the carbon reduction or net zero targets have been met for all new build residential and major non-residential development, the council will seek confirmation via a third-party assessment tool and submission of proof of certification/performance. The use of a third-party assessment gives the council the confidence of the ratings given as the work is completed by independent assessors; it will also ensure the cost is borne by those benefiting from the uplift in values from the development.</p> <p>The Building Research Establishment (BRE) oversees third-party sustainability certification for non-residential development through the BREEAM assessment framework and residential development through Home Quality Mark (HQM) assessment framework.</p> <p>BREEAM and HQM assessments consider a wide range of sustainability factors and are completed throughout the lifecycle of the development. Both these schemes addresses topic areas other than energy and greenhouse gas performance and encourage developers to considered wider sustainability issues; the assessments include an analysis of energy use, health and wellbeing, innovation, land use, materials, management, pollution, transport, waste and water.</p> <p>Where applicable, consideration of how the appropriate design standard will be achieved must start at the inception stage of the design process in order to maximise the development's potential to achieve the highest scores. Details should be set out in an accompanying Sustainability Statement and Design and Access Statement, including evidence of registration of the project with BRE. Unless otherwise agreed, compliance with BREEAM the defined standards shall be demonstrated via formal certification.</p> <p>Another widely recognised third-party assessment scheme is Passivhaus; the Passivhaus Standard focuses on maximising the thermal efficiency of the building fabric using high levels of insulation and air tightness and mechanical ventilation with heat recovery. Certification is achieved through a rigorous and exacting third-party assessment process which is more onerous and costly to achieve than BREEAM or HQM¹ but would be supported as an alternative for both residential and non-residential new build developments where evidence is provided to demonstrate certification is achievable.</p> <p><u>In December 2023, the Government issued a Written Ministerial Statement for planning entitled - Local Energy Efficiency Standards Update (WMS2023). The WMS2023 sets out that where local councils are seeking to set local energy efficiency standards which go beyond building regulations, current or planned, they should be expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP). The requirement for residential dwellings is therefore sought in line with the requirements of the WMS2023 and in line with the industry supported method, until such time as national standards exceed this requirement.</u></p> <p><u>Policy DPS2 requires development to follow the energy hierarchy and maximise opportunities to reduce space heating demands through a 'fabric first' approach to both minimise demands on the local energy grid and associated need for grid reinforcement in response to the wider switch to electric heating and electric vehicle charging; and minimise energy demand, protecting occupants against high energy bills, helping address fuel poverty and enabling homes to become net energy generators through on site solar photovoltaics.</u></p> <p>Householder development applications must demonstrate through the submission of a proportionate Sustainability Statement that proposals have been designed to be as energy efficient and sustainable as possible. This includes consideration not only of the extension itself but also the existing building. Householders are strongly encouraged to take opportunities to improve the energy efficiency of the existing building as a whole. This could be achieved through improved thermal efficiency with replacement windows/ improved insulation</p>		

¹ As evidenced in the Ricardo Net Zero Local Plan Evidence Base Report for Mid Sussex District Council (July 2023).

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		<p>and/ or by replacing an existing fossil fuel heating system with low/zero carbon energy sources such as an air source heat pump or on-site renewable technology such as photovoltaics.</p> <p>Where proposals could impact existing heritage assets such as Conservation Areas and Listed Buildings, proposals will be required to demonstrate how any alteration will preserve their significance in accordance with the relevant requirements in the NPPF and relevant policies in this Plan. Proposals must take account of the most up to date guidance produced by Historic England, such as, <i>Retrofit and Energy Efficiency in Historic Buildings</i>².</p> <p>According to the Department for Environment Food & Rural Affairs (UK Statistics on Waste July 2021) the development industry made up over half (62%) of the UK's total waste production in 2018 from construction, demolition and excavation. In addition, a notable proportion of materials delivered to building sites are never used and go straight to waste.</p> <p>In order to help move away from a linear economy where products are made to be used and sent to waste, and towards a circular economy which looks to minimise waste production all developments will be expected to demonstrate how they will follow the waste hierarchy and avoid any avoidable waste production and disposal. This can be achieved by:</p> <ul style="list-style-type: none"> • prioritising the use of previously developed land and buildings • reusing and recycling of appropriate materials that arise through demolition and refurbishment, including the reuse of non-contaminated excavation soil and hardcore within the site • prioritising the use of locally sourced and/ or sustainable materials and construction techniques • using resilient, low maintenance materials 		
M11	DPS2	<p>Amend below subsection 'Energy Use' as follows:</p> <p><u>Residential new build:</u> Until superseded by higher national standards, development must achieve a 100% emissions reduction against the Target Emissions Rate (TER) on all new build dwellings. Compliance shall be demonstrated via the Standard Assessment Procedure (SAP) calculations and details submitted as part of an Energy Statement. sufficient credits in the "Energy performance" and "Towards carbon negative" categories of HQM (or equivalent) to demonstrate that the development produces net zero regulated and unregulated emissions.</p> <p>Development is encouraged to exceed this standard where feasible and viable, and alternative routes such as Passivhaus standards will be supported where evidence is provided. Passivhaus compliance shall be evidenced An alternative route to compliance is to provide evidence by submitting full Passivhaus Planning Package outputs demonstrating that Passivhaus certification is achievable. and that 100% of operational energy use will be met via on-site renewables.</p> <p><u>Non-residential new build:</u> Major development must achieve maximum credits in the "Energy performance", and "Prediction of operational energy consumption" and "Beyond zero net regulated carbon" categories of BREEAM (or equivalent) to demonstrate that the development has surpassed net zero regulated emissions.</p> <p>All minor³ new build developments have the option to demonstrate achievement of zero operational GHG emissions through the Part L of Building Regulations rather than a BREEAM assessment.</p>	Written Ministerial Statement – Planning – Local Energy Efficiency Standards Update December 2023	Various – all promoters Home Builders Federation (1190702)

² Advice available at: <https://historicengland.org.uk/advice/technical-advice/retrofit-and-energy-efficiency-in-historic-buildings/>

³ Defined as new build development of less than 1,000sqm floorspace or a site area of less than 1 hectare.

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source															
		<p>Evidence must be provided to demonstrate every feasible and viable option has been explored to fully achieve the net zero target on-site. Only in exceptional circumstances, where any shortfall is identified, appropriate mitigation should be formally agreed with the Council.</p> <p>Assessment frameworks</p> <p><u>BREEAM Technical Standards:</u> Planning applications of a scale and nature defined in the table below, must be accompanied by a pre-assessment, demonstrating how the BREEAM Technical Standards and/or Home Quality Mark (HQM) Star rating, or any future replacement standards, will be met.</p> <p>Evidence demonstrating the project has been registered with BRE during the design stage shall be submitted with any application and conditions/ requirements will be imposed to secure appropriate final (post-construction/post-refurbishment stage) certification to demonstrate compliance with this policy.</p> <p>Where Passivhaus certification is being sought, a 'pre-construction compliance check' completed by a Passivhaus certifier will be required; secured by condition and upon completion, a Quality Approved Passivhaus certification for each dwelling/building will be required.</p> <p>Development, as defined below, will be required to meet the relevant minimum defined standards until they are superseded by higher national standards.</p> <table border="1" data-bbox="557 1014 1659 1402"> <thead> <tr> <th>Development Type</th> <th>Scale of Development</th> <th>Minimum Standard</th> </tr> </thead> <tbody> <tr> <td>Residential new build</td> <td>All</td> <td>HQM 3 Star</td> </tr> <tr> <td>Residential Refurbishment and/or extension</td> <td>Major⁴</td> <td>BREEAM Excellent – Domestic Refurbishment</td> </tr> <tr> <td>Non-residential⁵ and mixed-use new build</td> <td>Major</td> <td>BREEAM Excellent</td> </tr> <tr> <td>Non-residential Refurbishment and/or extension</td> <td>Major</td> <td>BREEAM Excellent – Refurbishment and Fit-Out Technical Standards</td> </tr> </tbody> </table> <p><u>Post-occupancy monitoring:</u> All major residential new build developments must achieve at least 50% of credits for post-occupancy evaluation (POE) under 'Customer Experience' under the HQM scheme.</p> <p>All major non-residential new build developments must achieve a credit for POE in the category Man 05 Aftercare under the relevant BREEAM scheme.</p> <p>Developers should share their POE information with the built environment sector to ensure transparency and inform wider lesson learning.</p>	Development Type	Scale of Development	Minimum Standard	Residential new build	All	HQM 3 Star	Residential Refurbishment and/or extension	Major ⁴	BREEAM Excellent – Domestic Refurbishment	Non-residential ⁵ and mixed-use new build	Major	BREEAM Excellent	Non-residential Refurbishment and/or extension	Major	BREEAM Excellent – Refurbishment and Fit-Out Technical Standards		
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⁴ References to major development are as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 or as amended.

⁵ Defined as development falling outside of Use Class C3 as defined by The Town and Country Planning (Use Classes) Order 1987 (as amended).

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		<p>Embodied Carbon</p> <p>Relevant credits in HQM, BREEAM, or equivalent shall be achieved to demonstrate reasonable endeavours have been made to minimise embodied carbon.</p>		
M12	DPS2	<p>Amend – under subsection: ‘Energy Use’:</p> <p>All developments must include decentralised, renewable or low carbon energy provision. in line with Policy DPS3: Renewable and Low Energy Carbon Schemes residential and non-residential renewables such as solar panels (including ground mounted) and associated infrastructure, will be supported in principle but should seek to minimise the visual impact wherever possible.</p>	Clarity	CPRE Sussex (1189028)
M13	DPS3	<p>Amend criterion 26. Under ‘Energy Storage’:</p> <p>26. A clear definition of what the human and environmental receptors for smoke, <u>contamination</u> and <u>other</u> materials from potential fires are, and that a <u>comprehensive</u> plan for mitigating receptor risk is provided, including <u>battery management safety</u>, emergency fire service access and water supply.</p>	Increase effectiveness / clarification – recent appeal / planning application	Council
M14	DPS3	<p>Amend subsection ‘Other renewable and low carbon technologies’ (p.56):</p> <p>Other renewable, and low carbon technologies and grid stability infrastructure</p> <p>The Council will support renewable, or low carbon energy and grid stability infrastructure schemes that are compatible with this policy, other policies within the District Plan, and where impacts can be satisfactorily addressed.</p>	Increase effectiveness / clarification – recent appeal / planning application	Council
M15	DPS4	<p>Add at the end of the ‘Flood Risk’ section:</p> <p><u>‘Proposals should prioritise the use of natural flood management and nature based solutions and need to be designed to maximise wildlife and habitat opportunities’</u></p>	Clarification	Sussex Wildlife Trust (1190866) / Natural England (1196374)
M16	DPS4	<p>Under the ‘Sustainable Drainage’ section, in paragraph 3 add:</p> <p>‘Surface water drainage to the foul sewer and the combined sewer network will be resisted in order to maximise the capacity of foul sewage to reduce the risk of sewer flooding. For the redevelopment of brownfield sites, any surface water drainage to the foul sewer or the combined sewer network should be disconnected, unless it can be shown no other feasible drainage option is available and that the Water Authority agree to the connection.’</p>	To increase effectiveness	Southern Water (1187350) / Thames Water (1191165)
M17	DPS4	<p>Under the ‘Sustainable Drainage’ section, in para 4 add:</p> <p>‘Surface water drainage should be sensitively designed and located, in accordance with Principle DG5 in the Mid Sussex Design Guide, wherever possible, to promote the improvement of biodiversity, enhance landscape...’</p>	To strengthen the policy	Natural England (1196374)
M18	DPS5	<p>Supporting text – amend the following paragraphs:</p> <p><i>Paragraph 2</i></p> <p>Sussex North WRZ is partly supplied from groundwater abstraction from the Folkestone beds of the Lower Greensand/Wealden Greensand semi-confined aquifer, on the River Arun, close to Pulborough in Horsham District. The abstraction site is located close to a</p>	Consistency – To reflect the latest position for the joint	Council / Horsham District Council (1190711) /

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		<p>group of nature conservation sites, known as the Arun Valley Sites, that are nationally or internationally designated as Special Area of Conservation, Special Protection Area, and a Ramsar Site for their rare and protected habitats.</p> <p><u>Paragraph 3</u> To protect the nature conservation sites and to provide the necessary certainty that development will not have an adverse effect on the Arun Valley sites, <u>in accordance with a Position Statement issued by Natural England</u>, the most feasible approach is for development within the <u>Sussex North</u> WRZ to demonstrate that it is water neutral. This means that for every new development, total water use in the region after the development must be equal to or less than the total water-use in the region before the new development. Water neutrality should be achieved by first ensuring that development is highly water efficient, and secondly by ensuring that the additional demand arising from development is offset within the Sussex North WRZ.</p> <p><u>Paragraph 5</u> Water efficient design will not be sufficient alone to achieve water neutrality, as new development, regardless of how efficient it is, would still increase the demand for water above existing levels. Therefore, the additional demand arising from development will need to be offset against existing supplies. It is envisaged that this will be achieved through demand management savings identified in Southern Water's Water Resource Management Plan, together with measures to be identified in a joint Local Authority- and South Downs National Park-led Offsetting Implementation Scheme (OIS) <u>Sussex North Offsetting Water Scheme (SNOWS)</u> being prepared. Note that achieving the aforementioned higher levels of efficiency will enable the OIS <u>SNOWS</u> to provide necessary offsetting more effectively, thereby reducing offsetting costs and ensuring viability for all development within the <u>Sussex North</u> WRZ. Development may choose to achieve water neutrality through other means, but the key principles of water efficient design and offsetting the additional demand created remain. Offsetting is expected to be provided prior to occupation of new developments and this shall be secured through the Development Management process.</p> <p><u>Paragraph 6</u> For all development, it will be necessary to demonstrate how water neutrality will be achieved through a Water Neutrality Statement to be submitted as part of any planning application within the Sussex North WRZ. This will be required to set out baseline information relating to existing water use within a development site, full calculations relating to expected water use within a proposed development; and full details of how any remaining water use will be offset. Detail should also be provided as to how delivery of water efficiency measures, alternative water supplies and offsetting prior to occupation of the development will be verified and monitored. Should applicants not utilise the Local Authority- and South Downs National Park Authority-led SNOWS <u>SNOWS</u>, <u>certainty of delivery of alternative offsetting will need to be demonstrated.</u> The Water Neutrality Statement should supply full details of the offsetting scheme that their development would rely upon. <u>Similarly, certainty of alternative supply will need to be demonstrated in the Water Neutrality Statement. For connection to an alternative water company, this could be achieved by confirming that the alternative water company has sufficient capacity and will take on supply to the development. For a private supply borehole or other source of supply, this will require evidence that sufficient water supply is available to meet demand arising from the proposed development, and demonstrating with certainty that the alternative supply source does not impact upon the Arun Valley sites.</u></p> <p><u>To provide the necessary certainty, measures to deliver water neutrality will need to be secured through the Development Management process.</u> The Council will seek to provide additional guidance to further assist applicants with water neutrality statements.</p>	policy approach	Southern Water (1188508)
M19	DPS5	<p>Add additional paragraph at the end of the policy:</p> <p><u>Area of Serious Water Stress</u> <u>7. Should the need to demonstrate water neutrality no longer be required, new residential development and non-domestic buildings must be designed to meet the standards set out in DPS2: Sustainable Design and Construction. Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied.</u></p>	To reflect the latest position for the joint policy approach	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M20	DPS6	Supporting text – new paragraph between paragraphs 4 and 5: <u>Natural England has published a Green Infrastructure Framework which includes green infrastructure principles and standards (the Green Infrastructure Standards for England). The Green Infrastructure Framework emphasises the benefits that green infrastructure has for health and wellbeing. Development proposals should accord with the Natural England Green Infrastructure Framework and Policy DPN3: Green and Blue Infrastructure.</u>	Provide further information and signpost to guidance	Natural England (1196374)
M21	DPS6	Amend criterion 8: Take opportunities to increase community connectivity and social inclusion such as by providing spaces for the community to gather, <u>exercise</u> , socialise and interact.	Expand reasons for why this criterion is necessary	CPRE Sussex (1189028)
Chapter 9				
M22	DPN1	Amend bullet point 6 of paragraph 5 in the policy: <ul style="list-style-type: none"> Priority <u>and protected</u> habitats and species. 	To be consistent with legislation and national policy	Natural England (1196374)
M23	DPN1	Amend paragraph 9 and footnote 14: Development must incorporate biodiversity features ¹⁴ and such biodiversity features must include appropriate long-term management arrangements where relevant. <u>As a minimum, all new buildings will be required to incorporate two integrated swift boxes/ bricks and one integrated bat box into the fabric of the building.</u> The Council will provide further guidance on recommended standards for biodiversity features within developments. 14 Swift <u>boxes/</u> bricks integrated into new buildings are preferred, as these are suitable for multiple bird species. Other biodiversity features include bird boxes and roosts, dormouse boxes, bat boxes, bee bricks, insect or bug hotels, hedgehog highways, native wildflower planting with nectar- and pollen-rich flowers, rain gardens, or adding water features including a pond where possible. When introducing measures involving nesting and roosting, developers should have regard to the habits of swifts and bats which nest and roost in colonies.	Update to provide clarification and set out standards	Environment Bank (1185367) / Thakeham Homes (1191281) / Swifts Local Network: Swifts & Planning Group (1189942)
M24	DPN1	Delete final paragraph of policy: Areas identified as opportunities and priorities for nature recovery will be safeguarded from inappropriate development. Development will need to demonstrate that it will not harm or adversely affect an area or areas identified as opportunities and priorities for nature recovery.	Update	Natural England (1196374)
M25	DPN2	Supporting text – amend second paragraph as follows: The mitigation hierarchy set out in the National Planning Policy Framework should be followed: firstly by avoiding harm to biodiversity, then providing mitigation with compensation as a last resort. Biodiversity net gain is an additional requirement and should only be applied after impacts of development on nature conservation sites, habitats and species have first been avoided. Where impacts are unavoidable, these must be sufficiently mitigated and compensated before biodiversity net gain is applied. <u>Regard should also be had to the Biodiversity Gain Hierarchy as set out in legislation and national guidance.</u>	Signpost to legislation and national guidance.	Council
M26	DPN2	Supporting text – add an additional paragraph before the last paragraph: <u>In line with Aerodrome Safeguarding Requirements any proposed biodiversity net gain should be carefully designed to ensure that the bird strike risk to Gatwick Airport is not increased and the safety of the airport is not compromised.</u>	Clarification	Gatwick Airport (1190687)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M27	DPN2	Section: Principles of Biodiversity Net Gain, paragraph 3 – amend as follows: Biodiversity net gain, including off-site biodiversity net gain, will be expected to should, where possible , align with and meet the objectives and priorities of the Nature Recovery Network, Local Nature Recovery Strategy and other relevant local strategies, contributing and connecting to wider ecological networks and green and blue infrastructure. Consideration will need to be given to landscape character when developing proposals for biodiversity net gain.	Update	Natural England (1196374)
M28	DPN2	Section: Level of Biodiversity Net Gain, paragraph 2 – amend as follows: The biodiversity net gain calculation and assessment metric metric must be submitted in full and in an editable version with the application for development together with evidence that explains and supports the conclusions of the assessment. All habitats selected and condition assessments must be supported by survey data, including relative abundances, quadrats and high quality quadrat photographs, to enable scrutiny and verification of results.	Increase effectiveness	Environment Bank (1185380)
M29	DPN2	Section: Location of Biodiversity Net Gain, delete paragraph 1 as follows: Biodiversity net gain should be provided on-site wherever possible. Off-site measures will only be considered where it can be demonstrated that, after following the mitigation hierarchy, all reasonable opportunities to achieve measurable net gains on-site have been exhausted or where greater ecologically meaningful gains can be delivered off-site where the improvements can be demonstrated to be deliverable and are consistent with the Local Nature Recovery Strategy and/or a local nature recovery network.	To align with legislation and national guidance (the Biodiversity Gain Hierarchy)	Natural England (1196374)
M30	DPN3	Supporting text: Delete 12 th bullet point in the list of green and blue infrastructure areas: <ul style="list-style-type: none"> Railway corridor throughout the district 	Implementation of the policy	Council
M31	DPN3	Amend paragraph 7 as follows: Appropriate arrangements and funding for the future long-term management, maintenance and stewardship of green and blue infrastructure should must be identified, implemented and delivered. Where appropriate, the Council will seek to secure this via planning conditions and/or planning obligations.	Strengthen policy requirement	Natural England (1196374)
M32	DPN4	Amend third paragraph of the supporting text: Ancient woodlands, including their soils , are irreplaceable habitats with complex ecological conditions that have developed over centuries. They contain a wide range of wildlife including rare species, however, because the resource is limited and can be highly fragmented, ancient woodland and their associated wildlife are particularly vulnerable and must be protected from further fragmentation and the damaging effects of adjacent and nearby land uses that could threaten the integrity of the habitat and survival of its special characteristics.	Clarification	CPRE Sussex (1189028) / Balcombe Parish Council (1190447)
M33	DPN4	Amend fourth paragraph of the supporting text: The District Plan recognises this contribution and will support the protection of trees, woodland and hedgerows, and their soils, as well as encouraging establishment which includes natural colonisation and new planting. Development will be required to incorporate trees, woodland and hedgerows into the design and landscaping of a scheme.	Clarification – establishment encompasses new tree cover through both natural colonisation and new planting	Natural England (1196374)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M34	DPN4	Add after the fourth paragraph of the supporting text: <u>To protect soils for the health of a tree or hedgerow and for carbon storage benefits, as a minimum, the root protection area and/or the canopy and/or the required buffer zone will be protected. The specific area to be protected will be determined on a case-by-case basis as it will depend on a number of factors such as the species and age of the tree.</u>	Clarification	Wates Developments (1191810)
M35	DPN4	Delete 5 th paragraph of the supporting text: Where it is deemed and robustly demonstrated there will be unavoidable residual damage or loss to ancient woodland, the measures taken to compensate for this must be of a scale and 76 quality commensurate with loss of irreplaceable habitat. However, it is important that any new woodland is created in the right place with the right species so the primary objective is to protect ancient woodland and prevent its loss or damage.	To set an expectation for the protection of ancient woodland	Balcombe Parish Council (1190447)
M36	DPN4	Amend 2 nd paragraph as follows: The District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage <u>establishment which includes natural colonisation and</u> new planting. As an irreplaceable habitat, ancient woodland and ancient or veteran trees and their soils will be protected. Where ancient wood pasture and historic parkland are identified, these areas will have the same consideration as other forms of ancient woodland.	Clarification – establishment encompasses new tree cover through both natural colonisation and new planting	Natural England (1196374)
M37	DPN4	Section: Development and trees, woodland and hedgerows. Amend point 8 as follows: 8. Takes opportunities to <u>establish and</u> plant new trees, woodland and hedgerows within the new development to enhance on-site green infrastructure and increase resilience to the effects of climate change	Clarification – establishment encompasses new tree cover through both natural colonisation and new planting	Natural England (1196374)
M38	DPN4	Amend first paragraph of 'Use of buffer zones' section: Development must be positioned as far as possible from ancient woodland with a minimum buffer of 15 metres maintained between ancient woodland and the development boundary. A buffer will also be required for ancient, aged and veteran trees and should be at least 15 times larger than the diameter of the tree or 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. To avoid damage to hedgerows, <u>erosion of their ecological functionality</u> and a reduction in its <u>their</u> resilience to change, an appropriate buffer strip along each side of a hedgerow of a minimum 28 metres must be maintained. The Council will encourage larger buffers and will expect applicants to demonstrate, through an assessment, that the distance and size of the buffer zone is appropriate and adequate to protect the trees, woodland and hedgerows.	To ensure the policy objective is met and to reflect good ecological practice	Environment Bank (1185381)
M39	DPN4	Section: Use of buffer zones, paragraph 3 – amend as follows: Buffer zones will be expected to contribute to green infrastructure and wider ecological networks, prevent fragmentation of habitats and consist of a semi-natural habitat with appropriate planting. Buffer zones will be expected to prioritise ecological enhancement rather than the amenity of the proposed development and should not contain built or constructed features including roads, pavements or private space such as residential gardens. <u>Sustainable drainage systems will only be approved if they do not affect root protection areas and any change to the water table does not negatively affect ancient woodland or ancient and veteran trees, including their soils.</u> These	Consistency with Natural England standing advice	CPRE Sussex (1189028) / Wates Developments (1191810)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		requirements for an ancient woodland or tree buffer will apply unless superseded by a more environmentally favourable national standard set out in legislation or guidance.		
M40	DPN7	Supporting text, paragraph 2: The impact of noise may be a combination of exposure to noise, the frequency of noise, <u>the intensity of noise</u> , the duration of noise and the time of day that noise occurs.	Clarification	CPRE Sussex (1189028)
M41	DPN8	Amend the policy wording as follows: People's health and quality of life and the natural environment will be protected from unacceptable levels of light pollution. Development proposals must demonstrate that all opportunities to reduce light pollution (including sky glow, glare and light spillage) have been taken including minimising impacts on local amenity, intrinsically dark landscapes including protected landscapes <u>such as the High Weald AONB</u> , the South Downs International Dark Sky Reserve (Moore's Reserve) and areas important for nature conservation and nature recovery. Artificial lighting proposals (including outdoor lighting, floodlighting and new street lighting) should be minimised in terms of intensity and number of fittings. The applicant must demonstrate all of the following: 1. The minimum amount of lighting necessary to achieve its purpose is specified or otherwise justified on safety or security grounds. 2. The design and specification of the lighting would minimise sky glow, glare and light spillage in relation to the visibility of the night sky, local amenity and local character. 3. The means of lighting would be unobtrusively sited. 4. Low energy lighting is used. 5. There would not be an adverse impact on wildlife such as through consideration of the appropriate siting, fitting, design, colour and temperature of lighting. <u>6. That the development proposals take into account the Institute of Lighting Professionals Guidance, in particular (or as updated) GN01/21 The Reduction of Obtrusive Light (particularly with regard to the classification of AONBs as Environmental Zone E1), ILP GN08/23 Guidance Note 8: Bats and Artificial Lighting and other relevant guidance, including the High Weald AONB Management Plan.</u> <u>7. Aerodrome Safeguarding Requirements have been met and that there will be no impact on air safety.</u> Development proposals must carefully consider the design and layout of parking arrangements to avoid headlight nuisance. Where lighting of a landmark or heritage feature is proposed, the level and type of illumination used would need to enhance the feature itself as well as meeting the above requirements. Development proposals will need to take into account the Institute of Lighting Professionals guidance and other relevant guidance.	Clarification and additional reference to Gatwick Airport	Natural England (1196374) / High Weald National Landscape (1194408) / Gatwick Airport (1190687)
M42	DPN9	Amend the Ashdown Forest SPA and SAC paragraph as follows: In order to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC, new development likely to result in increased traffic may <u>will</u> be expected to demonstrate how any air quality impacts, including in combination impacts, have been considered in relation to the Ashdown Forest SPA and SAC <u>through a Habitats Regulations Assessment</u> . Any development likely to have an adverse effect on the integrity of the Ashdown Forest SPA and SAC, either alone or in combination with other development, <u>as a result of air quality impacts should be avoided. If this is not possible, then the development</u> will be required to demonstrate that adequate measures are	Clarification	Natural England (1196374)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		put in place to avoid mitigate any potential adverse effects on the integrity of the Ashdown Forest SPA and SAC. If, as a last resort , any potential adverse effects on the integrity of the Ashdown Forest SPA and SAC cannot be appropriately compensated for then the development should be refused avoided , then mitigation for any potential adverse effects on the integrity of the Ashdown Forest SPA and SAC will be required.		
Chapter 10				
M43	DPC1	Supporting text, paragraph 2: ... The countryside's environmental, social and economic worth will be protected and enhanced by the policies in this Plan.	Addition	CPRE Sussex (118028)
M44	DPC3	Amend wording of criterion 3 to read: [...] enhance the quality of the natural and/or built landscape, [...]		High Weald National Landscape Partnership (1194408)
M45	DPC4	Add another paragraph between the first and second paragraphs of the supporting text: <u>From the 22nd November 2023, all AONBs are to be known as National Landscapes. The High Weald National Landscape remains designated an Area of Outstanding Natural Beauty (AONB) and is referred to as such in policy, legislation and guidance. For this reason, the Mid Sussex District Plan continues to refer to the High Weald AONB and references to the High Weald AONB Management Plan remain, in line with the Countryside and Rights of Way Act 2000. The statutory purpose of the landscape designation remains unchanged.</u>	Clarification	Council / Natural England (1196374) / High Weald National Landscape Partnership (1194408)
M46	DPC4	Section: Setting of the High Weald AONB, amend 2 nd paragraph: Development proposals in the setting of the AONB should be sensitively located and designed, be consistent with AONB purposes, and should not adversely affect transitional landscape character in the setting of the AONB, including dark skies, tranquillity and wildlife habitat , and views, outlook and aspect, into and out of the AONB by virtue of its location, scale, form or design.	Clarification	High Weald National Landscape Partnership / Council
M47	DPC5	Add another paragraph between the first and second paragraphs of the supporting text: <u>The setting of the South Downs National Park falls within the Low Weald National Character Area. Development should have regard to the National Character Area profile published by Natural England that sets out the key characteristics of the landscape and opportunities to conserve and enhance the landscape. This could include protecting, managing and enhancing the trees, woodland and hedgerows; improving the quality, state and structure of watercourses and waterbodies and their floodplains; maintaining the pastoral landscape and promoting good agricultural practice; and restoring grasslands.</u>	Additional information	South Downs National Park Authority (1190831)
M48	DPC5	Amend the policy wording as follows: Development within on land that contributes to the characteristics setting of the South Downs National Park will only be permitted where it does not detract from, or cause detriment to, the visual and special qualities (including dark skies), tranquillity and essential characteristics of the National Park, and the views, outlook and aspect, into and out of the National Park by virtue of the development's location, scale, form or design.	Clarification	South Downs National Park Authority (1190831)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		<p>Development proposals in the setting of the National Park should be sensitively located and designed <u>to avoid or minimise adverse impacts on the designated area including the views, outlook and aspect, into and out of the National Park by virtue of the development's location, scale, form or design.</u></p> <p>Development proposals should be consistent with National Park purposes and, should not adversely affect transitional landscape character, and must not significantly harm the National Park or its setting.</p> <p>Assessment of such development proposals will have regard to the South Downs Partnership Management Plan, South Downs Local Plan and other adopted planning documents and strategies.</p> <p>Development proposals should consider and address potential impacts on roads within the National Park or in the setting of the National Park. A Transport Statement/ Assessment and/or landscape assessment may be required for development likely to generate significant amounts of movement</p>		
M49	DPC6	In order to prevent adverse effects on the integrity of the Ashdown Forest SPA and SAC, new development likely to have an adverse effect <u>on integrity</u> , either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.	Clarification	Council
M50	DPC6	Within a 400 metres buffer zone around the Ashdown Forest SPA , mitigation measures are unlikely to be capable of protecting the integrity of the SPA and, therefore, residential development will not be permitted,	Clarification	Council
Chapter 11				
M51	DPB2	<p>Under 'Other Heritage Assets' in policy, add: "Development that retains buildings and features which are not listed..."</p> <p>Supporting text (1st paragraph, 2nd sentence), add: "The district also includes many other buildings, structures and features which, whilst not statutorily listed, are of architectural merit or of local historic interest, make a valuable contribution to the character of the area. The historic environment is also fundamental to the distinctive character, sense of place and natural beauty of AONBs".</p>	Clarification	High Weald National Landscape Partnership (1194408)
Chapter 12				
M52	DPT1	<p>Add the following in para 1:</p> <p>1. Development that is likely to generate significant amounts of movement and/or have a significant impact on the transport network shall provide a Transport Assessment/Statement, Sustainable Transport Strategy and Travel Plan to identify appropriate mitigation <u>measures to manage demand and minimise the need for new and improved transport infrastructure as part of the monitor and manage process</u>, and demonstrate how development will be accompanied by the necessary sustainable infrastructure to support it and to accord with the requirement of the NPPF</p>		West Sussex County Council (1190880)
M53	DPT1	<p>Delete criterion 3 and replace as follows:</p> <p>3. Developments which generate significant amounts of movement must provide a Travel Plan and undertake and report regular monitoring of travel movements by all modes, to enable enforcement of agreed travel plan actions and targets.</p> <p><u>3. Demand management measures, such as travel plans shall be provided and regular monitoring of their trip generation and travel plan measures reported to the Council. Where necessary, the delivery of new development shall be phased to align with the provision of new transport infrastructure and the outcomes of monitoring travel demand, taking into account the monitoring and effectiveness of travel plans to encourage sustainable travel behaviour.</u></p>	Strengthen	West Sussex County Council (1190880)

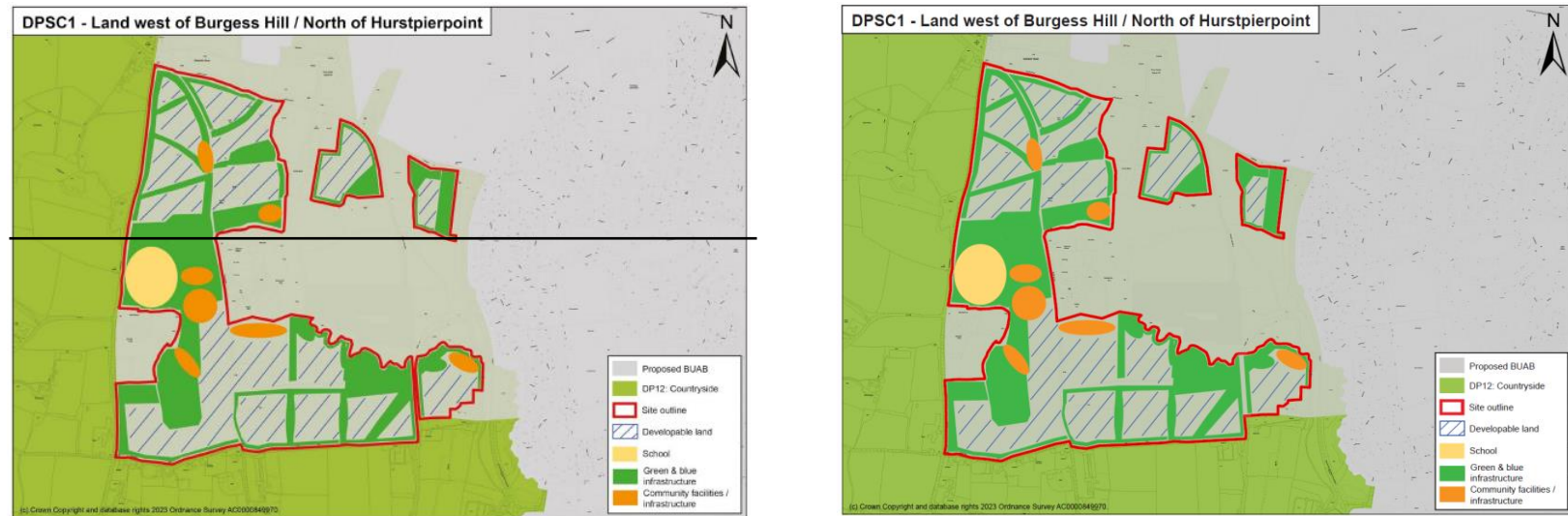
Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M54	DPT1 (supporting text)	<p>Amend as follows:</p> <p>The WSTP seeks to move away from a ‘predict and provide’ approach which historically has focused on large capital investment for building capacity in the network to cater for forecast unconstrained traffic growth which has often led to exacerbate other impacts, such as increased car ownership, reduced public transport use and service viability, health and wellbeing and achieving climate change mitigation. <u>The ‘monitor and manage’ approach is based on identifying a package of potential highway improvements (including enhanced walking, cycling and public transport) which alongside schemes identified through the development management process, may be implemented following a monitoring process that will monitor the actual demand on the network and the requirements of the schemes.</u></p> <p>In accordance with the NPPF, developments which create significant amounts of movement will be required to provide a travel plan on a case-by-case basis, and the application should be supported by a transport statement or assessment so that the likely impacts of the proposal can be assessed. Approved schemes, <u>including significant sites</u>, will then be required to undertake and promptly report regular monitoring of <u>their trip generation</u> travel movements in and out of site by all modes at all relevant access points <u>and travel plan measures</u>, to enable enforcement of travel plan targets against agreed remedial actions. This is critical to successful implementation of a vision-led approach to spatial planning by ensuring suitable mechanisms are in place to respond, if necessary, as travel patterns change.</p> <p><u>The Council will convene a (nominally titled) Transport Infrastructure Management Group to keep the effectiveness, deliverability, and phasing of the transport infrastructure projects required to deliver the District Plan Strategy under review, as part of a ‘monitor and manage’ process. The Group will include West Sussex County Council and National Highways (as appropriate), and its findings will inform future updates to the Infrastructure Delivery Plan, and the Council’s Authority Monitoring Report.</u></p>	Strengthen	West Sussex County Council (1190880)
M55	DPT2	<p>Update supporting text:</p> <p>NCN20 (along the A23) London to Brighton via Crawley <u>– (currently undesignated between Crawley and Brighton).</u></p> <p>Update to policy:</p> <p>Rights of way, Sustrans national cycle routes and recreational routes will be protected by ensuring masterplanning of new development takes full account of existing provision at the early design stage, to <u>provide necessary enhancements to meet user needs and demonstrate it does not result in the loss of or does not adversely affect a right of way or other recreational routes unless a new route is provided which is of at least an equivalent value and which does not sever important routes.</u></p>	comments – correction/ clarification	West Sussex County Council (1190880) / National Highways (1191183)
M56	DPT2	Supporting the provision of improved and additional routes within and between settlements, <u>incorporating good quality green infrastructure</u> , that contribute to providing a joined-up network of routes where possible’.	Strengthen to encourage greater use.	Natural England (1196374)
M57	DPT2	<p>Add additional requirement:</p> <p><u>‘Where existing and future development leads to PRow or other designated pathways interacting with the railway i.e. railway crossings, mitigation is considered in consultation with Network Rail, to ensure users safety and to maintain a safe and reliable running of the railway’</u></p>	To strengthen policy	Network Rail (1190753)
M58	DPT3	“Embedding the principles of 20-minute neighbourhoods, development must demonstrate that the proposal accords with the movement hierarchy and provide high quality, attractive, fit for purpose and convenient active travel infrastructure within the development which links to existing networks, key facilities and services and <u>builds on schemes to deliver relevant schemes local to the site</u> , identified in the Mid Sussex and West Sussex (and where relevant, neighbouring authority’s) Local Cycling and Walking Infrastructure	In order for the policy to be effective in delivery and	West Sussex County Council (1190880)

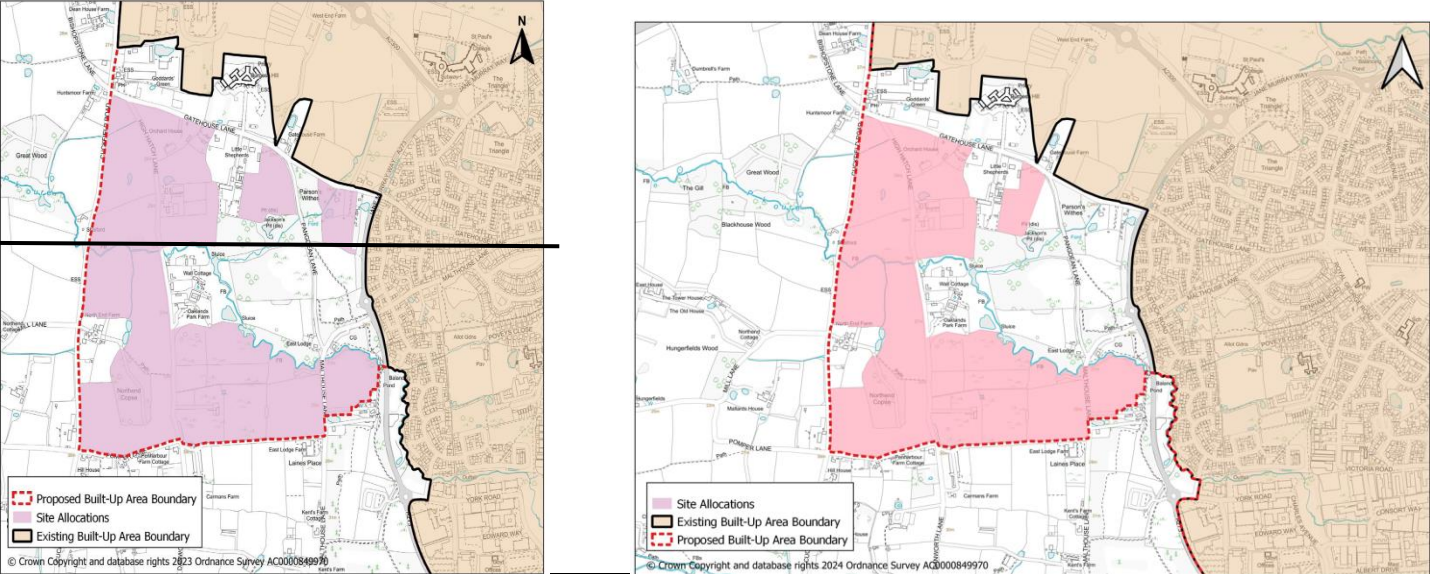
Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		Plan (LCWIP), along with suggested routes in the West Sussex Walking and Cycling Strategy 2016-2026 Appendix 1, and any subsequent Active Travel Strategy.”	clarify that schemes in the LCWIP and Cycling Strategy will not be solely delivered by the Councils but will need developer contributions as well.	
M59	DPT3	3. Designing and constructing new infrastructure to an appropriate standard, incorporate good quality green infrastructure and, where appropriate, integrate with existing green networks and, where possible, be designed to provide equal opportunities for those with mobility challenges.	Strengthen policy	Natural England (1196374)
M60	DPT3	2. Where feasible, exploiting opportunities to improve active travel connections between settlements to enable communities to access services, public transport hubs and railway stations in nearby towns and villages by non-car modes, including negotiation of ‘Quiet Lanes’ to reduce car speeds.	Strengthen policy	Network Rail (1190753)
M61	DPT4	2. Parking associated with all new residential development with a layout to that demonstrates the relevant requirements of Schedule 1 Part S of the Building Regulations regarding Electric Vehicle Charging are can be met.	Clarification – policy is seeking to ensure BR requirements can be met through an appropriate layout to avoid need for changes once planning permission is granted.	Home Builders Federation (1190702) / Antler Homes (1190705)
Chapter 13				
M62	DPE2	Amend policies map to remove West Hoathly Brickworks – recommendation for DM/23/0827 minded to grant.	Updated position – planning permission minded to grant subject to S106 – DM/23/0827	Ashill Regen Ltd (1191110)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source																								
M63	DPE4	Under 'Local Threshold for Retail Impact Assessments': Planning applications proposing the construction of 500m ² or more gross floorspace for the sale of convenience or comparison goods outside a town centre, including on allocated sites, must be accompanied by a Retail Impact Assessment which demonstrates that they would not have a significant adverse impact on a town/ village centre as defined on the Mid Sussex District Plan Policies Map <u>or equivalently defined on the policies maps accompanying development plans for neighbouring authorities</u> , either on their own or cumulatively in the area."	Clarification	Horsham District Council (1190711)																								
M64	DPE8	To recognise that individual proposals cannot support the vitality of all types of businesses in the rural economy, amend Criterion 1(a): 1. New small-scale* economic development, and extensions to existing facilities, including leisure and tourism-related development, within the countryside will be permitted provided all of the following apply: a) It supports sustainable growth and the vitality of all types of businesses in the rural economy.	Clarification	Kingscote estate and Vineyard (1191280)																								
M65	DPE9	At end of the final paragraph of the supporting text, add: <u>There should be engagement between the Bluebell Railway, Network Rail and any freight operators with an interest in this route to ensure a collaborative approach to bringing the railway back into use.</u>	Positive planning and engagement between stakeholders	Network Rail (1190753)																								
Chapter 14																												
M66	DPH1	Amend the yield of DPSC3 and 'Total' figure in the 'Sustainable Communities Sites' table and the yield of DPA17 and 'Total' figure in the 'Housing Allocations' table in the supporting text to DPH1 to reflect amendments to yields, resultant revised totals and Plan period end year: Sustainable Communities Sites <table border="1" data-bbox="557 1260 1558 1501"> <thead> <tr> <th>Policy Ref</th> <th>Site</th> <th>Yield to 2040</th> <th>2039</th> </tr> </thead> <tbody> <tr> <td>DPSC3</td> <td>Land to the south of Reeds Lane, Sayers Common</td> <td><u>2,000</u></td> <td>1,850</td> </tr> <tr> <td></td> <td style="text-align: right;">Total</td> <td><u>5,393</u></td> <td>5,243</td> </tr> </tbody> </table> Housing Allocations <table border="1" data-bbox="557 1585 1558 1827"> <thead> <tr> <th>Policy Ref</th> <th>Site</th> <th>Yield to 2040</th> <th>2039</th> </tr> </thead> <tbody> <tr> <td>DPA17</td> <td>Land to the west of Marwick Close Bolney Road Ansty</td> <td><u>40</u></td> <td>45</td> </tr> <tr> <td></td> <td style="text-align: right;">Total</td> <td><u>1,439</u></td> <td>1,444</td> </tr> </tbody> </table>	Policy Ref	Site	Yield to 2040	2039	DPSC3	Land to the south of Reeds Lane, Sayers Common	<u>2,000</u>	1,850		Total	<u>5,393</u>	5,243	Policy Ref	Site	Yield to 2040	2039	DPA17	Land to the west of Marwick Close Bolney Road Ansty	<u>40</u>	45		Total	<u>1,439</u>	1,444	Clarification and update to reflect extension to Plan period	Council
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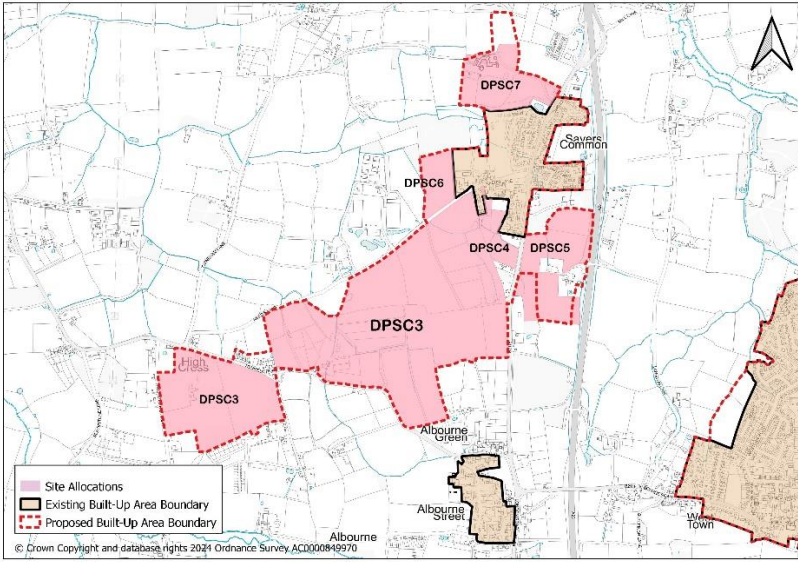
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M67	DPH1	<p>Amend Policy to reflect updated Standard Method figure, extended plan period, updated commitment and completion figures and factual correction of yields for Significant Sites DPSC2 and DPSC3:</p> <p>DPH1: Housing</p> <p>The district's Local Housing Need is a minimum 19,620 19,741 dwellings over the Plan period.</p> <p>Minimum Housing Need</p> <p>The Housing Need will be met from the following sources:</p> <table border="1"> <tr> <td>Commitments (Existing allocations and Permissions)</td> <td>8,696 9,924</td> </tr> <tr> <td>Completions 2021/22</td> <td>1,187</td> </tr> <tr> <td>Completions 2022/23</td> <td>1,053</td> </tr> <tr> <td>Completions 2023/24</td> <td>1,247</td> </tr> <tr> <td>Sustainable Communities</td> <td>5,393 5,243</td> </tr> <tr> <td>of which Significant Sites</td> <td>4,850 4,700</td> </tr> <tr> <td>DPSC1: Land to West of Burgess Hill/ North of Hurstpierpoint</td> <td>1,350</td> </tr> <tr> <td>DPSC2: Land at Crabbet Park, Copthorne</td> <td>1,500 850</td> </tr> <tr> <td>DPSC3: Land to the South of Reeds, Sayers Common</td> <td>2,000 1,850</td> </tr> <tr> <td>of which Housing Sites DPSC4 - DPSC7</td> <td>543</td> </tr> <tr> <td>Housing Sites DPA1 – DPA17</td> <td>1,439 1,444</td> </tr> <tr> <td>Windfall allowance</td> <td>1,768</td> </tr> <tr> <td><i>Of which larger identifiable sites</i></td> <td><i>466</i></td> </tr> <tr> <td><i>Of which smaller and other non-identifiable sites</i></td> <td><i>1,302</i></td> </tr> <tr> <td>Total Housing supply from 2021 - 2040</td> <td>20,783 20,616</td> </tr> <tr> <td>Mid Sussex Housing Need</td> <td>19,620 19,741</td> </tr> <tr> <td>Total under/over supply for resilience and unmet need</td> <td>1,042 +996</td> </tr> </table> <p>In order to minimise the pressure for additional housing development the net loss of residential dwellings will not be permitted unless there are specific circumstances that justify the loss.</p>	Commitments (Existing allocations and Permissions)	8,696 9,924	Completions 2021/22	1,187	Completions 2022/23	1,053	Completions 2023/24	1,247	Sustainable Communities	5,393 5,243	of which Significant Sites	4,850 4,700	DPSC1: Land to West of Burgess Hill/ North of Hurstpierpoint	1,350	DPSC2: Land at Crabbet Park, Copthorne	1,500 850	DPSC3: Land to the South of Reeds, Sayers Common	2,000 1,850	of which Housing Sites DPSC4 - DPSC7	543	Housing Sites DPA1 – DPA17	1,439 1,444	Windfall allowance	1,768	<i>Of which larger identifiable sites</i>	<i>466</i>	<i>Of which smaller and other non-identifiable sites</i>	<i>1,302</i>	Total Housing supply from 2021 - 2040	20,783 20,616	Mid Sussex Housing Need	19,620 19,741	Total under/over supply for resilience and unmet need	1,042 +996	Update and conformity with NPPF	Council, Crawley Borough Council (1189681) / Various site promoters.
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M68	DPH1	<p>Amend supporting text on page 139:</p> <p>“Whilst Mid Sussex can meet its housing need as a result of the allocations set out in DPH1, there is likely to be an unmet need arising in the HMA overall. Any provision over and above meeting Mid Sussex housing need serves as a contribution towards unmet need arising in the Northern West Sussex Housing Market Area in accordance with the agreed approach to prioritisation priority order, as set out in Chapter 2 of this Plan.</p>	Clarification	Crawley Borough Council (1189681)																																		
M69	DPH2	Amend criterion 5 to read:	Clarification	Council / CPRE																																		

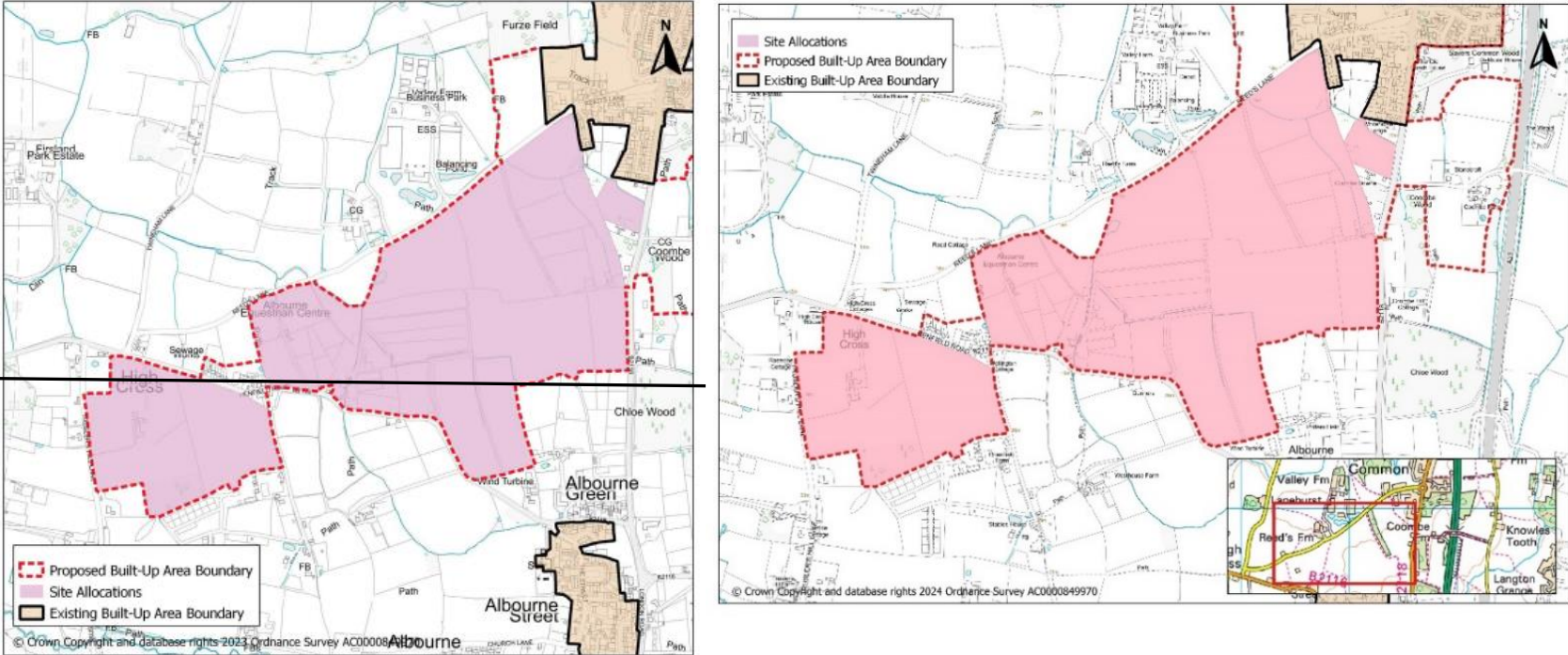
Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source																
		A larger site is not brought forward in smaller phases that individually would be less than 10 dwellings meets the threshold but cumulatively does would not.		(Sussex) (1189028)																
M70	DPH5	Amend wording of paragraph below 'Gypsy and Traveller Provision' table to read: [...]requires that on-site provision is made on by Significant Sites allocations to contribute to the overall need. <u>Provision should be onsite unless otherwise agreed with the Council. Provision of an equivalent financial contribution towards offsite provision (or part thereof if some on-site provision is made) if it can be demonstrated that a suitable, available and achievable site (or sites) can be provided and made operational within an appropriate timescale, commensurable with the overall scale of residential development proposed.</u>	Clarification	Council																
M71	DPH5	Remove footnotes 40 and 41: ⁴⁰ For Gypsies and Travellers who meet the definition of a Gypsy, Traveller and Travelling Showperson for planning purposes, provided in Annex 1 – PPTS (2015) i.e. Gypsies and Travellers who still travel and settled Gypsies and Travellers who no longer travel. ⁴⁴ For Gypsies and Travellers who meet and do not meet the definition of a Gypsy, Traveller and Travelling Showperson for planning purposes, provided in Annex 1 – PPTS (2015) i.e. Gypsies and Travellers who still travel and settled Gypsies and Travellers who no longer travel.	Consistency - change in definition in Planning Policy for Traveller Sites.	Council																
M72	DPH8	Amend wording of criterion 1 to read: [...] 10 dwellings or more, or with a combined gross floorspace of greater than 1,000m ² <u>the site area exceeds 0.5 hectares.</u>	Conformity	Council																
Chapter 15																				
M73	DPSC GEN	Amend table in supporting text to DPSC GEN to reflect change in yield to DPSC3 and Plan period: <table border="1"> <thead> <tr> <th>Settlement</th> <th>Site</th> <th>Number of homes within Plan Period (up to 2039/2040)</th> <th>Total Yield</th> </tr> </thead> <tbody> <tr> <td>Burgess Hill</td> <td>Broad location Land to the West of Burgess Hill/ North of Hurstpierpoint</td> <td>1,350</td> <td>1,350</td> </tr> <tr> <td>Copthorne</td> <td>Land at Crabbet Park, Copthorne</td> <td>1,500</td> <td>2,000</td> </tr> <tr> <td>Sayers Common</td> <td>Land to the south of Reeds Lane, Sayers Common</td> <td>1,850 2,000</td> <td>2,000</td> </tr> </tbody> </table>	Settlement	Site	Number of homes within Plan Period (up to 2039/2040)	Total Yield	Burgess Hill	Broad location Land to the West of Burgess Hill/ North of Hurstpierpoint	1,350	1,350	Copthorne	Land at Crabbet Park, Copthorne	1,500	2,000	Sayers Common	Land to the south of Reeds Lane, Sayers Common	1,850 2,000	2,000	Consistency	Council
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M74	DPSC GEN	Add to the end of criterion 1: <u>Critical and essential infrastructure including transport schemes, education and neighbourhood centres must be delivered at the earliest opportunity to mitigate the impacts of the development and encourage maximum patronage to ensure long-term viability.</u>	Clarification	West Sussex County Council (1190880)/ Council																

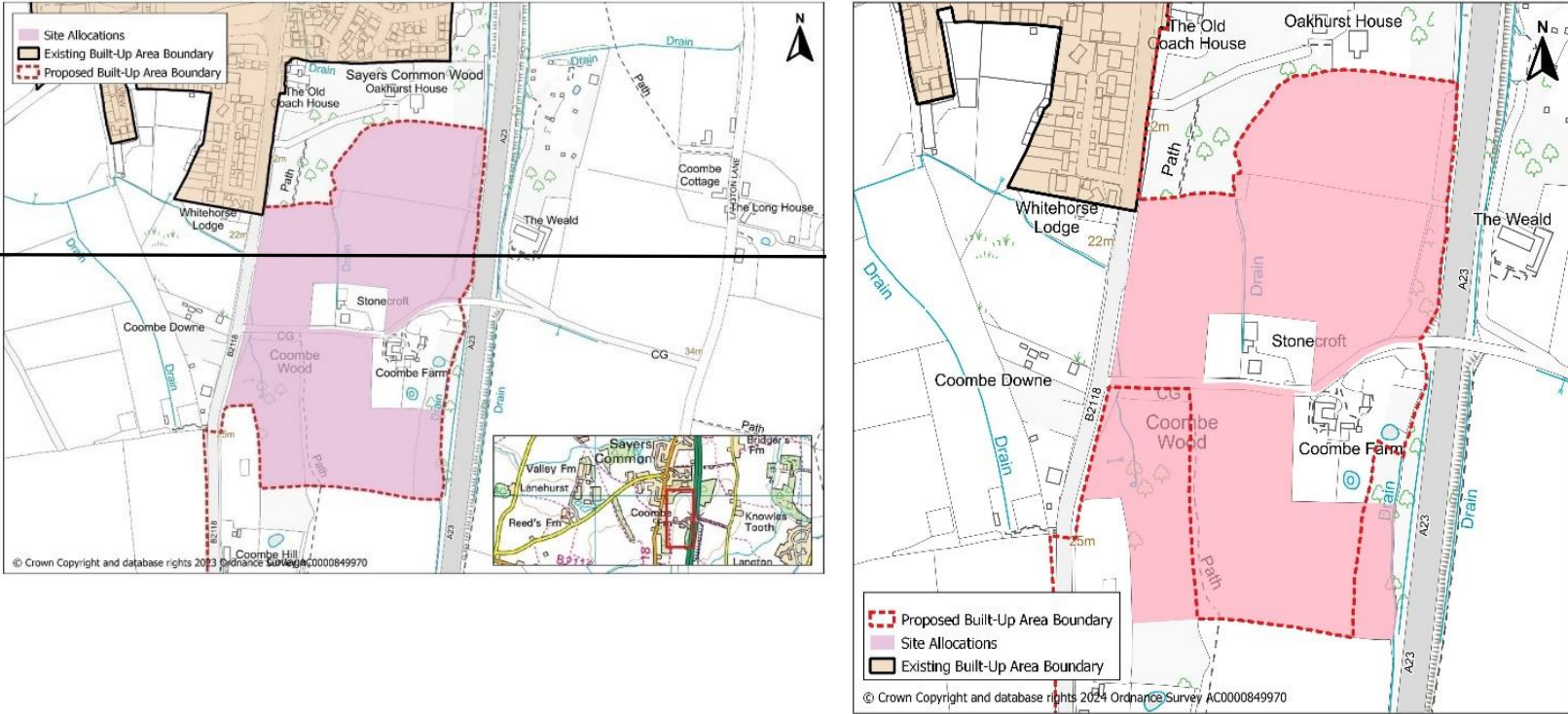
Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M75	DPSC GEN	Delete Criterion 6: <ul style="list-style-type: none"> Prepare a site-wide Infrastructure Delivery Strategy demonstrating that the development will deliver, in a timely manner, sufficient infrastructure to cater for the needs of the proposed development as a whole and also mitigate to an acceptable level the effect of the whole development upon the surrounding area and community. Key elements including shops and transport hubs must be delivered at the earliest opportunity to encourage maximum patronage and long-term success. 	Criterion 6 is duplication of DPI1.	West Sussex County Council (1190880) Council
M76	DPSC GEN	<ul style="list-style-type: none"> Criterion 8; strengthen wording “Support Provide or contribute to delivery of new...” 	Strengthen	West Sussex County Council (1190880)
M77	DPSC1 – DPSC7	Delete: Meet the requirements of other relevant development plan policies.	Not necessary	Wates Development (1191818)
M78	DPSC1	Amend allocation inset plan to include intervening section of Malthouse Lane in pink: 	Correction	Thakeham Homes (1189800)

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
				
M79	DPSC1	<p>Amend Infrastructure table in policy to read:</p> <p>On site:</p> <ul style="list-style-type: none"> Land for education provision and associated 2FE Primary School with Early years and Special Support Centre Provision and land Space for the provision of a full-day care nursery for Early Years. 	Ensure effectiveness and provide clarity.	West Sussex County Council (1190880)
M80	DPSC1	<p>Delete criterion 3 in policy wording:</p> <p>3. Potential for Special Education Needs and Disability (SEND) facilities.</p>	Confirmation – provision on-site at DPSC2 Crabbet Park	West Sussex County Council (1190880)
M81	DPSC1	<p>Amend criterion 9 to read:</p> <p>9. Address Avoid any direct or indirect impacts associated with areas of Ancient Woodland and Veteran Trees (on and adjacent to the site) including Northend Copse, Jackson’s Pit and Parson’s Withes which will be excluded from development.</p>	Strengthen	Sussex Wildlife Trust (1190866)
M82	DPSC1	<p>Delete criterion 11:</p> <p>Phase occupation of development to align with the delivery of sewerage infrastructure, in consultation with the service provider, and provide necessary easement to Southern Water’s infrastructure which crosses the site.</p>	Consistency	Council
M83	DPSC1	<p>Amend criterion 12 to read:</p> <p>Provide a layout and design which have been i Informed by a Heritage Statement and provide a layout and design which preserve or enhance the setting of...</p>	Consistency	Council

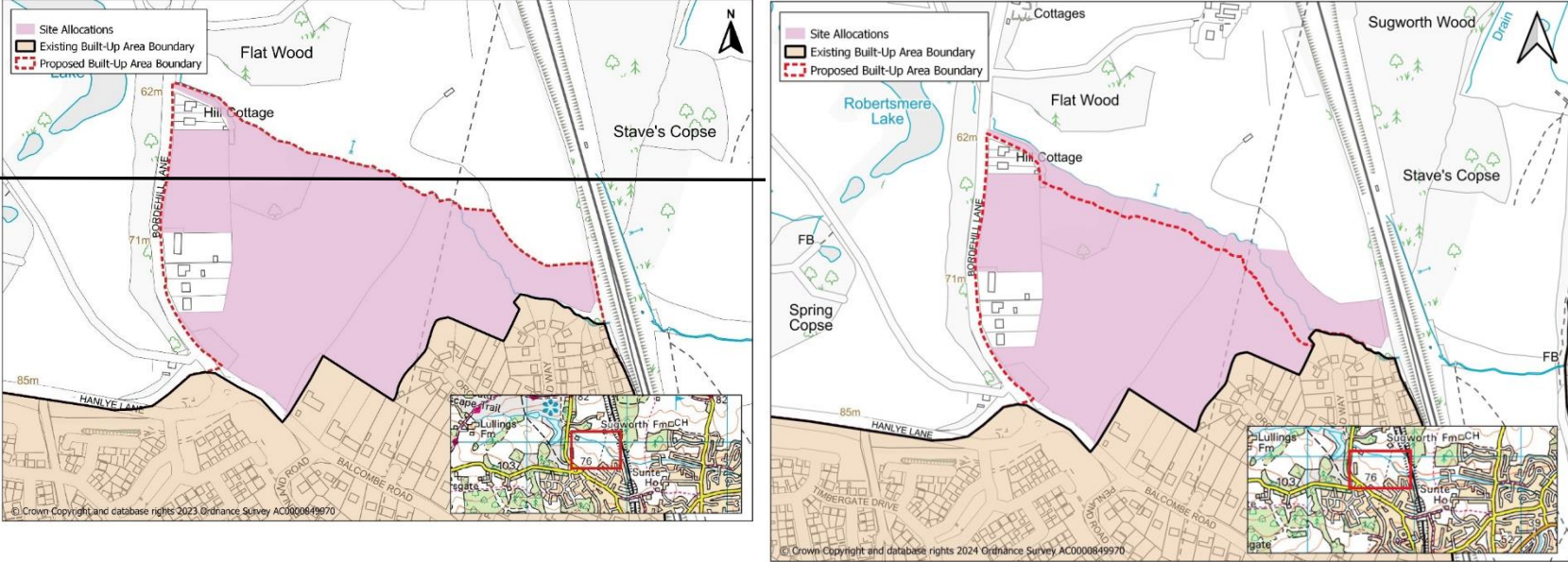
Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M84	DPSC2	Under Infrastructure section of policy combine and amend first and second bullet points to read: Land for education provision with associated all-through school with 32FE (expandable to 3FE) at primary and 4FE (expandable to 6FE) at secondary school, with or without Sixth Form, with Early Years and Special Support Centre, land for the provision of full-day care nurseries for Early Years and land for a SEND facility.	Ensure effectiveness and provide clarity.	West Sussex County Council (1190880)
M85	DPSC2	Amend criterion 2 to read: New all-through school with 32FE (expandable to 3FE) at primary and 4FE (expandable to 6FE) at secondary school, with or without Sixth Form, with Early Years and Special Support Centre Provision and associated playing pitches.	Ensure effectiveness and provide clarity.	West Sussex County Council (1190880)
M86	DPSC2	Amend criterion 3 to read: Potential Land for the provision of a new Special Education Needs and Disability (SEND) facilities school.	Clarification	Council / Wates Development (1191816)
M87	DPSC2	Amend criterion 4 to read: A Neighbourhood centre with a range of community facilities falling within use class E and F including but not limited to, library, retail,...	Clarification	Wates Development (1191816)
M88	DPSC2	Amend wording of criterion 8 to read: Have appropriate regard to the setting of the High Weald Area of Outstanding Natural Beauty (AONB), including utilising a landscape-led approach which lies to the south of the site.	Conformity with NPPF	High Weald National Landscape Partnership (1190693)
M89	DPSC2	Amend wording of criterion 9 to read: Address Avoid any direct or indirect impacts associated with ancient woodland (on and adjacent to the site) including Burleys Wood,...	Conformity with NPPF	Council/ Sussex Wildlife Trust (1190866)
M90	DPSC2	Amend wording of criterion 10 to read: ...layout and design which preserve and enhance the setting of...	Consistency	Council
M91	DPSC2	Amend land use map to show ancient woodland parcel (Hotel Wood)	Correction	High Weald National Landscape Partnership (1190693)
M92	Vision & Objectives for Growth	Amend inset map to show correct proposed built-up area boundary around DPSC5:	Correction	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
	at Sayers Common			
M93	DPSC3	Amend inset map to show corrected proposed built-up area boundary around DPSC5 to the east to exclude the parcels of ancient woodland:	Correction	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
				
M94	DPSC3	<p>Amend policy to include delivery of whole yield (2,000 dwellings) within Plan period.</p> <p>2,000 (approximately 1,850 to 2039)</p> <p>Criterion 1.</p> <p>Approximately 2,000 new homes, 1,850 of which are within the Plan Period; including provision for an extra care facility.</p>	Clarification – delivery of whole site within Plan period indicated by site promoter and extension of Plan period.	Berkeley Latimer (1190757)
M95	DPSC3	<p>Delete criterion 3 in policy wording:</p> <p>Potential for Special Education Needs and Disability (SEND) facilities.</p>	Confirmation – provision on-site at DPSC2 Crabbet Park	West Sussex County Council (1190880)
M96	DPSC3	<p>Amend criterion 8 to read:</p> <p>...and new offsite wastewater treatment works, subject to receiving the necessary permissions and permits, <u>as well as additional identified utility infrastructure</u>. Land to the east...</p>	Clarification	Berkeley Latimer (1190785)
M97	DPSC3	<p>Amend criterion 11 to read:</p> <p>...layout and design which preserve <u>or enhance</u> the setting of...</p>	Conformity with NPPF and consistency	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M98	DPSC3	Add new criterion: <u>Avoid any direct or indirect impacts associated with ancient woodland adjacent to the site including Coombe Wood and Sayers Common Wood.</u>	Conformity with NPPF	Council / Natural England (1196374)
M99	DPSC5	Amend built-up area boundary line to exclude parcels of ancient woodland in south east and south west corners of allocation area. 	Correction and consistency	Council
M100	DPSC5	Amend criterion 4 to read: ...layout and design which preserve <u>or enhance</u> the setting of...	Consistency	Council
M101	DPSC5	Amend criterion 5 to read: Address <u>Avoid any direct or indirect impacts associated with ancient woodland both on and adjacent to the site including Coombe Wood, Coombe Farm Shaw, Sayers Common Wood and Sayers Common Wood West.</u>	Consistency	Council
M102	DPSC5	Delete criterion 7: Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.	Consistency	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M103	DPSC6	Delete criterion 6: Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.	Consistency	Council
M104	DPSC7	Delete criterion 5: Occupation of the development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider	Consistency	Council
Chapter 16				
M105	DPA1 – DPA17	Delete: Meet the requirements of other relevant development plan policies.	Not necessary	Wates Development (1191818)
M106	DPA2	Add new criterion 3 to policy: <u>Measures will be necessary to mitigate the impact of development on the landscape character of the surrounding area.</u>	Consistency	Lewes District Council (1186525)
M107	DPA3	Add new criterion to read: <u>Avoid any direct or indirect impacts associated with ancient woodland adjacent to the site including Oak Hall Park Shaw.</u>	Clarity and to strengthen policy	Council/ Sussex Wildlife Trust (1190866)
M108	DPA3	Delete criterion 9: Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.	Consistency	Council
M109	DPA3a	Amend criterion 7 to read: <u>Undertake pre-determination evaluation of Archaeological Notification Area (Roman Road) that crosses site.</u> Part of this site is within an Archaeological Notification Area. Undertake pre-determination evaluation of potential archaeological features on the site prior to any planning application being submitted. Appropriate mitigation may be required depending on the outcome of that evaluation.	Clarification and consistency	Historic England (1190689) / Council
M110	DPA4	Amend criterion 2: <u>Avoid any direct and indirect impact associated with ancient woodland and priority habitats (deciduous woodland) within the site and to the east of the site, including Rockingshill Wood, and p</u> Provide an appropriate buffer. for the ancient woodland and priority habitat (deciduous woodland) within the site and to the east of the site.	Clarification and consistency	Council/ Sussex Wildlife Trust (1190866)
M111	DPA7	Amend built-up area boundary in eastern part of allocation to exclude areas of high flood risk and land to be left as open space:	Consistency	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
				
M112	DPA7	<p>Add the following criterion: “Engage with Network Rail’s Asset Protection Team (ASPRO) to ensure suitable fencing, drainage and other protections are in place to prevent impacts on the railway and the underpass used by the public right of way that runs along the southern boundary of the site.”</p>	Ensure provider is consulted	Network Rail (1190753)
M113	DPA8	<p>Delete criterion 7: Phase the occupation of development to align with the delivery of sewerage infrastructure, in consultation with the service provider.</p>	Consistency	Council
M114	DPA9	<p>Amend reference of “country park” to <u>countryside open space</u></p>	Clarification and effectiveness of criterion	Wates Development (1191774)
M115	DPA9	<p>Amend criterion 3 to read: Address <u>Avoid</u> any <u>direct or indirect</u> impacts associated with ancient woodland (on and adjacent to the site) including Front Wood,...</p>	Consistency	Council/ Sussex Wildlife Trust (1190866)
M116	DPA10	<p>Change criterion 2 with: Address <u>Avoid</u> any <u>direct and indirect</u> impacts associated with Ancient Woodland (on and adjacent to the site) <u>including Pescotts Wood East and Pescotts Wood West.</u></p>	Clarification and Consistency	Sussex Wildlife Trust (1190866)/ Council
M117	DPA11	<p>Add new criterion: Undertake pre-determination evaluation of Archaeological Notification Areas (including Roman Road) that cover and cross the site.</p>	Consistency	Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
M118	DPA12	Amend criterion 6 as follows: 6. Upgrade footpath 37Hu to the south of the site connecting Western Road and provide enhanced pedestrian connectivity between Sunleigh Court and Langton Lane.	Clarification	Thakeham Homes (1191000) / Council
M119	DPA13	Delete criterion 6: The layout of the site needs to take into account the location of existing water and sewerage infrastructure to allow for maintenance and future upgrades.	Consistency	Council
M120	DPA14	Amend reference of "country park" to countryside open space	Clarification and effectiveness of criterion	Wates Development (1191785)
M121	DPA14	Amend criterion 1 to read: ...layout and design which preserve or enhance the setting of...	Consistency	Council
M122	DPA14	Amend criterion 6 to read: Provide a country park countryside open space between the north and south development parcels.	Clarification and effectiveness of criterion	Wates Development (1191785)
M123	DPA14	Amend criterion 7 to include reference to use classes: 7. Explore opportunities on-site to enhance education provision in the village that meets an identified local need. Provide on-site community facility suitable for uses falling within E(e), E(f) or F(1)(a)	Clarification and flexibility.	Wates Development (1191785)
M124	DPA14	Delete criterion 7: Occupation of development will be phased to align with the delivery of sewerage infrastructure, in consultation with the service provider.	Consistency	Council
M125	DPA15	Change criterion 1 to read: Address Avoid any direct and indirect impacts associated with Ancient Woodland in the south east corner, Anchor Wood .	Clarification and consistency	Sussex Wildlife Trust (1190866) / Council
M126	DPA16	Delete criterion 9: The layout of the site needs to take into account the location of existing water and sewerage infrastructure to allow for maintenance and future upgrades.	Consistency	Council
M127	DPA17	Amend yield of allocation from 45 dwellings to 40 dwellings.	Correction	Devine Homes (1189446) / Council
Chapter 17				
M128	DPI1 (supporting text)	After 'Where delivery is expected on-site, the developer will be a delivery partner and will be bound by legal agreement to deliver it' add:	Clarification	West Sussex County Council

Modification reference	District Plan section/ policy	Proposed change	Reason for change	Source
		<u>'The Council will work proactively with infrastructure providers and developers to support the delivery of the improvements and facilities required to deliver the District Plan strategy, with mechanism such as the 'monitor and manage' approach to deliver transport infrastructure. and opportunities to secure additional funding will be explored through proactive</u>		(1190880) / Council
M129	DPI1 (supporting text)	Add at the end of the supporting text: <u>"Significant sites will be viewed as single strategic development. Therefore, it is key that they are led by and accord with a site-wide Infrastructure Delivery Strategy to address both on and off-site infrastructure requirements to mitigate the needs of proposed development, and in some circumstances the wider need arising from the surrounding area. They will need to include fair and reasonable mechanisms for apportioning the provision of the infrastructure (in-kind and/or costs) as well as its phasing programme. This is necessary to secure a comprehensive approach to infrastructure delivery for significant sites as a whole and to ensure that proposals for part of the allocation area help deliver a high quality cohesive place that meets overall policy objectives without prejudicing future phases of development or infrastructure provision."</u>		Berkeley Latimer (1190760 / 1190852)
M130	DPI2	Amendment to policy wording of the first bullet point: 'Provision of, or financial contribution towards the provision of, infrastructure such as travel and transport, education, health, communities facilities, open space, <u>sport and recreational facilities</u> and leisure, green infrastructure, and emergency services.'	Consistency	Sport England
M131	DPI3	Amendment to policy wording of final sentence: "It will also have regard to reasonably foreseeable development proposals (<u>such as Local Plan allocations</u>) in the local area, including other infrastructure projects and employment and residential development."	Clarification	Gatwick Airport Limited (1190687)
M132	DPI7	Before 'Planning conditions and/or obligations will be used to secure necessary infrastructure provision', add: <u>Occupation of development will be phased to align with the delivery of wastewater and sewerage infrastructure, in consultation with the service provider. Layout of the development must be planned to ensure future access to existing sewerage infrastructure for maintenance and upsizing purposes.</u>	Clarification and consistency	Southern Water (1188647) / Thames Water (1191163) / Council
M133	DPI8	Amend policy criterion 3: 3. In accordance with national Planning Practice Guidance PPG paragraph 10-008-20190509 , the weight given to a viability assessment will be a matter for the Council as the decision maker, '....having regard to all the circumstances in the case.' Viability submissions that are not in line with national guidance paragraphs 007-20190509 and 10-008-20190509 and/or have not been carried out in accordance with the relevant and most up to date RICS Guidance, will be given little weight.	Retain broad reference for clarity	Home Builders Federation (1190702)
Appendix 4				
M134	Appendix 4	Updated Housing Trajectory graph to be inserted upon confirmation of proposed extended Plan period (M67).	Consistency	Council