

Mid Sussex District Plan 2021- 2039
Matter 3: Vision, Objectives and Spatial
Strategy
Statement on behalf of A2Dominion

September 2024

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Client
A2Dominion

Our reference
A2DS3001

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1. Introduction

- 1.1 This Statement has been prepared on behalf of A2Dominion to the Mid Sussex District Plan Review Examination (Matter 3).
- 1.2 A2Dominion is promoting an area to the west of Pease Pottage within Mid Sussex District for a residential development which is capable of helping to address the District's own needs, as well as those unmet housing needs arising from the neighbouring authority of Crawley Borough.
- 1.3 The land promoted by A2Dominion to the west of Pease Pottage is referred to in these representations as 'Pease Field', with the potential to accommodate 150 – 200 dwellings as has been assessed in the SHELAA under reference 674. An agreement is in place with landowners south of the site (who are separately promoting land within their control – SHELAA site 219) to enable an existing access road to be extended northwards (and into site 674).
- 1.4 A2Dominion's participation in this Examination is on the following principles:
 - Firstly, the land it is promoting for residential development at Pease Pottage is suitable for allocation, although we recognise that the Inspector is not tasked with considering 'omission sites'; and
 - Secondly, MSDC has failed to demonstrate that it is unable to accommodate unmet needs arising from Crawley Borough to the north and, should the Plan seek to meet those needs, that should be done close to where the need arises.
- 1.5 In relation to the second of those principles, we note that MSDC now seems to be pursuing an approach which does not recognise and seek to address unmet housing needs from Crawley Borough which is in significant contrast to its own approaches adopted previously.
- 1.6 In this context, with the strategic allocation of land to the East of Pease Pottage under Policy DP10 of the (current) MSDP provided for 600 dwellings, and community facilities including community buildings, primary school and associated café and retail facilities in the Pease Pottage area. Several of these, including the primary school, café, shop and St Catherine's Hospice are already open. That site is also within the 'National Landscape' (formerly AONB).

2. Matter 3: Vision, Objectives and Spatial Strategy

Issue 1: Whether the Spatial Vision and Objectives for Mid Sussex Council are justified, effective, consistent with national policy and positively prepared?

30. Does the Spatial Vision for the 2018 District Plan remain relevant?

- 2.1 Broadly speaking, we consider that this spatial vision (including the priority themes) remains relevant. However, there are important considerations to bear in mind, including the increased housing requirement for the District and the ongoing issue of unmet housing needs which need to be borne in mind when the various aspects of the spatial vision and priority themes are balanced.

31. Are the Plan objectives which have been identified relevant; justified; and consistent with National Policy?

- 2.2 Broadly, yes. That said, we note that the objectives (page 30 of the submission draft of the Plan) are narrowly focused on the District, without due consideration to Mid Sussex District's role within the wider area. In that regard we note that the objectives refer to promoting a place which is attractive to businesses, to promoting opportunities for people to live and work in their communities and, importantly, to:

"13. To provide the amount and type of housing that meet the needs of all sectors of the community"

- 2.3 However, the fact is that this is a Plan which ignores the needs of a significant part of the community, that being the unmet needs arising from Crawley (and elsewhere). Not only is there a substantial unmet need from Crawley measured against the LHN, but against the objectively assessed affordable housing need. Mid Sussex District has, and should continue to, play an important role in addressing those needs given the relationship between the two areas.

32. Is the Plan period justified, effective and consistent with national policy in particular paragraph 22 of the Framework? Should it be extended, if so, why?

- 2.4 No.
- 2.5 The proposed Plan-period is not consistent with national policy and it should be extended for the reasons set out below¹.
- 2.6 Paragraph 22 of the NPPF states:
- "Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure"* (our emphasis)

¹ This response is consistent with our response to Matter 6 (Housing (Issue 1, Question 56)).

- 2.7 The Planning Practice Guidance (PPG) reiterates this, stating²:
- “The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the full plan period.”* (our emphasis)
- 2.8 The Council’s ‘Local Development Scheme’ (‘LDS’) (Document P1) was published in January 2024 and anticipates that the District Plan will be adopted in Autumn 2024. In our view, that is an extremely optimistic timescale.
- 2.9 Even if the District Plan were adopted this Autumn, it would only cover a period of 14 full years after adoption, rather than the ‘minimum’ 15 year period referred to in the NPPF and PPG.
- 2.10 The Plan period should therefore be extended in order to ensure that strategic policies look forward at least 15 years from the adoption of the District Plan.
- 2.11 In any event, we note that there is merit in extending the Plan-period to 2040 as that then aligns with the end of the imminent Crawley Borough Local Plan (and so any discussions / approaches to unmet need are on an equal footing).
- 2.12 The Council’s Schedule of Proposed Modifications (July 2024) (Document DP2) appears to accept that the plan-period should be extended to 2040. However, that document now adds some uncertainty as to when the Plan would be adopted, stating that this is now anticipated in 2025 (but not when). If there is a prospect that the Plan might be adopted after 1st April 2025 (as might be the case given Document DP2), the Plan-period should be extended to 2042.
- 2.13 If the Plan-period is extended by one year, the housing requirement should be increased (as a minimum and without giving consideration to any matters) by at least 1,098 dwellings.
- 2.14 If the Examination of this Plan becomes protracted and a further year is required (to provide for a minimum of 15 years post adoption), the increase should be at least 2,196 dwellings.

² Paragraph: 064 Reference ID: 61-064-20190315

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

33. Chapter 6 of the Plan relates to the District Plan Strategy. However, there is no explicit strategy within the Plan as submitted rather four principles and a distribution of development based on commitments, and existing and proposed allocations. Is there an overall spatial strategy which sets out the pattern, scale and design quality of places and makes sufficient provision for development and infrastructure as required by paragraph 20 of the Framework? If so, how would this strategy influence decision-making, and has it been positively prepared, justified, and effective?

- 2.15 We agree that there is no explicit strategy beyond the four principles on page 33 of the submitted Plan. Page 33 also presents a table showing the 'Potential for Growth at Settlements', however there is no explanation as to what information and evidence that table is based on. The same table on page 33 identifies those settlements within the AONB and those which have a significant site with potential. This reinforces our view, expressed elsewhere in our Statements, that MSDC appears to have concluded that the AONB represents a bar to development as a matter of principle where a degree of harm arises.
- 2.16 We note that there are no documents within the evidence base to explain how the Council has approached the spatial strategy and the distribution of development, beside the five options considered in the Mid Sussex District Plan (Regulation 19) Sustainability Appraisal Environmental Report (November 2023) (Document DP9). There does not appear to be any recognition and then assessment of the fact that Crawley is a very sustainable settlement of sub-regional importance immediately adjacent to the District and which has a very significant unmet need for development. In our submission, these matters should have been considered through the LPA's evidence base.
- 2.17 In our submission, the draft Plan is a consequence of the role of each settlement and then constraints (which in our view the Council has misapplied in relation to the National Landscape), rather than a positively prepared document which responds to the particular issues and characteristics in the area (including from adjoining authorities).

34. Does the spatial strategy make the effective use of land including previously developed land?

- 2.18 No comment.

35. Is this strategy sufficiently clear to decision-makers, developers, and local communities as to where the majority of new development including infrastructure will be located? Is it consistent with the policies of the Plan?

- 2.19 Insofar as the Plan identifies allocations, yes it is clear where the majority of development will be located. Insofar as the reasons why development is proposed in those locations, having regard to a spatial strategy, that is unclear.

36. How were the settlements defined as different categories and how did the Council decide on the scale and level of growth attributed to the different areas/settlements in the Plan? Is this justified?

- 2.20 In our submission, the draft Plan is a consequence of the role of each settlement and then constraints (which in our view the Council has misapplied in relation to the National Landscape), rather than a positively prepared document which responds to the particular issues and characteristics in the area (including from adjoining authorities).

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

- 2.21 There is nothing within the draft Plan to suggest that the spatial strategy and the distribution of development proposed within it has regard to the presence of Crawley and the relationship that the District has with this important urban area.
- 2.22 Whilst the District does contain towns (Burgess Hill, East Grinstead and Haywards Heath), Crawley has a much broader function as a settlement of sub-regional importance. Crawley also has very significant unmet housing needs which this Plan does not address.
- 2.23 We acknowledge the Plan does include a proposed allocation on Land at Crabbet Park, Copthorne. However, this site is part of the overall supply expected during the Plan-period, not an additional site to serve the needs of Crawley. Furthermore, there is no explanation in the draft Local Plan for Mid Sussex as to how this site would fulfil the expectations for development 'at Crawley' (as shown in the emerging Crawley Local Plan).

38. Is the strategy and distribution of development consistent with paragraph 105 of the Framework which states that the planning system should actively manage patterns of growth and focus significant development in locations which are, or can be made sustainable and paragraph 124 of the Framework which references the need to achieve appropriate densities so as to optimise the use of land in their area?

- 2.24 The Plan is flawed in this regard as it directs growth to settlements which demonstrably less sustainable and without regard to towns on the District's boundaries.
- 2.25 In particular, we note that (by our calculations), 75 dwellings are envisaged at a small village (Anstey), 2,425 dwellings are envisaged on sites at medium villages (at Sayers Common, Ashurst Wood, Bolney and Scaynes) and 502 at larger villages (Crawley Down, Hassocks and Hurstpierpoint).
- 2.26 We note, with regard to Pease Pottage (itself identified as a medium village), that this is in close proximity to Crawley, in contrast to the majority of other settlements in the District. It does not appear as though the Council has considered this proximity, and the ability of residents from that community, to access services, facilities, employment or the network of public transport. In contrast to those clear sustainability credentials, we note that these are not demonstrated by the medium and smaller villages at which the Council has decided to allocate sites for new housing (in addition to those already allocated). We note that none of those other medium and smaller village settlement has any relationship with Crawley to the north of the District and which has very significant unmet housing needs of its own.

- 2.27 The fact that Crawley has an unmet housing need is beyond doubt and crystalised by the Inspectors' Report (**Appendix 1 to our Matter 2 Statement**). As our Regulation 19 representations explained, our submission is that if housing is provided to address the needs of Crawley Borough then it should be accommodated in a manner which meets the needs arising from the town.
- 2.28 It is clear that if housing is to be provided within Mid Sussex District to meet the needs of Crawley then this should be done in a manner where the spatial distribution of such housing has a close functional relationship with the neighbouring authority. That being the case, Pease Pottage is uniquely located within the District to accommodate new housing close to Crawley and accessible to it via public transport.
- 2.29 The alternative would be that such provision then 'jumps over' the National Landscape and is provided some distance further south.
- 2.30 The approach to unmet needs has been addressed in a number of Local Plan examinations (such as in Oxfordshire in Cherwell and South Oxfordshire Districts), with a consistent recognition that needs should be met close to where they arise.
- 2.31 Given the clear sustainability credentials of Crawley, we are concerned that this does not appear to have featured in the Council's analysis, or a strategy which underpins the Local Plan. Separately, if the Plan does (as DPH1 suggests (although we dispute that fact)) address unmet needs and, and if those are to serve Crawley, sites should be allocated which are accessible to that town.
- 2.32 Providing homes for the needs of Crawley away from the town would not only make them less accessible, but would cause issues of affordability.
- 2.33 The Turley Economics report which accompanied A2Dominion's representations highlights that the average home in Crawley cost the equivalent of circa 9.3 years' earnings in 2022. In our submission, this highlights that the failure to address Crawley Borough's unmet housing needs is likely to increase cost of accessing suitable housing if it cannot be provided within the Borough itself. This is demonstrated by the greater cost of housing, relative to earnings in the surrounding area.
- 2.34 The evidence on housing needs in the North West Sussex HMA includes a Strategic Housing Market Assessment which states:

"The average (mean) house price across Northern West Sussex was around £420,000 in 2018 whilst the median price was around £370,000. The lower quartile house price was just under £285,000.

The median house price in Crawley is 8% below the South East average. Median house prices in Horsham are in contrast 12% above the South East average – influenced by the higher volume of sales of larger homes and quality of life offer.

Figure 16 illustrates house price distribution across Northern West Sussex. To the north of the NWS HMA boundary, prices gradually increase, demonstrating London's influence on the residential property market in the area. In comparison, the house prices in the HMA generally remain lower, with small clusters of higher prices in some

of Horsham’s rural parts such as Amberley, Dial Post, West Chiltington and West Grinstead. Prices in Crawley and Horsham Town remain in the lower ranges, between £100,000 up to £400,000.”

- 2.35 The same point arises from the fact that the Plan does not seek to address those unmet needs from Crawley – increasing issues of affordability for those who (under normal circumstances) would seek new homes in Crawley.

39. 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?

- 2.36 In our submission, the constraints of the District have overly influenced the strategy of the Plan and applied the National Landscape designation (formerly AONB) as an ‘absolute’ constraint when, in reality, there is no such restriction in national planning policy. We do note that there are a small number of allocations (SA25, SA27, SA28, SA29, DPA29) within the AONB, however with the exception of DPA29, these appear to be carried over from the current Development Plan.
- 2.37 To support the assertion that MSDC has approached the National Landscape in that manner, we refer to the ‘Site Selection Conclusions Paper (Regulation 19)’ document (2023) (document SSP2) which found, in relation to site 674 that:

“Areas of Outstanding Natural Beauty (AONB) should be protected and enhanced. The site is located within the High Weald AONB. Development of the site would cause detrimental impact to the AONB and should be avoided. (NPPF Para’s 176,177). The site is therefore considered unsuitable for development and has been excluded from further assessment.”

- 2.38 The same conclusions are contained in the ‘Site Selection Conclusions Paper - Updated for Submission (2024)’ (document SSP3).
- 2.39 Those conclusions are not based on an analysis of any benefits which might be derived from a scheme and appear to be binary: is the site in the National Landscape or not and, if so, would there be a degree of harm.
- 2.40 In Appendices 3 and 5 of documents SSP2 and 3, the Council comments that ‘no exceptional circumstances’ have been identified. However, in our view, that is a misrepresentation of the NPPF as, in contrast to the release of land from the Green Belt, there is no ‘exceptional circumstances’ test which applies to the National Landscape at the plan-making stage.
- 2.41 We recognise that paragraph 182 of the NPPF states that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited,

while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

2.42 Paragraph 182 of the NPPF is not an absolute constraint. Even the expectation that development within the National Landscape should be ‘limited’ must be seen in context as that does not suggest that development, even major development, cannot be provided for. In that regard we note that the Council itself allocated (in the current Development Plan) land to the east of Pease Pottage in the AONB for residential development to serve the needs of Crawley (which it had already granted by the time of the Plan’s adoption).

2.43 It is our submission that the abovementioned influences on the strategy have compounded the fact that the Plan fails to grapple with the unmet needs arising from Crawley Borough to the north. Had the Council recognised that the National Landscape is not a bar to development (as it has when allocating and granting permission for a strategic allocation east of Pease Pottage in the National Landscape), then it may well have identified greater scope to address strategic cross-boundary matters.

40. To what extent was the preferred combination of options 1 and 2 chosen on the basis of a justified and proportionate evidence base?

2.44 No comment.

41. Does the spatial strategy look sufficiently further ahead, particularly in relation to larger developments that go beyond the Plan period, such as DPSC1: Land to the West of Burgess Hill/ North of Hurstpierpoint; DPSC2: Land at Crabbet Park and DPSC3: Land to the south of Reeds Lane, Sayers Common?

2.45 No comment.

42. What reasonable alternative options were considered as part of the Plan’s preparation and why were they discounted?

2.46 To consider this response, we refer to the ‘Sustainability Appraisal: Main Report including Non-Technical Summary (Regulation 19)’ (document DC7).

2.47 So far as spatial options are considered, these appear to be:

- *“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.”*

2.48 These can be summarised as: maintain the status quo; growth to support the sustainability potential of existing smaller settlements; a new settlement; development in the three towns; and finally the prioritisation of PDL.

2.49 We have not commented on the relative merits of those options as our view is that the reasonable alternatives are flawed for more fundamental reasons.

2.50 At no point do those spatial options consider the prospect of accommodating growth on the edge Crawley, demonstrably the most sustainable area in the vicinity; or the more direct question of accommodating growth for unmet needs close to where it arises.

43. Are any main modifications necessary for soundness, if so, why?

2.51 Yes. In our considered opinion, the Plan should be revised so that it positively and proactively seeks to address unmet housing needs, particularly those arising from Crawley, close to where those needs arise.

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