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MID SUSSEX DISTRICT PLAN EXAMINATION

Hearing Statement: Matter 3

CLIENT: Catesby Strategic Land

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1 MATTER 3: VISION, OBJECTIVES AND SPTAIL STRATEGY

1.1 INTRODUCTION

- 1.1.1 This Hearing Statement has been prepared on behalf of Catesby Strategic Land in response to the examination on the Mid Sussex District Council's District Plan (MSDP).
- 1.1.2 Catesby Strategic Land controls 'Land at Lunce's Hill, Haywards Heath' and is promoting the Site for allocation as part of the MSDP process. The Site comprises a cross-boundary site which is also being promoted within the emerging Lewes Local Plan, with total capacity for approximately 135 dwellings.

1.2 ISSUE 1: SPATIAL VISION AND OBJECTIVES

Qu. 30:

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

- 1.1.3 The Mid Sussex District Plan (MSDP) sets out the same Vision as that set out within the adopted 2018 Plan. We are generally supportive of this Vision and in our view remains relevant.
- 1.1.4 Notwithstanding this, and perhaps a small point in the context of the overall Plan but identifying a Vision for the new District Plan provided the Council with an opportunity to provide a bolder, more proactive statement recognising that facilitating growth to meet the social and economic aspirations of the District will be welcomed. It is disappointing that the Council has not sought to do this. This is particularly the case in light of the new Government's aspirations for the planning system as set out within the emerging draft NPPF which is currently out for consultation; and the revised Standard Methodology figures which increases MSDC's housing need figure by 23%.

Qu. 31:

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

- 1.1.5 There are 15 strategic objectives identified within the Plan. We are broadly supportive of these objectives and have no comment to make regarding their consistency with National Policy.

Qu. 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?

- 1.1.6 No comment.

1.3 ISSUE 2: SPATIAL STRATEGY

Qu. 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?

- 1.1.7 We consider the spatial strategy is unclear and therefore the Plan is not as effective as it could be. Whilst we note the inclusion of a Key Diagram and table identifying the distribution of development, there is no clear policy identifying the approach being taken to meet the District's development needs over the Plan period. A clear, overarching strategic policy at the outset of the Plan would help provide clarity to the other Policies within the Plan providing a clear steer on the preparation, and determination of, planning applications.
- 1.1.8 Para. 20 of the NPPF makes clear that Strategic Policies should set out the overall strategy for the pattern, scale and design quality of places for housing, infrastructure, community facilities and the conservation and enhancement of the natural, built and historic environment. Plans should make explicit which policies are strategic policies and should provide the starting point any non-strategic policies that are needed.
- 1.1.9 It is not clear what policies within the Local Plan are Strategic Policies and as such the plan is not effective. This should be included ahead of the Plan progressing. This is essential to provide a clear and effective framework for the preparation of Neighbourhood Plans and in the determination of planning applications.

Qu. 34

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

- 1.1.10 To a large extent, we consider that the spatial strategy does make the effective use of land including previously developed land, recognising opportunities for development where suitable and available within existing settlements and on previously developed land. However, we consider it has not considered thoroughly opportunities for sustainable development on the edge of the Category 1 settlements.
- 1.1.11 Haywards Heath is a Category 1 settlement. Whilst its potential for future strategic growth is limited over this plan period; not least due to the strategic growth already planned through the 2018 District Plan, there are sites which are suitable and available and it remains unclear why these opportunities have not been identified and included. The approach being taken does not appear reasonable. This includes our client's site, which is located to the southeast of Haywards Heath and is a suitable and available site for development.

- 1.1.12 As noted in previous representations, we consider the consideration of our client's site at Lunce's Hill (Ref. 1136) has not been undertaken in a clear and reasonable way, and as such, the Council has not sought to make the most effective use of land. This site has been dismissed on heritage grounds which given the evidence submitted, and the surrounding development, is not logical.

Qu. 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?

- 1.1.13 No, for the reasons set out in our response to question 33. Notwithstanding the Key Diagram and Distribution of Development table there are no clear strategic policies that set out how the Council intends to achieve its development needs in line with the presumption in favour of sustainable development. This is required to ensure the plan is sound and has been prepared in line with the requirements of the NPPF (para. 23).

Qu. 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?

- 1.1.14 The District's Settlement Hierarchy is set out in Table 1. Whilst we cannot confirm how the settlements were defined, we consider it appropriate that Haywards Heath is defined as a Category 1 town, at the top of the settlement hierarchy. Haywards Heath, along with Burgess Hill and East Grinstead, provide a good range of services, employment opportunities, education, retail and leisure facilities, alongside good public transport provision.
- 1.1.15 The Council's spatial strategy includes a focus on these Category 1 settlements in the first instance which is a reasonable approach. Our client is broadly supportive of the overarching growth strategy which principally seeks to maximise the available land within the upper tier settlements. This follows the approach set out within the NPPF which seeks to directing development on locations which are, or can be, made sustainable (para. 109).
- 1.1.16 We agree that the supply of available land within many of the District's most sustainable towns and villages, including Haywards Heath, is now heavily depleted. However, it is not clear why the Council has not sought to include available and suitable sites within these Category 1 settlements in line with its spatial strategy. In particular, where the availability of suitable land for housing is severely depleted and/or constrained within a shared Housing Market Area as set out in our response to Matter 2: Duty to Cooperate.

Qu. 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?

- 1.1.17 We consider the spatial strategy does not reflect settlements outside of the District. Whilst we do not seek to address Duty to Cooperate matters within this Statement¹, Local Planning Authorities are obliged to cooperate with each other on strategic matters to ensure a positively prepared and justified strategy. Our concern that some overarching strategic matters, including housing delivery, have not been properly considered in the formation of this Plan and accordingly the Plan is unsound.
- 1.1.18 For example, Lewes District, which lies immediately to the east of Mid-Sussex, and has a significant unmet housing need and poor housing delivery (around 3 years' supply). We would expect, given the proximity of Haywards Heath to Lewes District that the potential for cross-boundary sites in the strategic location southeast of Haywards Heath would be explored by both authorities in the preparation of both emerging Local Plans in order to reach an agreement as to how housing capacity might reasonably be maximised. This would include sites such as land at Lunce's Hill which is promoted by our client. This, or other similar options, have not been considered through the preparation of the Local Plan in terms of reasonable alternatives and assessment to inform the spatial strategy.

Qu. 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?

- 1.1.19 Para. 109 encourages the planning system to actively manage patterns of growth so significant development should be focused on locations which are, or can be, made sustainable. The Council ascertains that development is being focused in the top tier settlements as far as practical to do so, but it remains unclear why opportunities around Haywards Heath, which is the most sustainable settlement, have not been fully explored and maximised. Sites such as Lunce's Hill are suitable and available and should be included within the Plan and a development allocation.

Qu. 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?

- 1.1.20 No comment.

¹ Please see Hearing Statement on Matter 2: Duty to Cooperate

Qu. 40:

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

- 1.1.21 For reasons outline above, and in our Matter 1 submission, which we won't repeat for this question, we are concerned that the Council has not undertaken a thorough review of the evidence required to prepare a Local Plan and accordingly the approach and spatial strategy is unsound. This relates to the Council failing to consider all reasonable alternatives and not maximising opportunities for development around Haywards Heath, and in terms of meeting unmet need from adjoining authorities.

Qu. 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?

- 1.1.22 No comment.

Qu: 42:

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

- 1.1.23 The starting point for the MSDP Spatial Strategy was the spatial strategy identified within the adopted 2018 Plan i.e. focus development on the three principal towns: Burgess Hill, East Grinstead and Haywards Heath. This spatial strategy is reasonable, given these three towns sit at the top of the settlement hierarchy and are therefore sustainable settlements for future growth.
- 1.1.24 In the preparation of the new Local Plan, the Council has sought to determine whether this existing strategy is still relevant given any changes to local circumstances, and also whether the current strategy can be maintained given the extended plan period, future predicted needs and availability of sites.
- 1.1.25 In preparing the Plan, the Council concludes (page32) that "*there is limited growth potential at both East Grinstead and Haywards Heath*". It therefore needs to revise the 18 District Plan Strategy insofar as it relates to additional growth beyond that already planned for; and has prepared a strategy which identified further growth on four principles. One of which is "growth at existing sustainable settlements where it continues to be sustainable to do so".
- 1.1.26 Whilst we are not disputing this approach, we do not consider that the Council has justified why suitable, and deliverable sites on the edge of these settlements have not been included within the Plan and considered these properly; particularly in the context of assisting adjoining authorities in meeting their needs. For example, our Client's site at Lunce's Hill has the capacity to deliver 135 dwellings and is available in the short term. The site is promoted by Catesby Estates Ltd, a leading strategic site promoter which a track record in delivery.

- 1.1.27 The south of Haywards Heath has recently formed a reliable strategic location for sustainable residential growth, with high-quality new housing successfully delivered along Lunce's Hill southward and west from Rocky Lane to the north with further development east of Lunce's Hill recently securing a resolution to grant for a further 375 dwellings. In this context, the submission site forms a logically contained location for strategic scale development, unconstrained by strategic planning designations, situated immediately adjacent to the expanding settlement area of Haywards Heath and well-contained by existing and recently consented residential development, highway infrastructure and natural vegetation.
- 1.1.28 It is noted that the Sustainability Appraisal does look at an option where the existing spatial strategy is maintained and growth is focused on the main settlements (Option 1), along with Option 2 which continues to support growth in settlements and Option 4 (focusing growth on the three towns). However, we do not think the Council has fully explored the availability of land which would align with the most sustainable spatial option (i.e. land within and adjacent to Tier 1 settlements) to amount to a failure to ensure the Plan strategy is justified.

Qu. 43:

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

- 1.1.29 Yes. We consider additional sites should be included within the Plan around the key settlements to ensure a sound spatial strategy.
- 1.1.30 The Regulation 19 representations make clear that the MSDC Site Assessment is inaccurate and therefore the site at Lunce's Hill should be allocated to complement the existing commitments and planned developments adjacent to it in the south eastern part of Haywards Heath. We suggest that main modifications are required to incorporate Land at Lunce's Hill, Haywards Heath within the Category 1 settlement housing allocations. This will be particularly important given that it is likely that there will be unfulfilled housing requirements from other authorities including Lewes District.