

Mid Sussex District Plan 2021-2039

Examination (Stage 1) by Miss Louise Nurser BA (Hons) Dip UP MRTPI

Hearing Statement submitted by WILD (Respondent Number 1191800)

Matter 3: Vision, Objectives and Spatial Strategy

WILD's response to consultation raised concerns regarding the Spatial Vision, Objectives and Spatial Strategy. We note in the inspector's guidance that 'there is no need for participants to submit an additional hearing statement if they are content that their original representations adequately cover the issues and questions they are concerned about'. We stand by our original submission, but wish to respond further with regard to questions under this Matter heading as listed below, covering:

- Specific questions raised by the inspector;
- What changes relating to this Matter would need to be made to make the plan sound.

Question 30

The spatial vision for the 2018 plan does remain relevant. It has the prospect of achieving the LHN and would encourage density, support sustainability and mitigate the impact on transport networks. In our view, this is plainly preferable to Option 2 which is not only harmful but results in unjustified and unnecessary overprovision of housing. No evidence is provided to support the Plan's contention that further growth potential with this vision is limited. The Sustainability Appraisal in fact says that this spatial strategy has the potential to achieve the LHN, and it is only in Section A.3, Page A-7,8 that we find the reason for limited growth potential: it is because it has been unreasonably restricted by the over-prescriptive approach to potential and proportionality on a settlement-by-settlement basis. With this constraint removed, it remains a reasonable alternative option with the prospect of meeting the LHN in its own right, and a 'base case' for providing additional dwellings in combination with other approaches - see our response to Question 7.

Question 31

The fifteen strategic objectives are based on those set out in the 2018 Plan, and we are told that they still reflect the challenges facing the District and there have been no changing circumstances or updated evidence to suggest that they need revising (P.27). However, they have been revised to include references to 20-minute neighbourhood principles (Objectives 2 and 10). As we show in response to Question 47, no evidence has been provided to demonstrate relevance to the circumstances of the district, or that they can deliver sustainability as envisaged by the Council. To that extent, the changes are not justified.

Question 33

We have not been able to identify in the Plan a strategy, as opposed to a set of principles and the list of proposed allocations. What we can see is a desire to improve the sustainability of existing settlements and an emphasis on the concept of the 20-minute neighbourhood, but this has not been followed through in the form of a clearly articulated

strategy to assess all existing settlements from this perspective, developing a ranking of settlements and a guide to sustainability which would allow site selection judgements to be made. In the SA, the concept is applied only to a limited number of large greenfield sites and combined with option 1 to deliver the LHN, but no evidence is provided to demonstrate that this combination provides a coherent strategy for sustainable development in the district.

The Council's preferred option places very heavy demands on infrastructure because of its desire to create 20-minute neighbourhoods in a small number of large, greenfield locations as opposed to a larger number of smaller developments in or adjacent to existing settlements. There can be no confidence that sufficient provision for infrastructure has been made:

- Some of the assessment material for what is required has been provided too late to inform site selection decisions; is out of date; not fully costed; and based on unjustifiable assumptions designed to manage down need (please see our responses to Questions 46, 48 & 50)
- Fundamental differences of approach still remain - for example the Council's desire to provide infrastructure at an early stage, which cannot be reconciled with the lack of funding for transport improvements and WSCC's insistence on a 'monitor and manage' approach to travel infrastructure
- We can see in the responses to Reg.19 consultation concern by developers that commitments to support sustainability for which they would be liable cannot be delivered.
- Our own study demonstrates that, for DPSC3 alone, the infrastructure costs are likely to be of the order of £90m, compared with the Plan's estimate of £24m. The full report can be found on our website at wildasco.com.

The approach the Council has taken has not been positively prepared, for two reasons: discussions with other statutory consultees have not, in the case of infrastructure, arrived at an agreement about what is required and how it will be funded and delivered. Second, in attempting to respond to unmet need in neighbouring planning authorities the Council is relying on unsustainable development by selecting large sites which are unsuitable for 20-minute neighbourhoods.

The approach is not justified because no evidence has been provided to show that 20-minute neighbourhoods can successfully be created on these greenfield sites, as opposed to urban settings. And it is not effective because of the infrastructure shortcomings identified above.

Question 34

The spatial strategy does not make effective use of land, including previously developed land. Although the Council includes effective use of land as a core principle, its preferred option (a combination of options 1 & 2) does not deliver this in practice. The Council does not wish to consider full use of brownfield land as a contribution to achieving its LHN (Option 5 is considered only in isolation; no use has been made of PiP, and the Register has not even been included in the examination bundle) and its proposal to create 20-minute

neighbourhoods on green fields rather than in urban settings produces a lower density of housing. Please see our response to Question 47.

Question 35

We respond to this question as a local community group. We can see where the majority of new development would be located, but it is still unclear where and how the necessary infrastructure will be provided - please see our responses to the questions in Matter 4: Transport. We do not think the strategy is consistent with the policies in the Plan:

- It will not deliver sustainability, which is at the core of the Plan's Vision (P.27);
- It does not meet Environment Objectives 2,3 & 6
- There is no evidence to show it will meet Economy Objectives 8,9 & 10
- There is insufficient evidence to show it will meet Social Objectives 12-15
- It does not meet 2 of the 4 key principles - effective use of land and opportunities for extensions to improve sustainability

In some cases, consistency with policies can be determined only when development is in progress or has been completed. But at this stage, if the Council claims that their preferred choice of spatial option justifies the chosen locations for new development, we can see it is not consistent with the following:

- DPS4 - Flood Risk and Drainage (flood risk assessment produced after Plan submission; sequential risk-based approach has been ignored. See our response to Question 52)
- DPN2 - Biodiversity Net Gain (DPSC3 developer has declared 20% net gain unachievable in response to Reg.19 consultation)
- DPC1 - Protection and Enhancement of the Countryside (Development should maintain or where possible enhance the rural and landscape character: large greenfield sites have been selected. See our original submission)
- DPC2 - Preventing Coalescence (Development should not have an unacceptably urbanising effect on the area between settlements: DPSC3 and 4 together with existing recent developments will have this effect between Albourne and Sayers Common. See our original submission)
- DPT1 - Placemaking and Connectivity (Major developments must demonstrate how all relevant sustainable travel interventions will be maximised: failure to do so in the case of DPSC3-7. See our response to Question 44)
- DPT3 - Active and Sustainable Travel (Infrastructure which links to key networks, facilities and services : failure to do so in the case of DPASC3-7. See our response to Question 44)
- DPH8 - Affordable Housing (DPSC3 developer is already looking for a reduction in the percentage in response to Reg.19 consultation)

The Infrastructure Development Plan contains graphics to show what would be provided, but there is no clarity about what will actually be agreed and delivered. In addition, there is still uncertainty about travel infrastructure because of flaws in the modelling and the effect of the proposed 'monitor and manage' approach; and the Level 2 Flood Risk assessment also requires further work before satisfactory mitigations can be confirmed.

Question 36

The only definition we can find to support the categorisation of settlements is in the text accompanying the table which provides the categorisation of settlements on P.40 in the Plan. This in itself is too vague to support the accuracy the table implies - there is no objective evidence in the submitted documentation about the size of these settlements in terms of dwellings, or a listing of the services and facilities available. A number of villages in the 'middle-sized' category, for example, fail to meet the requirement that they provide essential services for the needs of their own residents and immediate surrounding communities.

There is no evidence to show how this table was used in the site selection process to determine what sustainability would mean in these different categories or what it would take in terms of development to achieve it. Nor is there evidence that these categories were assessed in terms of their suitability for levels of growth; the only rationale we can find is the strict application of the 'rule' about potential and proportionality (SA Section A.3 Page A-7/8) which is not a guide to sustainability. In particular, there is no ranking of communities in terms of their suitability for 20-minute neighbourhoods which, in terms of TCPA best practice, should have included a measure of community sentiment. The approach in the Plan is therefore not justified.

Question 38

Please see our original submission and our response to Question 48. In summary, the sites chosen for significant development are not currently sustainable, and the plans to make them so come at very high cost and very high risk. They would achieve densities appropriate for their setting but would not support sustainability in line with the best practice the Council declares it wishes to follow, and would not optimise the use of land.

Question 39

The constraints caused by National Landscapes within the District have provided the Council with part of their rationale for concentrating development onto a smaller number of significant sites. The local community has been told 'there is no alternative' - when in fact other reasonable alternative options which were not considered in the SA would allow a strategy which would better fit with national guidance and avoid breaching a number of the Plan's own policies. Please see our responses to Questions 7 & 35.

Question 40

The preferred combination of options 1 & 2 does not have a justified and proportionate evidence base for the creation of sustainable communities on greenfield sites using 20-minute neighbourhood principles: please see our original submission and our response to Question 8.

Question 42

Please see our original submission, Appendix C Section 3, and our response to Questions 7 & 8. No direct evidence was provided for the rejection of Option 1, which was artificially constrained. Options 4 & 5 could have been considered in combination with Option 1 but this was not allowed. We have identified reasonable alternative options which should be considered.

Question 43

We understand that the focus of the examination is to help the Council make a sound Plan. We reiterate our point made in concluding on matter 1 that the SA at present is unlawful and needs to be re-done. That being said, we summarise here the issues relating to vision, objectives and spatial strategy which in our view currently prevent that. We defer to the inspector's judgement whether these can be couched as main modifications which, if made, would achieve the threshold of soundness as defined by the NPPF.

- The 2018 spatial strategy, unrestricted by artificial constraints, remains relevant and should be assessed as a reasonable alternative
- There is a gap between the Council's claim that the 2018 strategy is no longer viable; the evidence to support that claim; and the rationale for the introduction of the 20-minute neighbourhood concept. This element of the Plan needs to be redrafted to make the case, supported by evidence.
- If the Council wishes to continue with the concept of the 20-minute neighbourhood it should embed this properly in its principles and policy framework and apply the evidence base of best practice consistently in the evaluation of alternative spatial options and site selection, demonstrating how it gives coherence to development in the District as a whole
- The Infrastructure Delivery Plan should clearly demonstrate how it has been guided and informed by the requirements of the revised spatial strategy, with agreed statements of costs and funding sources, and explicit support from partners
- Effective use of land should be identified as a criterion in site selection
- If the categorisation of settlements is to be used to determine opportunities for sustainable growth, further work is required to define and justify the rankings and demonstrate what sustainability would mean in practice
- If a new spatial strategy emerges from this work, policies will need to be aligned with it