

**Examination Statement  
Matter 3 – Vision, Objectives and Spatial Strategy**

**Mid Sussex District Plan**

Representations on behalf of Crest Nicholson

30 September 2024

Lucid  
Planning

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## 1. Introduction

- 1.1 This Statement has been prepared by Lucid Planning on behalf of our Client, Crest Nicholson, who has an interest in the land to the north of Old Wickham Lane, Haywards Heath (SHELAA Ref 988). This Statement is prepared in response to the Inspectors' Matters, Issues and Questions.
- 1.2 Representations have been made on behalf of our Client throughout the production of the emerging Local Plan and these representations expand upon earlier representations. While efforts have been made not to duplicate the content of previous representations, this Statement draws on previous responses where necessary.
- 1.3 These representations have been prepared in recognition of prevailing planning policy and guidance, particularly the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- 1.4 These representations respond to the Inspectors' MIQs but does not respond to all questions raised under this Matter but focuses on those questions of particular relevance to our Client's interests.
- 1.5 These representations have been considered in the context of the relevant NPPF that the District Plan is being examined under - NPPF September 2023 - and tests of 'soundness' as set out at paragraph 35 of that NPPF. This requires that a Local Plan be:
- **Positively Prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with National Policy** – enabling the delivery of sustainable development in accordance with the policies in the Framework.

## **2. Response to 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?**

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

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

**Question 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?**

2.1 Crest Nicholson fully supports the Council's 15 Strategic Objectives as set out in pages 28, 29 and 30 of the Local Plan.

2.2 It is clear, however, that the Council, in its assessment of potential development sites has not used its own Strategic Objectives to inform its site selection methodology. SSP1 Site Selection Methodology looked at the 14 criteria employed to assess site suitability and constraints, but the approach missed the opportunity to assess potential allocation sites against the Council's 15 Strategic Objectives.

2.3 We have set out below a matrix style approach assessing Land North of Old Wickham Lane, Haywards Heath against the Council's 15 Strategic Objectives including a traffic light assessment:

<p>Strategic Objective 1 – To create and maintain easily accessible high quality green and blue infrastructure in the right places to encourage active travel, improve physical and mental health, support biodiversity, and address climate change mitigation and adaption.</p>	<p>Old Wickham Lane Objective 1 Response – With 69% of the site retained for green and blue infrastructure in the latest masterplan, showing extensive pedestrian links to local services, has significant potential to maximise the benefits to future residents, support biodiversity and address climate change.</p>
<p>Strategic Objective 2 – To promote development that embodies the 20-minute neighbourhood principles and makes best use of resources to increase the sustainability of communities within Mid Sussex, and its ability to adapt to climate change</p>	<p>Old Wickham Lane Objective 2 Response – The site is ideally placed within immediate surrounds of a tier 1 settlement with local access to a range of facilities, services and employment.</p>
<p>Strategic Objective 3 – To promote well located and designed development that reflects the districts distinctive towns and villages, retain their separate identity and character and prevents coalescence.</p>	<p>Old Wickham Lane Objective 3 Response – The site is very well located, surrounded by built form within settlement limits and does not impact on settlement coalescence.</p>
<p>Strategic Objective 4 – To protect valued landscapes for their visual historical and biodiversity qualities.</p>	<p>Old Wickham Lane Objective 4 Response – The site is not covered by any form of landscape designation</p>
	<p>and SHELAA comments observe the site is well contained within the landscape.</p>
<p>Strategic Objective 5 – To protect valued characteristics of the built environment for the historical and visual qualities.</p>	<p>Old Wickham Lane Objective 5 Response – The latest framework plan and heritage assessment work together to minimise any potential for heritage impact or impacts on the local built environment. Crest Nicholson and other local developments have been permitted using similar buffer zones to those shown in the masterplan and the developer is willing to undertake appropriate mitigations to minimise any impact in heritage assets.</p>
<p>Strategic Objective 6 – To ensure that development is accompanied by necessary infrastructure in the right place to support development of sustainable communities. This includes provision of efficient and sustainable transport networks.</p>	<p>Old Wickham Lane Objective 6 Response – The site is not large enough to create specific infrastructure issues but s106 contributions would be provided to mitigate any impacts and support local services. The site is already located in a tier 1 sustainable settlement with excellent non motorised user links to a full range of local services and facilities.</p>
<p>Strategic Objective 7 – To promote a place which is attractive to a full range of business and where local enterprises thrive.</p>	<p>Old Wickham Lane Objective 7 Response – The site is a residential proposal with new residents supporting the local economy. Development at the principal settlements in the district such as Haywards Heath will continue to generate thriving, prosperous and vibrant economy.</p>
<p>Strategic Objective 8 – To provide opportunities for people to live and work within their communities, reducing the need for commuting, including through good digital connectivity.</p>	<p>Old Wickham Lane Objective 8 Response – The site offers excellent non motorised and public transport links to the current community with access to modern digital connections.</p>
<p>Strategic Objective 9 – To create and maintain town and village centres that are vibrant, attractive and successful and that meet the needs of the community.</p>	<p>Old Wickham Lane Objective 9 Response – Additional housing would support local services within Haywards Heath which are highly accessible to the site.</p>

Strategic Objective 10 – To support and strong and diverse rural economy in the villages and countryside	Old Wickham Lane Objective 10 Response – The site is adjacent to a tier 1 town, one of the most sustainable settlements in the district. This type of location should support housebuilding allowing selected and appropriate development in the rural area only where required.
Strategic Objective 11 – To support and enhance attractiveness of Mid Sussex as a visitor destination.	Old Wickham Lane Objective 11 Response – The site does not impact on areas which attract visitors such as the AONB. Allowing development at Haywards Heath will reduce pressure on rural and AONB
	locations which could impact on the attractiveness of these areas to visitors.
Strategic Objective 12 – To support sustainable communities which embody the 20 minute neighbourhood principles and are complete compact and well connected, safe, healthy and inclusive.	Old Wickham Lane Objective 12 Response – The site is ideally placed within immediate surrounds of a tier 1 settlement with good local access to a range of facilities, services and employment.
Strategic Objective 13 – To provide the amount and type of housing that meets the needs of all sectors of the community	Old Wickham Lane Objective 13 Response – The site has the potential to deliver a range of family housing and affordable housing.
Strategic Objective 14 – To create environments that are accessible to all members of the community	Old Wickham Lane Objective 14 Response – The site has excellent links to neighbouring land and Haywards Heath facilities and services allowing enhanced accessibility over less well located development allocations.
Strategic Objective 15 – To create places that encourage a healthy and enjoyable lifestyle by the provision of a first class cultural and sports facilities, informal leisure space and the opportunity to walk, cycle or ride to common destinations.	Old Wickham Lane Objective 15 Response – The site offers extensive informal leisure spaces to benefit new residents and the existing community with good opportunities to walk or cycle to common destinations.

2.4 When using either the Council’s stated methodology or assessing Old Wickham Lane against the 15 Strategic Objectives it is clear that the site scores well and should be positively considered for allocation.

2.5 The Land North of Old Wickham Lane Haywards Heath also fully aligns with the ‘updated District Plan Strategy’ set out on page 33 of the Local plan, which seeks to:

- 1) protect the High Weald AONB now National Landscape
- 2) make effective use of land
- 3) plan growth at existing sustainable settlements and

- 4) seek opportunities for extensions that enhance sustainability of existing settlements.

2.6 In line with both ‘Strategic Objectives’ and ‘District Plan Strategy’ it is clear that unconstrained and deliverable locations around Haywards Heath should be approached positively by the Council to ensure the plan is positively prepared, justified and effective and meets its stated objectives.

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

**Question 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?**

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

2.7 As set out in more detail in Crest’s Examination Statement on Matter 2 – Duty to Cooperate, despite Mid Sussex DC acknowledging there is an unmet need within neighbouring authorities of approximately 40,000 new homes, no reasonable alternative strategies were considered to test alternative growth options to consider meeting some or all of unmet need from neighbouring authorities. This is a fundamental flaw in the District Plan and as it cannot be considered to be positively prepared, justified, effective or consistent with national policy.

- 2.8 In terms of spatial options, five options were set out in paragraph 4.2.3 of DP7 the Sustainability Appraisal “*to reflect alternative strategies for delivery of growth and meeting housing need*” but no strategy or was formulated or concluded on as a result.
- 2.9 In effect the Council went straight to assessing individual sites as reasonable alternatives, as paragraph 6.1 of the Sustainability Appraisal explains: following assessment against the Site Selection methodology, 42 reasonable alternative sites for housing were identified. However, like the SA, the Site Selection methodology seems to have only considered individual sites without considering any spatial strategy and/or reasonable alternative spatial strategies. Then, the Council did not consider submitted evidence on individual sites which resulted in deliverable and developable sites being rejected in high order settlements.
- 2.10 The Council seemed to have dismissed Options and sites at two of its three largest towns. Haywards Heath, East Grinstead and Burgess Hill are Category 1 Towns, the highest category in the settlement hierarchy in Mid Sussex. They appear, to one degree or another in Options 1, 4 and Option 5 of the SA.
- 2.11 Despite a number of acknowledgments (e.g. Page 122 of the SA) that focussing development in the three towns would likely lead to a significant positive impact on economic growth and regeneration in the three towns and would have a likely major positive impact on objectives for health and wellbeing, education, community and crime, climate change, and transport (as well as contributing to the creation of 20 minute Neighbourhood’s – one of the Plan’s main Sustainable Development objectives) – Option 2 (growth in smaller settlements) was preferred.
- 2.12 Further, development has been severely restricted in Haywards Heath (and East Grinstead) without strategic consideration, reasoning or

evidence. This makes no sense in spatial planning or sustainable development terms.

- 2.13 Haywards Heath is a highly sustainable town with a rail station, education and health facilities that is well located to serve the south of the district and the towns in Coastal West Sussex. It is outside of the High Weald AONB/National Landscape and outside the South Downs National Park but is located within both the North West Sussex and Brighton and East Sussex HMA and FEMA.
- 2.14 **There is no clear explanation in the District Plan, nor in submitted supporting evidence, that there is an overall spatial strategy which sets out the pattern, scale and design quality of places and makes sufficient provision for development and infrastructure – for Mid Sussex’s own housing need or unmet need from its neighbours - as required by paragraph 20 of the Framework. As such, the Plan is cannot be considered to be positively prepared, justified, and effective.**
- 2.15 Given the disproportionate lack of land allocated for housing in the most sustainable settlements such as Haywards Heath, by definition the Council’s preferred spatial strategy cannot make the effective or efficient use of land. To make effective use of land would be to optimise the use of existing services, facilities and infrastructure in the larger settlements, to optimise active travel and 20-minute neighbourhoods as well as improving services, facilities and infrastructure in the most cost-effective way.

**Question 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?**

2.16 No

**Question 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?**

**Question 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?**

2.17 Local Plan Table 2a (page 41) has been re-ordered below to show the number of allocated plots being proposed by the Council in order of magnitude for each settlement and the Council's settlement category as a point of reference.

<b>Settlement</b>	<b>Plot Allocations</b>	<b>Category</b>
Sayers Common	2393 plots	Cat 3 - Medium Village
Burgess Hill	1708 plots	Cat 1 - Town
Copthorne	1500 plots	Cat 2 – Larger Village
Crawley Down	387 plots	Cat 2 – Larger Village
Haywards Heath	226 plots	Cat 1 - Town
Bolney	200 plots	Cat 3 – Medium Village

2.18 It is clear from the above distribution that the number of new plots allocated to Haywards Heath is not proportional to the category of

settlement and that the Council are not favouring locating new development allocations in their most sustainable larger settlements.

- 2.19 It is the Councils responsibility, in accordance with the aims and objectives of the Local Plan to deliver sustainable development. The hierarchy of movement, which seeks to ensure that people walk or cycle, then use public transport and only where such opportunities do not exist fall back on car travel, is key to achieving sustainable development. Locations such as the land at Old Wickham lane, Haywards Heath offer an obvious opportunity to allocate sustainable housing sites. As such, the scale and level of growth in the District Plan cannot be considered to be planned positively, effectively or justified.

**Question 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?**

- 2.20 Although the question uses Crawley as an example, the distribution of development has to relate to settlements all around the district. Of particular relevance is Brighton and Hove directly to the south of Mid Sussex, as well as the other highly constrained Coastal West Sussex authorities, where unmet need is acknowledged as being four times that of Crawley and Horsham.
- 2.21 Despite there being a significant unmet need in Brighton and Hove DC, of 1673 dwellings per year in the current local plan, and the statement by Brighton and Hove DC in the SoCG that it does not agree with the prioritisation of any additional new houses (above the Mid Sussex housing need) going to North West Sussex HMA, the Council has only allocated proportionate development at Burgess Hill and not Haywards Heath, which sites in both the North West Sussex HMA/FEMA and Coastal West Sussex HMA/FEMA.

2.22 Put simply, therefore, the Mid Sussex spatial strategy and the distribution of development does not relate to neighbouring settlements outside of the District.

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

2.23 As set out in Crest’s Examination Statement on Matter 2 – Duty to Cooperate, the only reasonable alternatives considered by the Council were individual submitted sites.

**2.24 No reasonable alternative strategies were considered to test alternative growth options to consider meeting some or all of unmet need from neighbouring authorities. This is a fundamental flaw in the District Plan and as it cannot be considered to be positively prepared, justified, effective or consistent with national policy.**

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

2.25 Within the context of the changing landscape of plan-making set out within the Planning Reform consultation, it may be that given the extraordinary level of unmet need, particularly in Coastal West Sussex and Brighton and Hove DC, that this District Plan should be paused for a short, finite amount of time (similarly to the process set out in the Reforms) to enable Mid Sussex DC to:

- consider reasonable alternatives in its Sustainability Appraisal that actively address the current known unmet need of its neighbouring authorities
- reconsider its spatial strategy to optimise sustainable development, the 20-minute neighbourhood and active travel by focussing on all three of its

Category 1 towns, not just Burgess Hill as well as providing for appropriately sized development in other settlements and allowing for smaller sites

- revisit the sites considered in the Site Section where site layouts and mitigation have been submitted and evidenced to provide more deliverable housing sites.

2.34 Alternatively, if this cannot be done within a reasonable timeframe (six months is suggested) the District Plan should be found unsound and the work set out in paragraph 2.30 above undertaken. This would fit within the context of the Government’s approach to plan-making ensuring plans are fully evidenced and prepared with neighbouring authorities to meet unmet housing need and ‘*capable of being found sound*’ prior to submission.