

7. REVISED LOCAL DEVELOPMENT SCHEME

REPORT OF: HEAD OF ECONOMIC PROMOTION AND PLANNING
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Wards Affected: All
Key Decision Yes
Report to: Cabinet
Date of meeting: 01st February 2016

Purpose of Report

1. The purpose of this report is for Cabinet to consider approving a revised and updated Local Development Scheme.

Summary

2. Cabinet approved the current Local Development Scheme in March 2015. This version became out of date when a Planning Inspectorate advisory visit in June 2015 indicated the need for the Council to give formal consideration to the merits of including additional housing sites in the District Plan prior to its submission for public examination. In addition, ongoing work to test the suitability of possible new Traveller sites has resulted in some slippage in the timetable for the preparation of the Traveller Sites Allocations document.
3. In order to comply with the procedures set out in the Planning and Compulsory Purchase Act 2004 as amended, the Council is required to prepare and maintain a Local Development Scheme. Under the Council's constitution, the Cabinet's approval is required to bring a new Scheme into effect.

Recommendation

4. **Cabinet is recommended to approve the revised Local Development Scheme for Mid Sussex and agree that it will come into effect on 1st February 2016.**
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Background

5. The Planning and Compulsory Purchase Act 2004 requires local planning authorities to prepare and maintain a project plan for the production of development plan documents such as the District Plan. This document is formally known as the Local Development Scheme.
6. Following the withdrawal of the previous District Plan from examination (authorised in January 2014 and put into effect in May 2014), officers have been working on a revised version of the Plan and the evidence to support it. Officers have also been producing a revised Community Infrastructure Levy Charging Schedule and a Traveller Sites Allocations Document. The timetable for the preparation of these documents was last formalised in a revision to the Local Development Scheme that was approved by Cabinet in March 2015.

Local Development Scheme

7. The timetables for the preparation of the District Plan, Community Infrastructure Levy (CIL) Charging Schedule, Traveller Sites Allocations Document and the Site Allocations Document are set out in the revised Local Development Scheme which is attached at **Appendix 1**. The timetables for the CIL Charging Schedule and the Traveller Sites Allocations Document have been adjusted as they need to follow slightly behind that for the District Plan. With the publication of the Focused Amendments to the Pre-Submission Draft District Plan in November 2015, the Council committed to preparing a Site Allocations Document irrespective of whether sufficient housing sites are to be delivered through neighbourhood plans to meet the residual amount of housing proposed in the District Plan.
8. The first section of the Local Development Scheme explains which documents the Council has already adopted as part of its Local Plan. It then sets out the documents that the Council is currently preparing. The final section of the Local Development Scheme sets out a risk assessment, which identifies issues that may impact on the Council's ability to prepare the Development Plan Documents in accordance with the stated timetable.
9. In order to comply with planning legislation, the Council needs to approve the Local Development Scheme and to state when it will come into effect. It is recommended that the revised Local Development Scheme will come into effect on 1st February 2016.

Policy Context

10. The Corporate Plan and Budget for 2015/2016 states that a key objective for the Planning Policy and Economic Development business unit is the 'adoption of the District Plan and Community Infrastructure Levy Charging Schedule in order to have up to date policies for considering planning applications and the means of delivering infrastructure'.

Other Options Considered

11. The Council is required by planning legislation to have a Local Development Scheme in place to ensure that the public and interested parties are aware of when they can expect to be involved in the plan preparation process.

Financial Implications

12. This report does not give rise to any direct financial implications.

Risk Management Implications

13. Strategic Risk 2 for this year is "Failure to resubmit a District Plan and Community Infrastructure Levy Charging Schedule which meets community needs and aspirations; protects Mid Sussex from inappropriate development; in the case of the District Plan, meets the tests of legality and soundness at Examination; [and] in the case of the Charging Schedule, strikes an appropriate balance between maximising the contributions towards infrastructure and not inhibiting economic growth."

Equality and Customer Service implications

14. Equality Impact Assessments will be produced alongside the District Plan, CIL Charging Schedule, Traveller Sites Allocations Document and Site Allocations Document.

Other Material Implications

15. No other material implications have been identified as arising from this report.

Background Papers

There are no relevant papers.

Appendix

1. Local Development Scheme – February 2016

APPENDIX 1

Mid Sussex District Council

Local Development Scheme February 2016

Status of this Document

The Scheme will be brought into effect on 1st February 2016 by a Cabinet resolution on 1st February 2016.

1.0 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 requires that local authorities prepare Local Development Documents, which will comprise the Local Plan. The first Local Development Scheme for Mid Sussex District Council was brought into effect in April 2005. This document is the sixth revision of the Scheme.

2.0 CONTENTS OF THE LOCAL DEVELOPMENT SCHEME

- 2.1 This Local Development Scheme (LDS) is a public statement which sets out a three-year 'management plan' for the preparation and review of Local Development Documents (LDDs) by the Council. A number of Local Development Documents will be produced and together will form the Local Plan for Mid Sussex.
- 2.2 The Local Development Scheme has two purposes:
- it provides the starting point for the local community to find out what the planning policies for their area are; and
 - it sets out the programme for the preparation of Local Development Documents, including timetables which tell people about the various stages of preparation of any particular document.
- 2.3 Copies will be available at the Council's Offices in Haywards Heath and on request. The Local Development Scheme will also be available electronically on the Council's website (www.midsussex.gov.uk).

3.0 PROPOSED LOCAL DEVELOPMENT DOCUMENTS

Adopted Local Development Documents

- 3.1 Since April 2005 a number of Local Development Documents have been adopted. They are as follows:
- Statement of Community Involvement – adopted October 2011
 - Land south of The Old Convent, Moat Road and Land adjoining Moatfield Surgery, St. Michael's Road, East Grinstead Development Brief – adopted October 2011
 - Hassocks Village Design Statement adopted March 2008
 - Lindfield Village Design Statement – adopted October 2011
 - Turners Hill Village Design Statement – adopted October 2011
 - Small Scale Housing Allocations Development Plan Document – adopted April 2008
 - Haywards Heath Town Centre Master Plan – adopted June 2007
 - Burgess Hill Town Centre Master Plan – adopted November 2006
 - East Grinstead Town Centre Master Plan – adopted July 2006
 - Land at Clock Field, Turners Hill Development Brief – adopted July 2006
 - Sustainable Construction Supplementary Planning Document – adopted July 2006
 - Development and Infrastructure Supplementary Planning Document – adopted February 2006
 - Dwelling Space Standards Supplementary Planning Document – adopted July 2009

Future Local Development Documents

- 3.2 In April 2011, the Council agreed that it would produce a 'District Plan' to provide the overall planning framework for Mid Sussex. At the same time, the Council agreed to progress work on a Community Infrastructure Levy Charging Schedule and Statement of Community Involvement Review. The Statement of Community Involvement was adopted in October 2011.
- 3.3 The first District Plan was withdrawn from examination in May 2014 following the receipt of the Inspector's report which advised the Council to withdraw the Plan. The first Community Infrastructure Levy Charging Schedule was also withdrawn.
- 3.4 In June 2014, members of the Scrutiny Committee for Planning and Economic Development considered a revised timetable for the preparation of a new District Plan. The revised timetable was available for members of the public to view on the District Council website.
- 3.5 A public consultation (regulation 18) on the Mid Sussex District Plan 2014 – 2031 was undertaken between November 2014 and January 2015. A Pre-Submission Draft District Plan was published (regulation 19) in June 2015 and a Focused Amendments consultation was subsequently undertaken from November 2015 until January 2016.
- 3.6 In March 2013, the Council supported the preparation of a Site Allocations Development Plan Document, if required, as a contingency for the non-delivery of housing sites in neighbourhood plans. In publishing the Focused Amendments to the Pre-Submission Draft District Plan in November 2015, the Council committed to producing a Site Allocations Document from 2019, irrespective of the delivery of housing through the neighbourhood plans.
- 3.7 In March 2012, Cabinet agreed that a Gypsy and Traveller Sites Document would be prepared. In August 2014, the Traveller Sites Allocations Document - Consultation Draft was published for consultation. The findings of this consultation were considered by a meeting of the Scrutiny Committee for Planning and Economic Development in January 2015. At this meeting, Members also agreed a revised timetable for the preparation of the Traveller Document which is available to view on the Council website.
- 3.8 The table below sets out the timetable for the preparation of these documents.

4.0 PROFILE OF EACH LOCAL DEVELOPMENT DOCUMENT TO BE PREPARED

Mid Sussex District Plan 2014 - 2031

Overview

Role and Subject	Put in place the overall planning framework for Mid Sussex with a coherent set of policies to protect and enhance the distinctive character of the District and its towns and villages for the next 17 years. It will encourage local communities to develop realistic 'bottom up' neighbourhood plans. It will set out the Council's infrastructure needs and requirements. The Plan will be prepared for the Mid Sussex District excluding the area that falls within the South Downs National Park. A revised Policies Map will be submitted with the District Plan.
Geographical Area	Mid Sussex District excluding the area within the South Downs National Park.
Status	Development Plan Document

Timetable

Stage	Dates
<i>Early consultation and stakeholder engagement on issues and alternative options</i>	<i>Pre-October 2014</i>
<i>Public participation (Reg 18)</i>	<i>November 2014 – January 2015</i>
<i>Publication (Reg 19)</i>	<i>June - July 2015</i>
<i>Focused Amendments consultation</i>	<i>November – January 2015</i>
Submission to Secretary of State (Reg 22)	February 2016
Examination	May 2016
Inspector's Report	July 2016
Estimated date for Adoption	August 2016

Community Infrastructure Levy - Charging Schedule

Overview

Role and Subject	The purpose of the Community Infrastructure Levy (CIL) is to raise funds from developers to help pay for infrastructure that is required to support new development across the district. The District Plan will need to show what infrastructure is needed over the lifetime of the Plan, when it will be provided and how much it will cost. This is provided through the Infrastructure Delivery Plan. The Mid Sussex CIL Charging Schedule will set out the rates that developers will be required to pay for chargeable development.
Geographical Area	Mid Sussex District excluding the area within the South Downs National Park. The National Park Authority will prepare a charging schedule for their administrative area.
Status	Development Plan Document

Timetable

Stage	Dates
<i>Public participation on Preliminary Draft Charging Schedule</i>	<i>August – September 2015</i>
Draft Charging Schedule consultation	June - July 2016
Submission to Secretary of State	August 2016
Examination	October 2016
Inspector's Report	November 2016
Estimated date for Adoption	December 2016
Implementation of CIL in Mid Sussex	Early 2017

Traveller Sites Allocations Document

Overview

Role and Subject	To allocate sufficient sites to satisfy the local need for permanent Gypsy and Traveller accommodation as identified by the Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
Geographical Area	Mid Sussex District excluding the South Downs National Park. The National Park Authority will prepare a plan for their administrative area.
Status	Development Plan Document

Timetable

Stage	Dates
<i>Regulation 18 public consultation</i>	<i>August - September 2014</i>
Publication (Reg 19)	June – July 2016
Submission to Secretary of State (Reg 22)	August 2016
Examination	October 2016
Inspector's Report	November 2016
Estimated date for Adoption	December 2016

Site Allocations Document

Overview

Role and Subject	To allocate sufficient sites to deliver the housing requirement of the District Plan without requiring neighbourhood plans to supply the whole residual amount of housing.
Geographical Area	Mid Sussex District, excluding the area of the District within the South Downs National Park
Status	Development Plan Document

Timetable

Stage	Dates
Monitoring of housing land supply	May – June 2016
Monitoring of housing land supply	May – June 2017
Monitoring of housing land supply	May – June 2018
Housing land supply position confirmed	May 2019
Regulation 18 public consultation	May – August 2019
Publication (Reg 19)	February – March 2020
Submission to Secretary of State (Reg 22)	June 2020
Examination	September 2020
Inspector's Report	February 2021
Estimated date for Adoption	March 2021

5.0 Risk Assessment

5.1 In preparing the Local Development Scheme a number of potential risks have been identified. These include assumptions that have been made during the preparation of the timetables. They are as follows:

- The Planning Inspectorate provides a Planning Inspector from the date that the Council submits its final plan. They are appointed to deal with the examination and then produce a report on the plan. The availability of a Planning Inspector is a key factor in the latter part of the proposed timetable. Around six months have been allocated for the Council to take the documents from submission to adoption. However, this part of the process is outside of the Council's control. In order to minimise the risk of an Inspector not being available, it will be necessary to send the outline timetable to the Planning Inspectorate as soon as possible. This will allow the Inspectorate to allocate an Inspector to us.
- The District has been at risk of unplanned development in recent years. Although the South East Plan has been revoked, the housing figures in the South East Plan remain the latest source of housing figures that have been tested at examination. However, as the District Plan progresses through the stages in the outlined timetable, it gains more weight. Provided the work programme progresses well, the period of time during which this risk of unwanted development is prevalent will be minimised.
- The outline timetable will be heavily reliant on significant staff resources being focused solely on progressing the District Plan, the Community Infrastructure Levy and Traveller Sites Allocations Document over the next few months. This and Economic Development will be the overriding priority of the Planning Policy and Economic Promotion team and other pieces of work will either be delayed or alternative arrangements made.
- The Planning Advisory Service soundness toolkit will be completed at all stages to ensure any potential problems relating to the soundness of the documents are identified early in the process.
- The risk of legal challenge to Development Plan Documents will be minimised by ensuring that they are 'sound' and founded on a robust evidence base. During their preparation development plan documents should be subject to thorough community and stakeholder engagement procedures.