

## **7. DEVELOPMENT INFRASTRUCTURE AND CONTRIBUTIONS; AFFORDABLE HOUSING; AND DEVELOPMENT VIABILITY SUPPLEMENTARY PLANNING DOCUMENTS**

REPORT OF: DIVISIONAL LEADER FOR PLANNING AND ECONOMY  
Contact Officer: Jennifer Hollingum, Planning Policy  
Email: [jennifer.hollingum@midsussex.gov.uk](mailto:jennifer.hollingum@midsussex.gov.uk) Tel: 01444 477053  
Wards Affected: All  
Key Decision: Yes  
Report to: Council  
25<sup>th</sup> July 2018

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### **Purpose of Report**

1. The purpose of this report is to ask the Council to adopt three Supplementary Planning Documents (SPDs): Development Infrastructure and Contributions; Affordable Housing; and Development Viability, which together are intended to replace the Development and Infrastructure SPD, which was adopted in 2006.
2. The three SPD documents will provide a robust framework, based on the policies in the District Plan to enable the District Council to secure the infrastructure required to mitigate the impacts of proposed development at current cost levels. Without them, the full impacts of development on existing and future communities will not be properly mitigated, and the benefits of new development may not be secured.

### **Summary**

3. This report:
  - (a) Describes the background and context in which the three draft SPDs have been prepared;
  - (b) Recommends that the three SPDs are adopted by the District Council.

### **Recommendations**

4. **That Council:**
  - (i) **Approves the Development Infrastructure and Contributions, Affordable Housing, and Development Viability SPDs for adoption;**
  - (ii) **Approves the publication of the Development Infrastructure and Contributions, Affordable Housing, and Development Viability SPDs; Consultation Statement; and Adoption Statement; and**
  - (iii) **Gives delegated authority to the Divisional Leader for Planning and Economy to make typographical and minor factual and clarification corrections to the documentation as necessary before publication.**

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### **Background**

5. Three Supplementary Planning Documents (SPDs) have been prepared to replace the Development and Infrastructure SPD which was adopted in 2006. This SPD is now out-of-date as it was prepared on the basis of the policies contained in the Local Plan 2004, which has now been replaced by the recent adoption of the District Plan 2014-2031.

6. Since 2006, the policy context and Government guidance on developer contributions has changed considerably. The three new SPDs will be in conformity with the District Plan and current national planning policy and guidance.
7. One of the objectives of the District Plan is to ensure that development is accompanied by the necessary infrastructure in the right place at the right time that supports development and sustainable communities. Policy DP20: Securing Infrastructure provides the framework for developer contributions, and policies DP24: Leisure and Cultural Facilities and Activities, DP25: Community Facilities and Local Services, and DP31: Affordable Housing provide additional policy guidance. The SPDs support these policies, and provide more detailed guidance for developers and land promoters.
8. The three SPDs are:
  - A Development Infrastructure and Contributions SPD which sets out the District Council's requirements for the full range of developer contributions. It provides updated information on costs, and sets out requirements for contributions to services provided by Mid Sussex District Council, West Sussex County Council and the emergency services;
  - An Affordable Housing SPD which provides detailed information on the requirements for on-site and off-site affordable housing provision; and
  - A Development Viability SPD which provides information on the viability assessment process. In particular, it notes that any planning applications which are not fully policy compliant should be accompanied by a viability assessment, which will inform the District Council's assessment of the application.

### **Draft Documents and Consultation**

9. At its meeting on the 21<sup>st</sup> March 2018, the Scrutiny Committee for Community, Housing and Planning considered the three draft SPDs for public consultation. The authority to approve the draft SPDs for public consultation was delegated to the Cabinet Member for Housing and Planning. Public consultation was carried out during April and May 2018 for six weeks on the three draft SPDs. The consultation was carried out in accordance with the Statement of Community Involvement.
10. The level of responses to the public consultation was low, with sixteen organisations responding, seven of which had no comment on the draft SPDs, either because of support for the draft documents or because the documents fell outside their remit.
11. The most detailed responses were received from West Sussex County Council, Redrow Homes and the Campaign to Protect Rural England (CPRE). Only one developer (Redrow Homes) responded to the consultation.
12. Some respondents recommended that the adoption of the three SPDs should be deferred until the revised National Planning Policy Framework (NPPF), National Planning Practice Guidance and updated Government guidance on developer contributions are published. Officers considered that whilst it is an option, the 2006 SPD is out-of-date and needs replacing now. The publication date of the final versions of the NPPF and the Government guidance is unknown, so it is not considered appropriate to defer the introduction of the SPDs. The SPDs have been prepared to reflect the principles set out in the draft NPPF and in the draft Planning Practice Guidance. They could be revised in due course if necessary.

13. There were no other substantive comments from the consultation, but minor amendments were made to the documents for the purposes of clarification and to correct factual and typographical errors.
14. Following consultation, the amended revised draft SPDs were considered by the Scrutiny Committee for Community, Housing and Planning on the 4<sup>th</sup> July 2018. Following a detailed discussion, the Scrutiny Committee agreed to recommend to Council that the three SPDs are adopted.

#### **Next steps**

15. Following a positive resolution from Council, it is proposed that the three SPDs are adopted with immediate effect.
16. The three SPDs will be published on the District Council's website along with an Adoption Statement and a Consultation Statement.
17. The adopted SPDs are subject to a challenge period of three months when their adoption could be challenged through a judicial review of the adoption process, however, they are given full weight upon adoption and will be used in planning decisions.

#### **Other Options Considered**

18. There are no alternative options.

#### **Financial Implications**

19. There are no direct financial implications arising from the recommendations of this report.

#### **Equality and Customer Service Implications**

20. It is important that the District Council is able to secure infrastructure to ensure that existing and new residents can benefit from amenities and services and that the impacts of new development are properly mitigated.

#### **Other Material Implications**

21. There are no other material implications.

**Appendix 1:** Development Infrastructure and Contributions SPD

**Appendix 2:** Affordable Housing SPD

**Appendix 3:** Development Viability SPD