

## 5. TIMETABLE FOR THE DISTRICT PLAN

REPORT OF: CLAIRE TESTER, HEAD OF ECONOMIC PROMOTION AND PLANNING  
Contact Officer: Alice Henstock, Senior Planning Officer, Planning Policy and Economic Development  
Email: [alice.henstock@midsussex.gov.uk](mailto:alice.henstock@midsussex.gov.uk) Tel: 01444 477394  
Wards Affected: All  
Key Decision No  
Date of meeting 4th June 2014

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### Purpose of Report

1. The purpose of this report is to set out the work that has been undertaken since the receipt of the Inspector's report and to set a proposed timetable for the preparation of the revised District Plan.

### Summary

2. Following the receipt of the Inspector's report on the District Plan, on 22nd January Council agreed to authorise the withdrawal of the District Plan and Community Infrastructure Charging Schedule.
3. A work programme and timetable for resubmission of the Plan has been established.

### 4. Recommendations

**That the Scrutiny Committee is asked to:**

- a) **Note the areas of further work that will be undertaken;**
  - b) **To reconvene the Members' Policy Working Group to consider the policies and text for inclusion in the revised District Plan; and**
  - c) **Recommend to Cabinet that the draft timetable for the preparation of the revised District Plan be agreed as part of the revised Local Development Scheme.**
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### Background

5. The Council submitted the District Plan to the Planning Inspectorate on 24<sup>th</sup> July 2013. This was followed by the submission of the Community Infrastructure Levy Charging Schedule on 25<sup>th</sup> October 2013.
6. On 16<sup>th</sup> September 2013 the Planning Inspector held an Exploratory Meeting to discuss whether the Council had met the legal 'Duty to Co-operate'. An examination Hearing took place on 12<sup>th</sup> November 2013 to allow other respondents who had commented on the Duty to Co-operate to express their views.
7. On 2<sup>nd</sup> December 2013 the Inspector wrote to the Council setting out his conclusions. He took the view that the Council has not met the legal Duty to Cooperate. The full letter from the Inspector can be viewed on the Council's website.
8. On 22<sup>nd</sup> January the Council authorised the withdrawal from the Examination of the District Plan and Community Infrastructure Levy Charging Schedule. Council also

endorsed the intention to return the documents to examination as soon as practical with the best chance of success.

9. This authorisation was not acted on immediately due to correspondence with the Department for Communities and Local Government concerning the progression of the Community Infrastructure Levy.

### **Discussions with Planning Inspectorate**

10. The Leader of the Council wrote to the Planning Inspectorate in December 2013 expressing concern. Since that time the Council has had extensive correspondence with Planning Inspectorate seeking clarification and assistance to ensure the District Plan has the best chance of success when it is resubmitted.

### **Changes to National Planning Policy Guidance**

11. It has been the Government's objective to simplify planning policy guidance. The first stage in this process was the publication of the National Planning Policy Framework in March 2012. This was followed by the publication of the draft National Planning Practice Guidance in August 2013, just after the District Plan was submitted for examination. In March 2014 the final version of the National Planning Practice Guidance was published as a web-based resource. Any future versions of the District Plan will need to be prepared in accordance with this new guidance.

### **Work that needs to be done**

12. A review of the Plan and its evidence base was undertaken in light of the Inspector's letter, the representations made on the previously submitted Plan and the National Planning Policy Guidance. An action plan of tasks has been developed, to ensure that the revised Plan has the best chance of success when it is submitted. The key work streams are set out below.

### **Capacity Study**

13. Officers have identified that how the Council presents the evidence about the capacity of the District to accommodate further growth could be strengthened and improved. In this context the term 'capacity' refers to the ability of the landscape, environment, and infrastructure to accommodate growth in a sustainable manner. Although those living and working in the District are fully aware of the issues related to the ability of the District to accommodate further growth, the evidence to support this was spread across a number of documents. It was felt that this information should be pulled together into one document, so that those less familiar with the District could more easily understand the constraints to development within the District.
14. Consultants have been appointed to undertake this work. The findings of this study will be used to inform the revised District Plan and discussions with neighbouring authorities.

### **Assessment of Housing and Economic Development Needs**

15. The assessment of housing and economic development needs is a requirement of the National Planning Policy Framework. The National Planning Practice Guidance sets out how such assessments should be undertaken.

16. The Council has already prepared a number of documents that evidence the housing and economic development needs of the District. For the 2013 Submission District Plan these were:
- Local Housing Assessment (June 2011 and updated October 2011)
  - West Sussex Strategic Housing Market Assessment (May 2009) and North West Sussex update (October 2012)
  - Burgess Hill Employment Site Study (October 2012)
  - Northern West Sussex Economic Appraisal/ Employment Land Review Part 1 and 2 (2009 and 2010)
17. A number of the above documents will need to be updated to inform the revised District Plan and inform a 'Housing and Economic Development Needs Assessment'.
18. The Local Housing Assessment will be updated to take into account the findings of the 2011 Census and the most up-to-date population projections which are due to be published in May 2014. The results will form part of the Housing and Economic Development Needs Assessment document. The Council will no longer publish a separate Local Housing Assessment.
19. A small part of the Strategic Housing Market Assessment which relates to the affordable housing need will be updated (jointly with Horsham and Crawley Councils). The results of this work will also form part of the of Housing and Economic Development Needs Assessment document.
20. The Economic Growth Assessment (2014) has been prepared jointly with Horsham and Crawley Councils and was recently published. This replaces the North West Sussex Employment Land Reviews. The conclusions of the study along with the findings of the Burgess Hill Employment Site Study will be brought together in the Assessment of Housing and Economic Development Needs document, to give a clear assessment of the economic development needs of the District.

#### Housing Supply Document (previously known as SHLAA)

21. The Housing Supply Document needs to be updated to reflect the latest Government guidance. The methodology used for the Assessment will be updated. The new assessment will need to consider broad locations (rather than just sites) as well as proposals for new settlements. This broad location work will be undertaken jointly with Crawley and Horsham Councils where these locations are close to or cross boundaries. Members will be aware that a 'call for sites' to inform this work is underway.

#### Renewable Energy

22. Consultants will be appointed to review and update the West Sussex Renewable Energy study which was undertaken in 2009. This is to ensure the evidence and policies on this matter are up to date and reflect the most recent Government guidance.

#### Retail Study

23. The retail study supporting the District Plan was prepared in 2009. Consultants will be appointed to update this work.

#### Sustainability Appraisal

24. The Sustainability Appraisal will be reviewed and updated to take account of the 2011 Census results and to ensure that the sustainability objectives of the Appraisal are the most appropriate for the Plan. This will mean that a new Scoping Report will be published.

#### Habitats Regulations Assessment

25. The Habitats Regulations Assessment will to be updated to ensure it is up to date and reflects the content of the revised District Plan.

#### **Proposed Timetable**

26. Table 1 set out the key work streams. This Scrutiny Committee and Council will consider the draft Plan in September 2014. Following this the draft plan will be subject to 6 weeks public consultation. The representations made will then be considered, before the final Plan is drafted. The final Plan will be considered by this Scrutiny Committee and Council in January 2015. The Plan will be published for 6 weeks, prior to submission to the Planning Inspectorate in April 2015.
27. The Members' Policy Working Group will be reconvened (under the same terms of reference agreed at the Better Environment Advisory Group on 22<sup>nd</sup> June 2011) to consider any changes to the text and policies of the revised Plan before it is formally considered by this Scrutiny Committee in September 2014.

#### **Community Infrastructure Levy**

28. The draft Community Infrastructure Levy Charging Schedule will also be reviewed. The Viability Assessment will need to be revisited to take into account any changes to policies in the Draft Plan that may impact on viability, as well as any changes in market conditions. The timetable for the draft Charging Schedule is likely to follow behind that of the District Plan, but catch up again at examination.

#### **Duty to Cooperate**

29. The work relating to the Duty to Cooperate is outlined in a separate report on the agenda for this Scrutiny Committee meeting.

#### **Policy Context**

30. In line with best practice, the revised draft District Plan is being developed to reflect the area's Sustainable Communities Strategy. The 'Mid Sussex Sustainable Communities Strategy' has a vision of:

*"A thriving and attractive District, a desirable place to live, work and visit. Our aim is to maintain, and where possible, improve the social, economic and environmental wellbeing of our District and the quality of life for all, now and in the future."*

31. The vision is underpinned by four priority themes that promote the development of sustainable communities:

*"Protecting and enhancing the environment  
Promoting economic vitality  
Ensuring cohesive and safe communities"*

*Supporting healthy lifestyles”.*

### **Other Options Considered**

32. The Council has the option to delay or not to produce a District Plan. However, this would perpetuate the situation whereby it cannot demonstrate a five-year supply of housing land and must deal with planning applications for housing on a case by case basis with no up to date housing policies in place.

### **Financial Implications**

33. There are no financial implications of this report. Additional costs will be met from the Examination Reserve.

### **Risk Management Implications**

34. Strategic Risk 2 for this year is “Failure to approve a District Plan which meets community needs and aspirations and protects Mid Sussex from inappropriate development” and which, “in the case of the District Plan, meets the tests of soundness at examination”. To mitigate this risk, the consideration of this report by Members will be useful evidence for the examination to demonstrate that the Council has fully considered the requirements of National Planning Policy Framework paragraph 182.

### **Equality and customer service implications**

35. An Equalities Impact Assessment will be prepared alongside the revised District Plan.

### **Appendices**

Table 1