

5. DEVELOPMENT INFRASTRUCTURE AND CONTRIBUTIONS; AFFORDABLE HOUSING; AND DEVELOPMENT VIABILITY SUPPLEMENTARY PLANNING DOCUMENTS

REPORT OF: DIVISIONAL LEADER FOR PLANNING AND ECONOMY
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Wards Affected: All
Key Decision: Yes
Report to: Scrutiny Committee for Community, Housing and Planning
4th July 2018

Purpose of Report

1. Following its meeting in March 2018, this Committee agreed to recommend that the Portfolio Holder approve the Supplementary Planning Documents (SPDs) consultation on three draft 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 consultation has taken place and this report summarises the feedback received from the consultation and identifies where changes to the draft SPDs have been made.

Summary

3. This report:
 - a) Describes the background and context in which the SPDs have been prepared;
 - b) Summarises the feedback received from the recent public consultation and officer recommendations following consideration of the responses;
 - c) Requests that the Scrutiny Committee for Community, Housing and Planning recommends to Council that the SPDs are adopted.

Recommendations

4. **That the Scrutiny Committee for Community, Housing and Planning:**
 - (i) **Considers the revised draft Development Infrastructure and Contributions, Affordable Housing, and Viability SPDs following consultation; and**
 - (ii) **Recommends to Council that the three SPDs are adopted.**
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Background

5. At its meeting in March 2018, this Committee considered the following draft Supplementary Planning Documents (SPDs):
 - A Development Infrastructure and Contributions SPD which sets out the overall framework for the management of planning obligations;
 - 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.
6. These three SPDs are being prepared to replace the Development and Infrastructure SPD which was adopted in 2006. This SPD is now out-of-date as the policy context and Government guidance on developer contributions has changed considerably. The three new SPDs will ensure compliance 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 refer to the approach being set out in more detail in a SPD.

Draft Documents and Consultation

8. 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.
9. Sixteen different organisations responded to the consultation, some of which had comments for all three draft SPDs. Seven organisations had no comment on the draft SPDs, either because of support for the draft documents or because the documents fell outside their remit.
10. The responses were as follows:
 - Development Infrastructure and Contributions SPD – 15 responses, with a total of thirty-four comments, of which seven comments (from seven organisations) had no points to raise.
 - Affordable Housing SPD – 10 responses, with a total of twenty-seven comments, of which seven comments (from seven organisations) had no points to raise.
 - Development Viability SPD – 9 responses, with a total of twenty-three comments, of which seven comments (from seven organisations) had no points to raise.
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. Officers have reviewed the consultation responses and proposed changes to the draft documents have been recommended where appropriate. Appendices 1 to 3 summarise the responses received. The most significant issues raised are summarised below.

13. The CPRE commented that the three SPDs should be deferred until the revised National Planning Policy Framework (NPPF) and updated Government guidance on developer contributions are published. Officers considered that whilst it is an option to defer the SPDs, 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. Should it be necessary, the SPDs can be revised in due course, however, the draft SPDs are aligned with the principles in the draft NPPF and Government guidance.

Development Infrastructure and Contributions SPD

14. Following comments from Thames Water, additional wording has been added to the section on flood mitigation and water infrastructure. Whilst officers considered that current wording in the draft Development Infrastructure and Contributions SPD and the policies in the District Plan are adequate, it is proposed that additional wording is included for clarification.
15. Following comments from Redrow Homes, additional wording has been proposed to clarify that further information will be provided during the preparation of the Community Infrastructure Levy (CIL) to set out the relationship between CIL and planning obligations once CIL is adopted.
16. Additional wording has been proposed to the green infrastructure section following comments from the CPRE and the Sussex Wildlife Trust. West Sussex County Council suggested amendments to sections that relate to County Council infrastructure provision and it is proposed these amendments are made.

Affordable Housing SPD

17. Additional wording has been proposed to clarify the need for affordable housing provision in the High Weald Area of Outstanding Natural Beauty (AONB) following comments from the CPRE.
18. Comments received from Redrow Homes requested more flexibility with regards to the approach to clusters of affordable housing and the number of affordable homes for each phase of development. Officers have reviewed these comments and consider that the requirement for full 30% affordable housing provision on each and every phase ensures more balanced communities. The SPD already states that clusters of more than 10 affordable housing units may be considered on high density flatted schemes. Therefore, it is proposed that no change to the SPD is required.

Development Viability SPD

19. Apart from some additional wording to provide extra clarification, no significant changes are proposed to the draft Development Viability SPD following review of comments from Redrow Homes and the CPRE. Issues raised included clarification of the circumstances where viability assessments would be required and the circumstances where viability information would remain confidential.
20. The proposed final draft versions of the three SPD documents can be found in Appendices 4 to 6.

Next Steps

21. Officers have prepared the final draft versions of the three SPDs and these have been brought to this Committee for consideration. Subject to consideration of the proposed amendments to the three SPDs, the Committee is asked to recommend to Council that the three documents are adopted as SPDs.
22. It is anticipated that the three SPDs will be adopted in July 2018.

Other Options Considered

23. There are no alternative options.

Financial Implications

24. The three SPD documents will provide a robust framework, based on up-to-date policy, which will enable the District Council to secure the infrastructure required to mitigate the impacts of proposed development. Without them, the full impacts of development on existing and future communities will not be properly mitigated, and the benefits of new development will not be secured.

Equality and Customer Service Implications

25. It is important that the District Council is able to secure infrastructure to ensure that all members of society can benefit from amenities and services. It is important that development is accompanied by the necessary infrastructure to support development and sustainable communities.

Other Material Implications

26. There are no other material implications.

Appendix 1: Development Infrastructure and Contributions SPD – Consultation Responses

Appendix 2: Affordable Housing SPD – Consultation Responses

Appendix 3: Development Viability SPD – Consultation Responses

Appendix 4: Development Infrastructure and Contributions SPD

Appendix 5: Affordable Housing SPD

Appendix 6: Development Viability SPD