

## Member Information Service

### Decisions made by Cabinet

**Call-in deadline – 10:00 a.m. on Thursday, 16 July 2015.**

The following decisions have been made by Cabinet at their meeting held on 6 July and will come into effect at 10.00 a.m. on Thursday, 16 July 2015, unless the call-in procedure is activated. If you wish to request that a proposed decision is called in, please contact Member Services on 01444 477111 ([committees@midsussex.gov.uk](mailto:committees@midsussex.gov.uk)) in addition to making a written request to the Monitoring Officer, Tom Clark.

Budget Management 2015/16 – Progress Report April – May 2015. <b>Recommendation agreed.</b>
Council Performance 2014/15. <b>Recommendation agreed.</b>

### Committee Meetings

**Please note that all meetings start at 7.00 pm in the Council Chamber, unless otherwise stated.**

#### **JULY 2015**

22 July –Charity Trustees @ 6.45 p.m.  
22 July – Council.

#### **PLANNING COMMITTEES**

#### **JULY 2015**

9 July – District Planning Committee @ 2.00 p.m.  
16 July – Planning Committee A  
30 July – Planning Committee B

#### **AUGUST 2015**

6 August – District Planning Committee @ 2.00 p.m.  
13 August – Planning Committee A  
27 August – Planning Committee B

## Agendas

Planning Committee A – 16 July 2015

### PART I – RECOMMENDED FOR APPROVAL

None.

14/02857/FUL – Texaco, East Grinstead Service Station, London Road, East Grinstead, West Sussex RH19 1QW

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=NA5EFOKT0A500>

DM-15/2091 – Land Northeast of Sunte House, Birchen Lane, Haywards Heath, West Sussex. RH16 1RQ

<https://pa.midsussex.gov.uk/online-applications/applicationDetails.do?activeTab=externalDocuments&keyVal=NOQXU7KT07Z00>

### PART II – RECOMMENDED FOR REFUSAL

None.

### PART III – OTHER MATTERS

None.

## Member Training

All Member Training Sessions commence at 6.30 p.m. and are held in the Council Chamber

Date	Training Event
<b>2015</b>	
8 July 3.30 p.m. and 6.30 p.m.	Licensing <b>Please note that</b> this training session is mandatory for members of the Licensing Committee. All other Members are encouraged to attend one of these sessions.
09 September	Overview and Scrutiny
20 October	Safeguarding <b>Please note that</b> this training session is mandatory for all Members to attend.
17 November	Housing and Anti-Social Behaviour
08 December	Data Protection and Freedom of Information
<b>2016</b>	
06 January	Finance and Corporate Plan
03 February	Economic Development and Town Centre Revitalisation

**[Please note that the training sessions on Housing and Anti-social Behaviour will now be held on 17 November and Data Protection and Freedom of Information on 8 December.]**

### **PLAYDAYS**

Mid Sussex District Council, with support from the town councils are delivering three 'Playdays' across the District. The events will take place in Victoria Park, Haywards Heath, St. John's Park, Burgess Hill and King George's Field, East Grinstead.

The theme for this year is 'Space and technology'. The idea of playdays are to encourage creative play for children, young people and families. The event is free and activities provides vary from science experimentations to immersive drama activities where children will become special space cadets with a mission for a short time. There will be plenty of arts and craft, face painting and circus space skills to entertain.

If you would like to attend and/or would be happy to help out please contact Susannah Conway direct. Volunteers will be required to help support the arts and crafts area and to be at the registration area meeting and greeting people telling them about the event..

The dates are:-

5<sup>th</sup> August, Victoria Park, Haywards Heath from 11am-3pm

6<sup>th</sup> August, St Johns Park, Burgess Hill from 11am-3pm

12<sup>th</sup> August Kings Georges Field, East Grinstead from 11am-3pm

If you would like to know further information then please contact Susannah Conway tel: 01444 477518 or email [susannah.conway@midsussex.gov.uk](mailto:susannah.conway@midsussex.gov.uk)

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### **PLANNING ADVICE TO PARISHES**

Members will be aware that the Government has sought to reduce the burden on developers of small sites by setting a national threshold below which affordable housing and tariff style contributions may not be required. This is reflected in our District Plan. As a consequence updated advice has been produced and will be sent out to all parishes to assist them in developing their Neighbourhood Plans . This will also be of interest to those members who serve on planning committees.

For further information please contact Emma Shuttleworth, Housing Enabling Business Unit Leader on 01444 477431 or email [emma.shuttleworth@midsussex.gov.uk](mailto:emma.shuttleworth@midsussex.gov.uk).

The advice is reproduced for Members' information below:

#### **"Neighbourhood Plans and Affordable Housing**

This note updates that provided to towns and parishes in 2013 in light of changes to planning policy introduced by central government in November 2014 that affect the provision of affordable housing on smaller sites. The new national policy relating to Planning Obligations, as contained in the National Planning Practice Guidance ("NPPG"), sets out national "thresholds" below which affordable housing cannot be required.

In this note we consider:

- the new national thresholds
- how planning applications will be determined where the Mid Sussex Local Plan and any Neighbourhood Plans do not reflect the new national thresholds, and
- factors that towns and parishes will need to take into account when developing their Neighbourhood Plans

## National thresholds

The Government has sought to reduce the burden on small developments by limiting a local authority's ability to require affordable housing or tariff-style contributions from smaller sites. The new national thresholds mean that generally affordable housing cannot be required on sites of 10 or fewer dwellings, or where the developed area is less than 1000 square metres. In rural areas described under section 157(1) of the Housing Act 1985, which includes Areas of Outstanding Natural Beauty ("AONB"), a local planning authority may choose a lower threshold, such that a financial contribution towards affordable housing should not be sought on sites of 5 or fewer dwellings.

The policy guidance in relation to thresholds as contained in the NPPG does not automatically take precedence over the policies of the relevant Development Plan. The guidance on Planning Obligations as contained in the NPPG constitutes a material consideration in the determination of planning applications (as set out below). So the new thresholds affect both the emerging District Plan (where the District Council is seeking to ensure relevant policies are consistent and in conformity with the NPPG) and Neighbourhood Plans, and the determination of planning applications until Development plans compliant with the new national threshold are in place.

## Determining planning applications

In the determination of planning applications, the starting point is to have regard to the latest Development Plan and the determination must be made in accordance with the Development Plan unless material considerations indicate otherwise. For Mid Sussex as a whole this is the 2004 Local Plan, which requires affordable housing on sites of 15 or more units or where the site is 0.5 hectare or larger.

The previous consultation draft District Plan removed the threshold altogether and required affordable housing, or a contribution towards affordable housing, on sites of any size. This was reflected in a number of emerging and made Neighbourhood Plans.

The District Plan submission document has now been amended to reflect the new minimum national thresholds. This is now reflected in Policy DP29 of the District Plan on Affordable Housing, which states: *Evidence Base: Parish Housing Needs Assessments; Northern West Sussex Affordable Housing Needs Update Report (2014); Housing and Economic Development Needs Assessment; Mid Sussex District Council Common Housing Register.*

*The Council will seek:*

- *the provision of a minimum of 30% affordable housing for all residential developments providing a net increase of 11 dwellings and above or a maximum combined gross floorspace of more than 1000m<sup>2</sup>; or*
- *for residential developments in the High Weald Area of Outstanding Natural Beauty providing a net increase of 6 – 10 dwellings, a commuted payment towards off-site provision, equivalent to providing 30% on-site affordable housing.*

***A mix of tenure will be required (normally approximately 75% social or affordable rented homes, with the remaining 25% for intermediate homes, unless the best available evidence supports a different mix).***

It should be noted that only commuted payments can be required on sites of 6-10 units in the AONB, rather than on-site provision of homes.

As set out above, if regard is to be had to the development plan for the purpose of any determination made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. Until such time as the District Plan has been adopted the appropriate starting point for decisions on planning applications is the 2004 Local Plan and/or any made Neighbourhood Plans. In most cases therefore the current threshold of 15 units or 0.5 hectare will continue to apply. Where a made Neighbourhood Plan has a lower threshold the Council will need to take this into account and on a case by case basis balance this against national policy. In doing so, the Council will have to carefully consider whether any breaches of Development Plan policy are justified or outweighed by a proposal's consistency with national policy. Each case will be considered on its merits, but some possible scenarios are given below:

- application for 12 homes, no Neighbourhood Plan in place – no affordable housing required as site is below the current Local Plan threshold
- application for 12 homes, a "made" Neighbourhood Plan is in place that requires affordable housing on sites of more than 4 homes. The national threshold of 11 units can be applied and affordable housing is required.

- application for 7 homes (where no affordable housing proposed as part of the scheme), a “made” Neighbourhood Plan is in place that requires affordable housing on sites of more than 4 homes, but LPA considers in the circumstances of the particular case, the breach of the Neighbourhood Plan policy is outweighed by the proposal’s consistency with national policy - no affordable housing required.

## **Developing affordable housing policies for new Neighbourhood Plans**

### **1. How should the national thresholds be reflected in emerging Neighbourhood Plans?**

Emerging Neighbourhood Plans will now have to have regard to the new thresholds. If parish councils wish to adopt a lower threshold for their Neighbourhood Plan, or require on-site affordable housing on schemes of fewer than 11 homes, they will have to produce evidence as to why this is needed in their parish. Such evidence might include the lack of sites that will accommodate 11 homes, or 6 in AONB, and the urgent need for affordable housing. When Examining the Neighbourhood Plan the Examiner would consider this evidence alongside the national thresholds and would decide whether such a policy is justified. If the Inspector decides that such a policy is justified then future planning applications will be considered against the criteria in the Neighbourhood Plan, and the evidence for a lower threshold will be considered to have been made.

### **2. What is the best available evidence for affordable housing need?**

The best available evidence is set out in policy DP29. It is not sufficient to consider current housing need only. The key messages of the Northern West Sussex Affordable Housing Needs Update Report (2014) are:

- There is a continuing need for affordable housing of all sizes across the District, with 75% of that need being for 1 and 2 bedroom properties.
- 44% of all new households will be unable to afford to buy or rent privately without assistance, and so affordable housing needs to make provision for this future need, as well as current need identified through the Common Housing Register and the relatively short-term need identified through local Housing Needs Surveys.
- To meet the housing needs identified there should be a mix of affordable rented homes and “intermediate” tenure homes, typically shared ownership, with a rough balance of 70-80% rent to 20-30% shared ownership.

The Council’s Housing Enabling Team can help you to find your way through the plethora of information available. We can also provide information on existing affordable housing stock in the town or parish as well as information about the range of issues involved in the delivery of new affordable housing, including rural exception sites. This will help you ensure that your neighbourhood plan addresses the need for affordable housing appropriately.

### **Allocations to affordable homes**

Whilst towns and parishes will naturally want to make sure that their own residents benefit from any affordable housing developed, allocations outside of rural exception sites are not a planning issue, and it is therefore not appropriate to include such policies in neighbourhood plans. The Council is very much aware of the need to ensure that local people get access to affordable housing and its housing allocation scheme reflects this, so you can still reassure your residents that they will benefit from any development in their area.”

## **News Releases**

For further information or copies of the press releases listed below, please contact the Press Office on 01444 477387 or use the following link:

email: <http://www.midsussex.gov.uk/Press/9601.htm>

PR1968 - Keep your home safe and secure this summer.