

DISTRICT PLAN REVIEW – RECOMMENDATION FROM SCRUTINY

REPORT OF: Deputy Chief Executive
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Wards Affected: All
Key Decision: No
Report to: Council
Wednesday 26th July 2023

Purpose of Report

1. This report sets out the recommendations agreed at the Scrutiny Committee for Planning, Economic Growth and Net Zero at its meeting on 15 March 2023 including a resolution to Council agreed by the Committee.
2. The report also provides an update following consideration of the District Plan Review by the Scrutiny Committee for Place and Environment at its meeting on 28 June 2023.

Summary

3. At its meeting on 15 March 2023, the Scrutiny Committee for Planning, Economic Growth and Net Zero considered responses to the Council's Regulation 18 consultation, which forms part of the District Plan Review.
4. At this meeting the Committee also resolved to recommend to Council that it positively engages with Town and Parish Councils prior to the Regulation 19 consultation.
5. At its meeting on 28 June 2023, the Scrutiny Committee for Place and Environment considered an update to the District Plan Review following Regulation 18 consultation. The Committee agreed to set up a politically balanced member working group.

Recommendation

6. **Council is recommended to agree to positively engage with Town and Parish Councils, prior to the Regulation 19 consultation.**
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Background

7. The Mid Sussex District Plan 2014-2031 was adopted in March 2018. This Plan contained a commitment to review the Plan (policy DP4: Housing), starting in 2021 with submission to the Secretary of State in 2023. Work on the draft District Plan and supporting documentation started in 2021 and was considered by the Scrutiny Committee for Planning, Economic Growth and Net Zero on 5 October and 18 October 2022. Council approved the draft District Plan for public consultation at its meeting on 2 November 2022. The consultation commenced on 7 November and concluded on 19 December 2022.

8. Ahead of its publication for consultation in November 2022, the Regulation 18 draft was informed by a politically balanced member working group which was established by recommendation of the Scrutiny Committee for Planning, Economic Growth and Net Zero in January 2022.

Scrutiny Committee for Planning, Economic Growth and Net Zero 15 March 2023

9. The report to the Scrutiny Committee for Planning, Economic Growth and Net Zero on 15 March 2023, which set out the outcome of the Regulation 18 consultation, identified that it may be necessary to reconvene the member working group to discuss the outcomes of any revised Site Selection paper ahead of Regulation 19, following which it is expected that the draft District Plan will be submitted to the Secretary of State.
10. The Committee agreed an amendment to the recommendations as follows:

That this committee recommends to Council that it positively engages with Town and Parish Councils prior to the Regulation 19 process.

Scrutiny Committee for Place and Environment 28 June 2023

11. The Scrutiny Committee noted that the Scrutiny Committee for Planning, Economic Growth and Net Zero had resolved to recommend to Council that a politically balanced member working group was established prior to Regulation 19. The Committee agreed to set up a member working group and agreed the Terms of Reference (Appendix 1 of the report to this Committee on the 28 June 2023) for this member working group.

Next steps

12. Following the meeting of the Scrutiny Committee for Place and Environment on 28 June it was agreed that a politically balanced member working group would be held in July following which engagement with the Town and Parish Councils would be held during August and September.
13. This engagement will enable the Town and Parish Councils with sites in or adjacent to their areas to provide comments and observations on the proposed sites, discuss their response to the Regulation 18 consultation and provide input to the draft Infrastructure Delivery Plan to ensure the appropriate infrastructure is identified to mitigate the development.

Policy Context

14. The review of the District Plan is a corporate priority identified in the Corporate Plan and Budget 2023/2024 (March 2023) and Service Plan for Planning and Economy. It aligns with the Council's priorities for Sustainable Economic Growth and Strong Resilient Communities.

Other Options Considered

15. There is a legal and national policy requirement to review the Plan and update where necessary. Whilst the Council could decide not to review or update the Plan, this would significantly impact on its ability to apply full weight to its existing policies when determining planning applications and would lead to speculative unplanned development.

Financial Implications

16. Preparation of the District Plan review and update is funded by a specific reserve, as agreed in the Corporate Plan and Budget 2023/24 (March 2023). This reserve has funded evidence base studies to support the work and will continue to be required to fund future evidence, legal advice and examination costs. The work carried out so far is within the identified budget.

Risk Management Implications

17. The Government introduced a Levelling Up and Regeneration Bill to Parliament in May 2022. This proposes changes to the planning system, however as the Bill has not yet received Royal Assent it is difficult to predict the impacts that any future changes and/or transition periods will have on the progress of the District Plan.
18. The Government has urged local authorities to continue plan-making, and currently Local Planning Authorities must continue to comply with current legislation and national policy, which require Local Plans to be updated where required every 5 years. Establishment of the Members Working Group will ensure that progress continues to be made on the preparation of a new District Plan.

Equality and Customer Service Implications

19. An Equality Impact Assessment has been prepared to ensure opportunities to promote equality and/or barriers to service are considered and addressed. This was published alongside the Draft District Plan and will be updated for the Proposed Submission District Plan (Regulation 19).

Other Material Implications

20. There are no other material implications.

Sustainability Implications

21. The draft District Plan includes a range of sustainability policies. The National Planning Policy Framework recognises the role that planning can have in addressing and mitigating future impacts of climate change. The draft policies within the updated District Plan reflect national policy and ambitions.
22. It is a legal requirement for the District Plan to be accompanied by a Sustainability Appraisal (incorporating Strategic Environmental Assessment) at each formal stage of the plan-making process, which documents the impacts of proposed policies, strategy and sites against the sustainability criteria and informs the plan-making process by ensuring the plan is the most sustainable given all reasonable alternatives. A Sustainability Appraisal was published alongside the draft District Plan and will be updated for the Proposed Submission District Plan (Regulation 19).

Background Papers

[District Plan Summary of Responses - Scrutiny Committee for Planning, Economic Growth and Net Zero - 15th March 2023](#)

[District Plan Review Update - Scrutiny Place and Environment – 28th June 2023](#)