

Summary of responses to the “Site Allocations – Site Selection Methodology”
Scrutiny Committee for Community, Housing and Planning - November 2018

Consultants/Developers/Agents

Agent	Section	Comment	MSDC Response
Vail Williams	General	It would assist to understand how the weighting will be applied, given that some constraints will be afforded more weight than others.	Agree – Proposed change: Para 2.5 of the methodology sites that a weighting process will be applied. Further detail will be added to explain this further.
	Flood risk	Would there be a reduced score if there is opportunity to mitigate or avoid areas within flood zone 2/3? Should there be an option dependant on % of area impacted by flood risk? Could there be a score for flood risk not in developable area?	Agree – Proposed change: Whilst we do not consider it appropriate to include a %, further explanation to criteria will be included to state where ‘the presence of flood zone 2/3 would impact on deliverability’. Note that where such features are on site boundaries these areas can be removed from the developable area. Information re: mitigation can be provided to the Council and will be taken into account when assessing the site – promoters will have the opportunity to comment on the initial site assessments upon completion and provide more information on mitigation if required.
	Ancient Woodland	Could a different score be given for partial coverage or a defined % term of coverage, or where it would not be in a developable area?	Agree – Proposed change: Whilst we do not consider it appropriate to include a %, further explanation to criteria will be included to state where ‘the presence of Ancient Woodland would impact on deliverability’. Note that where such features are on site boundaries these areas can be removed from the developable area.
	SSSI/Local Wildlife	Helpful to understand how developers/agents might engage further should further information about mitigation be required as part of the assessment process.	Agree – Proposed change: will provide further detail in the methodology to explain that Council encourages developers to submit all the information on sites that they have and officers will seek further information from developers if required.
	Heritage Listed Building	Is this criterion solely for listed buildings, or will other heritage assets be considered?	Noted – No further action: The Council will only be assessing against national designation of Listed buildings under this criterion. Note that conservation areas and archaeology are assessed under separate criteria.
	Landscape Capacity	It would assist to understand how any revised landscape capacity report will sit alongside the current SHELAA assessment. The current landscape report looks at some sites being low potential, not allowing for mitigation. Further typography assessment may assist a revised report.	Noted – No further action: the further landscape work will ‘plug gaps’ in the existing evidence e.g. where a site has not previously been assessed. The starting point will be that there is no mitigation, further detail will be provided to explain this in the report.
	TPO's/Trees	Does not allow for positive scoring for use of	Disagree – No further action: This is a detailed landscaping/design matter

		existing trees on site, used to enhance the site.	that will be taken into account at a planning application, rather than site selection, stage.
	Highways/ Strategic	Large scale development can improve capacity, clarity on this would assist. Any planned schemes should be considered positively. It is assumed that this element will have higher weighting.	Noted – No further action: The site will be assessed on the basis of information provided to the Council/within the evidence base regarding transport capacity and impact on the wider transport network. Planned highway improvement schemes have been taken into account in the Mid Sussex Transport Model.
	Strategic Road Access	Suggest this has a higher weighting in the scoring.	Disagree – No further action: Whilst this is an important factor, the highest weight is reserved for constraints identified in Part 1 of the criteria as these are likely to have the highest positive/negative impacts.
	Infrastructure	Contributions to on and off site infrastructure should be reflected in assessment.	Agree – Proposed change: amend criteria to refer to on site as well as off site infrastructure.
	Availability	Other employment generating land uses are also required and should be considered as part of the employment criteria	Disagree – No further action: District Plan only seeks to provide employment within 'B classes'. However, it is acknowledged that strategic scale employment sites may provide other uses.
	Achievability	Further clarity on emerging economic needs assessment timescales to support criteria welcomed and how sites contribute to employment trajectory.	Agree – No change required: This work is underway and will be published in due course.
	Public Transport	Further criteria should be included that acknowledges planned or potential enhancements and assessment of sustainable transport modes.	Agree – Proposed change: This criteria will be amended to cover sustainable transport modes.
	Compatibility of adjoining uses	Supported. Could reference other employment generating development.	Agree – Proposed change: This criteria will be amended to cover other employment generating uses.
	Proximity to labour force	May also look at emerging employment locations under construction or planned	Agree – Proposed change: This will be a consideration.
	Market attractiveness	Supported. Could reference other employment generating development	Agree – No change required: Already included
	Visibility & prominence	Helpful if term "high market visibility" could be clarified.	Agree – Proposed change: Further explanation to be provided in the report in accordance with the revised Employment Need evidence base.
Rydon	Planning constraints	Indicate a weighting to Part 1 constraints, some carry greater weight.	Agree – Proposed change: Para 2.5 of the methodology states that a weighting process will be applied. Further detail will be added to report to explain this further.
		Addition of mitigation option to be added to most, if not all constraints	Agree – Proposed change: will provide further detail to the methodology to explain that the starting point is to assume that there will be no mitigation.

			Site assessment process will be iterative. We are encouraging developers to submit all the information on sites and officers will seek further information from developers if required.
		Methodology requires some flexibility to account for some circumstance where a settlement is wholly washed with AONB, but allocated a housing requirement.	Disagree – No further action: Within the AONB some areas can accommodate development without harm to the character. This is reflected in the scoring of the criteria. The scoring will be informed by consultation with the High Weald AONB unit.
	Deliverability constraints	Fails to identify a site as deliverable as opposed to developable. Should include deliverable and developable option	Agree – Proposed change: Definition in the criteria will be amended.
	Infrastructure	Infrastructure – should include assessment criteria where potential exists to provide on-site	Agree – Proposed change: amend criteria to refer to ‘on site’ as well as ‘off site’ infrastructure.
	Highways/road network	Addition of mitigation option to be added to highway/strategic road network and local road network	Agree – Proposed change: The criteria will be amended to refer to mitigation.
	Education	Education – should include secondary school and 6 th Form provision	Disagree – No further action: There is an acknowledgment that pupils will travel longer distances to secondary education and therefore it is not a measure of sustainability. Most settlements do not have secondary/6 th form provision.
	Transport	Addition of mitigation option to be added	Agree – Proposed change: The criteria will be amended to refer to mitigation.

Local Authorities

Brighton and Hove	General	The 2,500 residual amount should not be taken as an absolute target.	Noted – No further action: The Council is fully aware that the figures in the District Plan are minimum. The Council is still planning to allocate approx. 2,500 homes even though the housing land supply monitoring indicates that this figure has reduced due to additional completions and commitments since 1 st April 2017, in order to provide a buffer to ensure the 5 year housing land supply position can be maintained. We will continue to monitor the number of completions and commitments.
	Para 2.5 and 3.6	Removing sites with ‘very negative’ scoring is not justified in relation to some criteria. (other than Ancient Woodland, flood risk)	Agree – Proposed change: Para 2.5 of the methodology states that a weighting process will be applied. Further detail will be added to report to explain this further.
		Difficult to reach ‘very negative’ without considering scope to mitigate.	Agree – Proposed change: will provide further detail to the methodology to explain that starting point is to assume that there will be no mitigation. Site assessment process will be iterative. We are encouraging developers to

			submit all the information on sites that they have and officers will seek further information from developers if required.
	Para 4.1	Problematic to give criteria equal weight for scoring purposes, some are 'absolute constraints' whereas others are more subjective. Scoring leads to crude comparison of sites rather than allowing consideration on individual merits. These factors should be taken into consideration with weighting exercise.	Agree – Proposed change: Para 2.5 of the methodology states that a weighting process will be applied. Further detail will be added to explain this further.
	AONB	It is unclear how the AONB Unit has reached their conclusions.	Disagree – No further action: The AONB unit are independent experts and will provide comments based on their evidence, including performance against the High Weald objectives.
	Nature Conservation designations	Lack of clarity regarding hierarchy of designations. Seem to put higher weight on SNCI's than LNRS.	Agree – Proposed change: Criteria will be amended.
	Listed buildings/conservation Areas	How can it be concluded 'substantial harm' without considering scheme design.	Disagree – No further action: MSDC's Conservation Officer will undertake an assessment, including a site survey in order to arrive at the conclusions. In some cases there may be an 'in principle' objection to development, even before design has been taken into account.
	Highways and local road network	It could say 'could be mitigated or improved by development'	Agree – Proposed change: The wording of the criteria will be reviewed to ensure clarity.
	Deliverability	Query why there 'uncertain' and 'no further evidence' are a 'negative impact'. This could be due to lack of information and could be followed up through proactive contact.	Disagree – No further action: The Council is being proactive and will be making contact with all landowner/agents/site promoters.
	Public Transport	No explanation as to how this is defined/assessed.	Agree – Proposed change: This will be clarified in the report.
	Employment – market forces job market	Some criteria seem fairly subjective. Not clear how they are assessed and by whom. Commentary setting this out will be helpful.	Agree – Proposed change: This will be clarified in the report.
Tandridge	Flood risk	Should the rating of 'significant' include FZ2/3 and should the rating below this include a reference to the extent of the site within FZ2/3 rather than just stating areas?	Agree – Proposed change: Whilst we do not consider it appropriate to include a %, further explanation to criteria will be included to state where 'the presence of flood zone 2/3 would impact on deliverability'. Note that where such features are on site boundaries these areas can be removed

			from the developable area.
	Ancient Woodland	Clearer if the difference between significant and partial were defined, as partial could refer to a significant area	Agree – Proposed change: Further explanation to criteria will be included to state where ‘the presence of Ancient Woodland would impact on deliverability’. Note that where such features are on site boundaries these areas can be removed from the developable area.
	SSSI LWS	Probably typographical but the first two refers to SNCI’s in the main text box but the traffic light refers to SSS’s. Third box SSSI’s	Agree – Proposed change: Criteria to be amended.
	Listed Building	Not consistently set down between housing and employment sites. Does it need to refer to impact on setting and that impact is dependent upon grading?	Agree – Proposed change: Criteria to be amended
	Conservation Area	Should third criteria state ‘no impact’ rather than ‘no objection’	Agree – Proposed change: Criteria to be amended.
	Trees	Typo - states ‘Tress’	Agree – Proposed change: Criteria to be amended.
	Public Transport	Would help if ratings were defined	Agree – Proposed change: Criteria to be amended.
	Achievability	Helpful to define short, medium, long	Agree – Proposed change: The criteria relating to deliverability is to be amended to clarify.
	Compatibility of adjoin uses	The word ‘not’ should probably be deleted from last box	Agree – Proposed change: Criteria to be amended.
	Proximity of labour force	Unclear how ‘location’ is defined and how quality of supply delivered	Agree – Proposed change: Further information to be provided in the report.
	Market Attractiveness	Unclear how the quality of market will be assessed/defined	Agree – Proposed change: Further information to be provided in the report.

Town and Parish Councils

Albourne	General	Figure of around 2,500 is too high. Latest commitment should be taken into account. Buffer on top of assessed need for market signals. Should be confident of delivery of sites allocated	Noted – No further action: The Council is fully aware that the figures in the District Plan are minimum. The Council is planning to allocate approx. 2,500 homes even though the housing land supply monitoring indicates that this figure has reduced due to additional completions and commitments since 1 st April 2017.
		Disagree that if once settlement cannot meet its requirement, any shortfall will need to be met in the next settlement category. No reason why each category should not meet its allocation	Noted – No further action: District Plan sets out the strategy re: redistribution.

		No mention of how sites will be assessed against Neighbourhood Plans.	Disagree – No further action: The report sets out how the Neighbourhood Plans will be taken into account. This will be amended to provide further clarification.
		Doesn't seem to be an assessment of cumulative sites .v. MSDC policies and settlement hierarchies. E.g. if already large number of commitments in small villages any additional would be contrary to DP6	Disagree – No further action: The commitments and completions were taken into account when the District Plan DP6 was prepared and informed the residual amount calculation. Once the sites have been assessed individually, they will then be grouped together and assessed on a settlement and category of settlement basis. This will include an assessment of other infrastructure on a cumulative basis. The council's monitoring report will update the Housing Land Supply position annually. The site allocations DPD will continue to be prepared against the residual figure in the District Plan policy DP4 and DP6 which takes commitments and completions into account.
	Deliverability	If delivery is uncertain this should be assessed as 'red'	Noted – No further action: All sites have been promoted to the Council, therefore have some prospect of delivery.
	Infrastructure	Deficits in offsite infrastructure which are unlikely to be improved should be assessed 'red'.	Noted – No further action: Allocated sites are not expected to improve existing offsite infrastructure deficits.
	Distance to primary schools	Greater than 20 min walk should be assessed as 'red'	Disagree – No further action: To assess as 'red' this would imply a 'very negative impact' to the same degree as a high-level constraint in the NPPF (e.g. AONB/Flood Risk).
	Health	Greater than 20 minute walk should be assessed as 'red'	Disagree – No further action: To assess as 'red' this would imply a 'very negative impact' to the same degree as a high-level constraint in the NPPF (e.g. AONB/Flood Risk).
	Public transport	The assessment criteria need to be much more specific	Disagree – No further action: To assess as 'red' this would imply a 'very negative impact' to the same degree as a high-level constraint in the NPPF (e.g. AONB/Flood Risk).
Ansty and Staplefield	General	Like to ensure that MSDC consider the environmental impacts of new sites on existing settlements and that they would like to see sites selected that are suitable for smaller units and social housing.	Noted – No further action: Collectively the part 1 criteria in Site Selection Paper 2 consider the environmental impact The Site Allocations Document will be in compliance with the District Plan and therefore will require a mix of dwelling types on sites and provide affordable housing.
Cuckfield	General	Neighbourhood Plans are only considered once all other assessments have been completed. Does not provide avenue for input from local assessments.	Noted – No further action: The report sets out how the Neighbourhood Plans will be taken into account, including the weight to be given to the District Plan in terms of setting the overall strategy. At the Parish briefing District Council officers stated it would be helpful to provide officers with

			evidence prepared to support the preparation of Neighbourhood Plans. Town and Parish Councils will be given the opportunity to comment on the initial site assessments upon completion.
		Cuckfield has substantial evidence, which should be taken into account at an earlier stage.	Noted – No further action: At the Parish briefing District Council officers stated it would be helpful to have any evidence prepared to support the preparation of Neighbourhood Plans, and to pass it on to the Policy Team. However it is important to note that the District Council must undertake the assessments on a consistent basis, across all sites and Parish areas. This is important to enable the District Council to be able to justify, based on evidence, the choices made during the site selection process at Examination.
		'Traffic light' approach needs to be objective supported by robust evidence	Agree – No change required: The assessment and the categorisation of sites within each criteria will be informed by evidence from professionals who are independent experts within their specialist fields.
		Should be wider a role for Neighbourhood Plans and teams that prepare them, utilising the existing knowledge that has been gained in preparing Neighbourhood Plans. Perhaps Parish Councils can review each site against the MSDC criteria.	Disagree – No further action: The District Council as the Planning Authority has a team of qualified planning professionals who have the responsibility for the preparation of Development Plan documents. The Assessments need to be undertaken on a consistent basis. However, as previously stated the District Council will meet the Town and Parish Councils on a regular basis during the preparation of the Site Allocations Document.
		2,500 should be reduced to account for additional permissions, rather than create a buffer.	Disagree – No further action: The 2,500 is a minimum figure. The Council is still planning to allocate approx. 2,500 homes even though the housing land supply monitoring indicates that this figure has reduced due to additional completions and commitments since 1 st April 2017. This will ensure there is sufficient flexibility to ensure that the District Council can continue to demonstrate a 5 year housing land supply on an ongoing basis. The council's monitoring report will update the Housing Land Supply position annually. The site allocations DPD will continue to be prepared against the residual figure in the District Plan policy DP4 and DP6 which takes commitments and completions into account.
		The application of the '150m rule' for areas outside of built up boundaries is arbitrary and local conditions must be taken into account rather than use of blanket policies.	Disagree – No further action: Site Selection Paper 1 – Assessment of Housing Sites against District Plan Strategy, clearly sets out the methodology for the assessment of sites not related to the built up area.
Haywards Heath	General	Need to ensure that any location has the support of sustainable transport/adequate public transport.	Agree – No change required: The Site Selection criteria in Part 3 of the assessment addresses this.
		Green infrastructure must be supported.	Agree – No change required: Sites will need to accord with the relevant

			District Plan policies regarding Green Infrastructure.
		Desire lines adopted to support established pedestrian routes of choice, design to mitigate risk.	Agree – No change required: This detail will be addressed at planning application stage.
		Transport issues should be considered from the earliest stage of plan making and development proposals so that opportunities to promote walking cycling and public transport use are identified and pursued.	Agree – No change required: This will be addressed within the Mid Sussex Transport Study, and criteria have been selected to address site sustainability.
		Further employment land in/around Haywards Heath should be a priority, when suitable sustainable sites are identified.	Noted – No further action: All employment sites will be assessed against the criteria.
		Consider scoring for environmental sustainability for a prospective development location? Such as suitability for extensive solar power, water reclamation, ground heat pumps etc?	Noted – No further action: This is not a site assessment criteria but all development should comply with the principles of sustainable development and specifically with DP39: Sustainable Design and Construction.
Twineham	General	Most of Twineham is more than 20 minutes' walk from the following categories: education health, services and public transport.	Noted – No further action: Sites in Twineham will be assessed accordingly against these criteria.
		Parish was therefore shocked that permission was granted for 6 houses at Twineham Grange Farm, which is a considerable distance from all services.	Noted – No further action: This is not a matter for the Site Selection Process or the Site Allocations DPD.
Worth	General	There is no role identified for Neighbourhood Planning in the exercise, contrary to NPPF para 29, which makes reference to local involvement in non-strategic policies. MSDC are not looking to identify strategic sites, the implication is that this activity relates to a non-strategic policy.	Disagree – No further action: The report sets out how Neighbourhood Plans will be taken into account, and the fact that the District Plan sets the strategy for the district by which Neighbourhood Plans must conform (in accordance with paragraph 30 of the NPPF). For the purposes of the District Plan the threshold for a strategic site was 500 units. This does not apply to the Site Allocations DPD which will consider allocating sites of any size more than 5 units. Strategic policies and site allocations are those that address strategic priorities (NPPF glossary). NPPF Para 20 states that 'Strategic policies should set out the an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: a) housing.....' The delivery of the District Plan housing requirement is a strategic priority and therefore the Site Allocations

			Document will contain strategic policies.
	SSSI/Wildlife sites	Makes no reference to the need to have wildlife corridors to connect such sites to other areas.	Disagree – No further action: Whilst not a specific assessment criteria, the District Plan policy DP38: Biodiversity will be a consideration when sites are considered collectively.
	13,14,15,16	Make reference to para's in NPPF, yet the measurement criteria do not reflect those that the paras are setting. For example, in 14, two paras are quoted, NPPF para 94, and NPPF 104a but criteria only measures walking to school.	Noted – No further action: The quotes provided in the NPPF highlight where the criteria have been derived from and the importance placed on that particular criterion in the NPPF.
	Footnote 2	Please clarify if 1.2km covered in 15min walking is a standard measurement as this seems fast,	Agree – Proposed change: This will be clarified in the report. In any event, all sites will be assessed consistently against the time/distance thresholds noted in the criteria.

Other (on behalf of residents group)

Turley	General	The Strategic Site selection paper was pre NPPF 2018, confirmation required that it aligns with it	Agree – Proposed change: The Council has reviewed its approach in line with the revised NPPF. The report will be amended to confirm compliance with NPPF.
		It does not include all criteria in original methodology e.g. air quality. Clarity needed on when these will be included.	Agree – Proposed change: Additional wording to be added to the report to explain further work that is being undertaken.
	SSSI and AONB's	Should there not be a similar buffer zone for SSSIs and AONBs. Impact on these areas doesn't stop at boundary. SSSIs have impact risk zone around them depending upon species.	Disagree – No further action: There is no requirement for a 15m buffer zone for SSSI's and AONB's. Comments have been sought from Natural England on sites that are within impact risk reporting zone, which will be incorporated in the assessment.
	SSSIs	There is an inconsistent within this section in the names and their status.	Agree – Proposed change: Criteria to be amended.
	SSSIs	NPPF refers to consideration of impact on SSSIs individually and in combination. Impact from a potential allocation cannot be considered in isolation.	Noted – No further action: In-combination impacts will be considered during future stages of the Site Allocations DPD (as noted in the report)
	Transport	Site should not be considered in isolation. Cumulative impact should be considered.	Agree – No change required: The Mid Sussex Transport Study will consider sites in combination with each other to ensure cumulative impact is assessed.
	Deliverability	Does not include any assessment of availability, progress or timescale. Is this to form a later stage?	Agree – Proposed change: The criteria relating to deliverability is to be amended to clarify.

		NPPF quote in section 12 of table refers to just first 5 years. Methodology does not refer to site allocations for whole plan period. Clarification required.	Agree – Proposed change: The criteria relating to deliverability is to be amended to clarify.
		Useful to have definition of ‘developable’ and ‘deliverable’	Agree – Proposed change: The criteria relating to deliverability is to be amended to clarify.
		How will ‘reasonable prospect’ be assessed	Agree – No change required: This is explained to the supporting text to criteria.
		No reference to viability in criteria (NPPF para 67)	Disagree – No further action: There is reference to viability in the deliverability criteria.
	Other	Existing use – should identify if previously developed or greenfield. Consider existing use/impact of loss	Disagree – No further action: The District will not be able to meet its housing requirement on previously developed sites, therefore not appropriate to include a criteria.
		Adjoining uses – compatibility of residential use with adjoining	Disagree – No further action: This can be dealt with through on site mitigation.
		Neighbourhood Plan – why is this last in the process. Should be at an earlier stage	Disagree – No further action: The site allocations DPD is a strategic policy document. In accordance with NPPF the policies of the District Plan take precedence.
		Distribution of site allocations – should take into account existing commitments and completions	Disagree – No further action: The council’s monitoring report will update the Housing Land Supply position annually. The site allocations DPD will continue to be prepared against the residual figure in the District Plan policy DP4 and DP6 which takes commitments and completions into account.
		Land promoters input – how will this be scrutinised. Will it be made available to review at next stage of consultation with parishes in early 2019.	Agree – No change required: Information supplied will be taken into account when undertaking the site assessments. The outcomes of all the site assessment work will be shared with Parishes in early 2019.
		Land owners engagement – where they have not been engaged in the process, how will this be taken into account?	Noted – No further action: Site will be assessed against the criterion based on the information that we hold, the Council will proactively seek information from landowners where required. However, sites are unlikely to be taken forward if there has been no involvement from landowner or agent acting on behalf of landowner as it will be difficult for the Council to demonstrate the site is deliverable.