

## **DISTRICT PLAN REVIEW AND UPDATE.**

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Wards Affected: All  
Key Decision: Yes  
Report to: Scrutiny Committee for Housing, Planning and Economic Growth  
19<sup>th</sup> January 2022

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### **Purpose of Report**

1. The Scrutiny Committee are requested to consider the consultation draft (Regulation 18) District Plan 2021 – 2038 and to recommend the Council approve the Consultation Draft (Regulation 18) District Plan 2021 – 2038 and supporting documents for six-weeks public consultation starting in February 2022.

### **Summary**

2. This report:
  - Summarises the purpose of reviewing the currently adopted District Plan;
  - Describes the process of reviewing and updating the District Plan;
  - Outlines the conclusions of the evidence base and how this has informed the draft strategy, policies and site allocations; and
  - Outlines the next steps, including consultation arrangements.

### **Recommendations**

3. **That the Scrutiny Committee for Housing, Planning and Economic Growth:**
    - (i) **Considers and comments on the Consultation Draft District Plan 2021 - 2038**
    - (ii) **Recommends Council approves the Consultation Draft District Plan (2021 – 2038), along with supporting documentation for six-weeks public consultation starting in February 2022**
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### **Background**

4. The Mid Sussex District Plan 2014 – 2031 was adopted in March 2018. The adopted District Plan contained a commitment (policy DP4: Housing) to review the plan, starting in 2021 with submission to the Secretary of State in 2023.
5. The planning system should be plan-led. An up-to-date District Plan should be in place to provide a positive vision for the future and address housing needs and other economic, social and environmental policies. An up-to-date plan means:
  - The Council can place full weight on its policies when determining planning applications
  - The Council maintains control of how to address housing need and the proposed sites for development, resisting speculative development in unsuitable locations

- The Council can impose policy requirements to ensure sites deliver site-specific mitigation, infrastructure and facilities required to support housing development
  - Secure infrastructure to provide certainty and ensure statutory providers know where, when and how much development is likely to be delivered.
  - The Council can demonstrate that it can meet its housing need and identify deliverable sites sufficient to provide a minimum 5-year supply. Without which, housing policies are deemed 'out of date' and the presumption in favour of sustainable development would apply resulting in speculative development.
6. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require local planning authorities to review Local Plans (such as the District Plan) every five years to ensure policies remain relevant and effectively address the needs of the local community. This is reflected in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), which sets out the process that should be followed to review local plans. Reviews should be completed no later than five years from the adoption date of the Plan. The District Plan reaches its fifth anniversary in March 2023.
  7. Planning Practice Guidance is clear that policies age at different rates and that policies do not automatically go out-of-date at the 5-year point. However, dependant on changing circumstances and evidence, policies may be considered out-of-date and carry less weight when determining planning applications if they are more than 5-years old.
  8. Therefore, it is vital that the adopted District Plan is reviewed and updated to ensure that the district has an up-to-date Local Plan. This report sets out the process of reviewing and updating the Council's District Plan, in preparation for consultation.
  9. The NPPF (paragraph 33) establishes two distinct phases of the process:
    - Stage 1: Review to assess whether the plan needs updating
    - Stage 2: Update as necessary
  10. National policy requires strategic policies to look ahead over a 15-year period from adoption. It is anticipated the updated District Plan will be adopted in 2023 after progressing through all statutory stages and will cover a period from 2021 until 2038.

### **Stage 1: District Plan Review**

11. National policy and guidance set out the considerations and process of reviewing local plans. This can include:
  - Changing circumstances affecting the area, such as changes in housing, employment or other needs;
  - Relevant changes in national policy;
  - Whether the authority has a 5-year supply of deliverable housing;
  - Success of policies against indicators as set out in the Authority Monitoring Report;
  - Plan-making by other authorities, such as whether they can meet their housing need;
  - Any new social, environmental and economic priorities that may have arisen.

12. Each of the existing District Plan policies has been reviewed in line with the aforementioned requirements. This has determined which policies are 'in scope' to be updated, and which do not require an update at this stage. Each of the policies have been categorised as follows:

- **No Update required:** The policy continues to comply with national policy and the evidence base has determined it is still effective as it stands
- **Minor Update:** The Policy only requires minor amendments (such as factual updates) that do not change the overall meaning or direction of the policy.
- **Major Update/New Policies:** Changes in national policy or updated evidence suggests that the policy may require updating in full or that new Policies are required

### **Stage 1: District Plan Review - Findings**

13. The findings of the Review process are set out in Appendix 2. In total, 10 policies do not require any update, 16 require minor factual/clarity updates and 11 require a major update.

14. Policies categorised as 'Major Update' are the focus of the updated District Plan 2021 – 2038. Stakeholders will be able to make comments on the categorisation as part of the consultation process, which will help to refine the updated District Plan as it progresses through the formal stages to adoption.

### **Stage 2: District Plan Update - Process**

15. Following the Review of the current plan, Stage 2 reflects the findings of the review and updates the plan based on an updated evidence, site selection, in liaison with neighbouring authorities and statutory consultees.

### **Evidence Base**

16. Plans must be underpinned by relevant and up to date evidence, which is proportionate, focused tightly on supporting and justifying the policies concerned. To support the updated District Plan, the following evidence base studies were commissioned. These are available to view on the District Plan web page ([www.midsussex.gov.uk/DistrictPlan](http://www.midsussex.gov.uk/DistrictPlan))

- Strategic Housing Market Assessment (SHMA) – to establish the district's housing need, including affordable housing and older persons' accommodation and inform the need for potential site allocations
- Gypsy and Traveller Accommodation Assessment (GTAA) – to establish the district's need for Gypsy and Traveller pitches and inform the need for potential site allocations
- Economic Growth Assessment (EGA) – to establish needs for office, industrial and storage and distribution uses and inform the need for potential site allocations
- Retail and Town Centre Study - to establish requirements for retail, leisure and town centre uses and to inform the need for potential site allocations
- Viability Study – to assess the viability of policy requirements and sites
- Transport Study – to assess potential site allocations for their impact on the transport network
- Water Cycle Study – to assess the potential issues relating to future development and the impacts on water supply, wastewater collection and treatment and water quality.

- Air Quality – to assess the impacts of additional traffic movements on Ashdown Forest SAC/SPA and Stonepound Crossroads AQMA
- Sustainability Appraisal (SA) – a legal requirement, to appraise options for strategy, policies and sites against sustainability criteria and assess impacts on social, environmental and economic objectives
- Habitats Regulations Assessment (HRA) – a legal requirement to test whether a plan could significantly harm the designated features of a European site; for the District Plan this relates to Ashdown Forest SAC/SPA.

## Housing Need

17. The NPPF (paragraph 11) requires strategic policies to provide for objectively assessed needs for housing as a minimum, as well as any needs that cannot be met within neighbouring areas. This is unless other policies within the Framework that protect areas or assets of importance provide a strong reason for not doing so, or adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
18. To determine the district’s housing requirement, an updated Strategic Housing Market Assessment (SHMA) was commissioned.
19. The starting point for housing need is the Government’s Standard Method. This confirms a requirement of **1,093 dwellings per annum** – 18,581 for the plan period to 2038. The SHMA confirms that there are no exceptional circumstances (such as national growth strategies or strategic infrastructure likely to increase future housing need) to justify following an alternative approach. Therefore, this baseline figure will be the minimum requirement for the updated District Plan. Note that this requirement does not account for unmet need arising elsewhere.
20. As the adopted Plan (2014 – 2031) and draft Plan (2021 – 2038) plan periods overlap, most of the housing requirement has already been planned for because it is already allocated (in the adopted Plan, Sites DPD and ‘made’ Neighbourhood Plans) or has planning permission. Therefore, to meet Mid Sussex housing needs, an additional 7,029 dwellings will need to be found to ensure the District’s housing need is met up to 2038. The position is set out in the Table below:

<b>Total Mid Sussex Need</b>	<b>18,581</b>
Commitments (existing permissions and allocations) in current plan period (to 2031)	9,135
Commitments post plan period (2031 onwards)	713
Sites DPD Sites	1,704 <sup>1</sup>
<b>Total Supply</b>	<b>11,552</b>
<b>Residual “To Find” in District Plan 2021 - 2038</b>	<b>7,029</b>

21. The Council has a legal Duty to Co-Operate with its neighbouring authorities. This includes a duty to consider whether unmet need arising from neighbouring authorities can be met within Mid Sussex.
22. Mid Sussex is primarily located within the Northern West Sussex Housing Market Area (HMA), which includes:
  - Mid Sussex District Council

<sup>1</sup> Assuming successful receipt of Inspector’s report and subsequent adoption, accounting for the Main Modifications currently subject to consultation until 24<sup>th</sup> January 2022

- Crawley Borough Council
  - Horsham District Council
23. The SHMA confirms that this remains the primary Housing Market Area (HMA).
  24. The standard housing methodology calculation has resulted in increased housing requirements not only in Mid Sussex, but also in Crawley Borough and in Horsham District. This places an increased challenge in all three authority areas in seeking to accommodate additional housing requirements.
  25. Both Crawley and Horsham are in the process of reviewing their Local Plans. Early indications are that Horsham should be able to meet its own need. However, Crawley has indicated that it may have an overall unmet need of 6,680 dwellings and will be seeking assistance from the other authorities within the HMA to contribute towards this need. This is due to the constrained nature of Crawley borough, which is built up to its administrative boundaries and the High Weald AONB to the east and south.
  26. Currently, through the existing District Plan, Mid Sussex are contributing an average of about 100 dwellings per annum (1,498 planned dwellings) to the Northern West Sussex HMA. Under its current Local Plan, Horsham are providing about 150 homes a year to meet Crawley's housing needs including the ongoing housing development at Kilnwood Vale to the west of Crawley.
  27. Both Crawley and Horsham's local plans have not yet been submitted to the Secretary of State for examination or adopted. Mid Sussex will continue to work with the authorities in the North West Sussex Housing Market Area through the Duty to Co-operate process to determine how this challenge can sustainably be met.
  28. There are also overlaps in the southern part of the district with the Coastal West Sussex HMA which comprises:
    - Brighton and Hove City Council
    - Adur and Worthing Councils
    - Arun District Council
    - Chichester District Council
    - Lewes District Council
    - South Downs National Park Authority
  29. The unmet need arising from this group of authorities is also potentially significant – Brighton's unmet need alone is over 15,000 homes. The West Sussex and Greater Brighton Strategic Planning Board, comprising the above authorities and Crawley and Horsham, is committed to progressing a Local Strategic Statement (LSS3) to collate evidence and identify potential strategic options for addressing this unmet need.
  30. During preparation of the adopted District Plan the Inspector confirmed a priority order for meeting housing need. Based on the findings of the latest SHMA and recognising the current position in neighbouring authorities, this priority order is still applicable:

**Priority 1:** Meeting Mid Sussex need

**Assuming there is some capacity left to meet others needs**

**Priority 2:** Meeting Mid Sussex need and assisting the Northern West Sussex HMA

**Priority 3:** Meeting Mid Sussex need and assisting the Northern West Sussex and Coastal West Sussex HMAs

31. The Site Selection process and the extent to which sites can deliver sustainable development will determine the extent to which Mid Sussex can meet these priorities.
32. In September 2021 officers held a briefing with neighbouring and nearby authorities on the purposes and review of the District Plan. This included a briefing on the District's housing requirement and site selection process. The Site Selection Methodology was shared with all parties for comments; these have been reflected in the final version for publication.
33. The Duty to co-operate is an ongoing process and further co-operation will occur as the draft Plan progresses. In accordance with the NPPF, Statements of Common Ground will be prepared to capture cross-boundary matters and progress made to address these, as the Draft Plan progresses towards Submission.

### **Strategic Housing and Employment Land Availability Assessment (SHELAA)**

34. The SHELAA forms a 'pool' of sites from which to assess for potential for allocation. The SHELAA contains sites from numerous sources:
  - Sites previously rejected during the Site Allocations DPD preparation
  - Sites previously rejected during the previous District Plan preparation
  - New sites submitted for consideration during a "Call for Sites" exercise
35. The Call for Sites was held in February 2021 to seek additional sites for inclusion in the SHELAA. The Council already has a comprehensive SHELAA; it has been updated regularly. The recent 'Call for Sites' therefore only identified 49 additional housing sites for assessment.

### **Site Selection Methodology**

36. A Site Selection Methodology has been prepared to determine the most suitable and sustainable sites for allocation. This was based on the Site Allocations DPD methodology which was established in consultation with Town and Parish Councils, Neighbouring Authorities, and the Mid Sussex Developers' Liaison Group. It has been amended to reflect its role in informing a District Plan and to reflect learning from the Sites DPD process. The methodology conforms to best practice and reflects expert legal advice and comments made during focussed consultation.
37. The outcomes of this work and implications for the updated plan are set out below.

### **Ongoing Engagement with Site Promoters**

38. The Site Selection Methodology was shared with the Council's Developer's Liaison Group (for comment, with responses informing the final version).
39. Sites proceeding through the stages in the methodology were asked to submit details of promotion agreements, site ownership, background studies completed or in progress, anticipated timeline for delivery and anticipated delivery rates. This information has helped in the determination of suitability of sites for allocation.
40. Officers have met with all promoters of 'Significant Sites' (those over 1,000 dwellings) to obtain detailed information, including technical background studies. Meetings with promoters of smaller sites have taken place where requested, or where additional information has been required. This dialogue will continue as the sites progress through the process in order to refine policy requirements.

## Stage 2: District Plan Update

41. Based on the factors described above, the District Plan has been updated. The updated District Plan is at Appendix 1. The following sections summarise the content and key proposed changes.

### Vision and Objectives

42. The purpose of the planning system is to contribute to the achievement of sustainable development. The preparation and implementation of plans should help deliver this.

43. The adopted Plan's vision is:

*“A thriving, attractive and resilient District, which is a highly sustainable and desirable place to live, work and visit. Our aim is to maintain, and where possible, improve the social, economic and environmental well-being of our District and the quality of life for all, now and in the future.”*

44. The vision is still relevant; therefore, it is not proposed to update it in the updated District Plan.
45. The vision in the adopted plan was underpinned by four priority themes that promote the development of sustainable communities. These have now been amalgamated into three priority themes to better reflect the NPPF:

- **Environment:** Protecting and enhancing the natural, built, and historic environment;
- **Economy:** Promoting economic vitality; and
- **Social:** Ensuring cohesive, safe and healthy communities

46. Section 5 of the draft Plan sets out a range of strategic objectives for each of the themes – these remain relevant. The themes are in full accordance with the NPPF's objectives for delivering sustainable development through local plans.

47. In addition, in line with the revised NPPF (Paragraph 7) the draft Plan embeds the United Nations 17 “Sustainable Development Goals” and sets out how policies within the draft Plan will contribute to one or more of these goals.

### The draft Plan Spatial Strategy

48. The adopted Plan Spatial Strategy focuses development at the three towns (Burgess Hill, East Grinstead and Haywards Heath) and encourages proportionate growth at other settlements to meet local needs and support the provision of local services. This spatial strategy informed the location of allocations in the District Plan and subsequent Site Allocations DPD.

49. A fundamental part of the District Plan review has been to determine:

- a. whether the existing strategy is still relevant given any changes to evidence or local circumstances; and
- b. whether the current strategy can be maintained given the extended plan period; future predicted needs; and availability of sites.

50. The work to assess future needs and the availability of suitable sites (the site selection process) concluded that:

- There is limited further growth potential at the three towns and Area of Outstanding Natural Beauty (AONB) settlements.
- There is the potential for growth at some settlements not within the AONB and the extent of growth is dependent upon the characteristics of the settlements and the availability/size of sites which can make the settlements more sustainable. For example, by providing much needed infrastructure such as primary schools and enhancing/creating village centres which offer much needed access to shops and services.

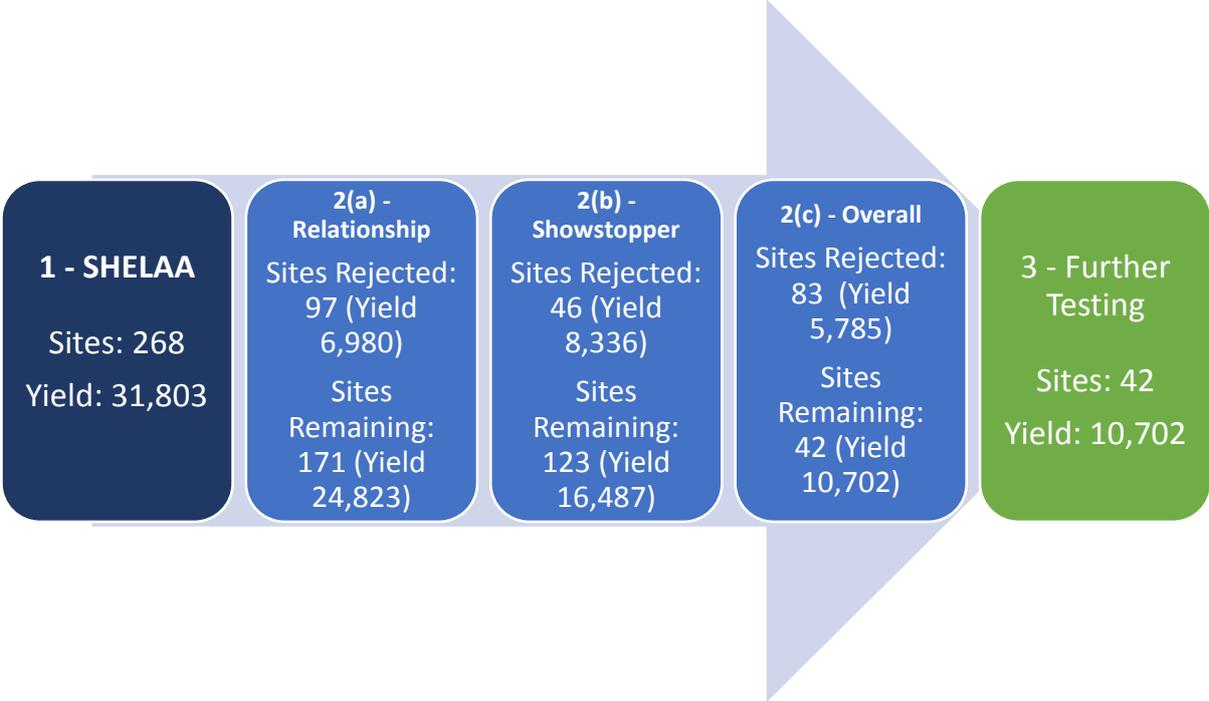
51. The draft Plan Spatial Strategy has therefore been updated, reflecting the following key principles:

- Making effective use of land (brownfield sites, sites already allocated in the adopted Plan and Made Neighbourhood Plans, and sites to be allocated through the draft plan)
- Growth at existing sustainable settlements where it continues to be sustainable to do so
- Opportunities for urban extensions to improve sustainability of existing settlements which are currently not sustainable
- Protection of Designated landscapes (such as AONB)

### **Housing - Site Selection Process and Proposed Allocations**

52. To establish the extent to which Mid Sussex can meet its own housing need and (if capacity remains) the ability to contribute to unmet needs elsewhere, a robust site selection process has been followed.
53. The starting point is the Council's SHELAA as described in paragraph 34. The SHELAA contains 268 potential sites for housing – the Site Selection Methodology sets out the process for refining these sites so that only those that are deliverable (available, in a suitable/sustainable location and with prospect of delivery) are proposed for allocation.
54. Sites can be rejected at any of the following stages if they do not meet the criteria set out within the methodology.
- Relationship** - sites that are not related to existing settlements and are not likely to be sustainable (as defined in the NPPF) as they are not of a scale that would deliver on-site facilities and services.
  - Showstopper** - sites that, when assessed against 14 site selection criteria, are likely to have very negative impacts on areas where the NPPF provides the most protection (and development only in exceptional circumstances) – for example, High Impact/Major Development within the AONB, Flood Risk, Ancient Woodland.
  - Overall Assessment** - consideration of performance against all 14 site selection criteria. Sites where cumulatively there are negative impacts that are not outweighed by positives. This involves professional judgement to determine which site should be removed at this stage.
55. Sites that satisfy the assessment criteria are subject to further testing. Transport modelling, air quality modelling, Sustainability Appraisal and Habitats Regulations Assessment are carried out.

56. Following application of the Site Selection methodology, the initial 268 sites were refined to 42 for further testing as set out in the diagram below:



57. The 42 remaining sites were subject to detailed testing:

- A deliverability assessment to obtain information on land ownership, delivery mechanisms, technical details, mitigation and trajectory.
- The outcome of the Council’s assessment was fact checked by site promoters.
- Transport modelling, air quality modelling, detailed analysis of deliverability, and analysis of background studies prepared by the site promoters.
- Sustainability Appraisal and Habitats Regulations Assessment, as legally required.

58. The details of this assessment, including reasons for rejecting and selecting sites, are set out in the Site Selection Paper: Conclusions paper.

**Proposed Allocations: Significant Sites**

59. The following ‘Significant Sites’ are proposed for allocation to meet Mid Sussex housing need. Significant Sites are those capable of accommodating more than 1,000 dwellings and are of a size that would deliver on site infrastructure such as, primary schools, health facilities, community centres, retail, employment and open space to meet future needs. The allocation of significant sites represents the most sustainable way of providing development alongside much needed infrastructure to support it.

Policy Ref	Site	Settlement	Housing Yield	Other Infrastructure Proposed
<b>DPH5</b>	Land at Ansty Farm, Cuckfield Road, Ansty	Ansty	1,600	<ul style="list-style-type: none"> <li>• Primary School</li> <li>• Leisure</li> <li>• Village Centre</li> <li>• Community Facilities</li> <li>• Self/Custom Build</li> <li>• Sports Pitches</li> <li>• Allotments and Community Orchard</li> <li>• Village Park</li> <li>• Country Park</li> </ul>
<b>DPH6</b>	Broad location to the West of Burgess Hill	Burgess Hill	1,400	<ul style="list-style-type: none"> <li>• Primary School</li> <li>• Leisure</li> <li>• Retail</li> </ul>
<b>DPH7</b>	Land south of Reeds Lane, Sayers Common	Sayers Common	1,850	<ul style="list-style-type: none"> <li>• Primary School</li> <li>• Leisure</li> <li>• Retail (2,000-4,000 sqm)</li> <li>• Commercial (5,000-9,000 sqm)</li> <li>• GP</li> <li>• Community Hall</li> </ul>
<b>TOTAL</b>			<b>4,850</b>	

60. **Ansty Farm, Ansty and Reeds Lane, Sayers Common** have potential to significantly improve the sustainability of these settlements. Currently no residents are within a 20-minute walk of a primary school or health facility. These proposed allocations would mean that all current and new residents would be within a 20-minute walk of both facilities as these facilities are proposed to be delivered on-site.
61. **Land West of Burgess Hill** is sustainably located on the edge of the town where a range of services and facilities exist and is in close proximity to employment opportunities nearby such as The Hub and planned Science and Technology Park.
62. The evidence base library contains the extensive evidence prepared by the site promoters of these sites, as well as Vision Documents which set out indicative masterplans.

#### **Other Proposed Housing Allocations**

63. In addition to the Significant Sites, the following additional housing sites are proposed for allocation:

Policy Ref	Site	Settlement	Yield
DP9	Batchelors Farm, Keymer Road	Burgess Hill	33
DPH10	Land off West Hoathly Road	East Grinstead	45
DPH11	Land at Hurstwood Lane	Haywards Heath	55
DPH12	Land at Junction of Hurstwood Lane and Colwell Lane		30
DPH13	Land east of Borde Hill Lane		60
DPH14	Land to west of Turners Hill Road	Crawley Down	350
DPH15	Hurst Farm, Turners Hill Road		37
DPH16	Land west of Kemps	Hurstpierpoint	90
DPH17	The Paddocks Lewes Road	Ashurst Wood	8
DPH18	Land at Foxhole Farm	Bolney	100
DPH19	Land West of London Road (north)		81
DPH20	Land rear of Daltons Farm and The Byre, The Street		50
DPH21	Land east of Paynesfield		30
DPH22	Land at Chesapeake and Meadow View, Reeds Lane	Sayers Common	33
DPH23	Land at Coombe Farm, London Road		210
DPH24	Land to the west of Kings Business Centre, Reeds Lane		100
DPH25	Land to South of LVS Hassocks, London Road		120
DPH26	Ham Lane Farm House, Ham Lane	Scaynes Hill	30
DPH27	Land at Hoathly Hill	West Hoathly	18
DPH28	Challoners, Cuckfield Road	Ansty	37
DPH29	Land to west of Marwick Close, Bolney Road		45
<b>TOTAL</b>			<b>1,562</b>

### Other Sources of Supply

64. National Planning Policy allows for a windfall allowance to be included from year 6 of the plan onwards based on evidence. According to historic rates of development on sites of fewer than 10 dwellings an 84 dwellings per annum windfall allowance can be applied. This totals 1,008 dwellings up to 2038.
65. In addition, it is likely that there is further development potential within built-up areas on sites greater than 10 dwellings. For example, town centre regeneration, office to residential conversions and other brownfield sites. Analysis of the SHELAA and Brownfield Register suggests that at least 200 dwellings over the plan period could be found from this source.

## Meeting Mid Sussex Housing Need

66. In conclusion the following is proposed in the updated District Plan (set out in policy DPH1: Housing) to address housing need for the purposes of Regulation 18 consultation.

<b>Commitments (Existing allocations and Permissions)</b>	<b>11,519</b>
<b>Significant Sites</b>	<b>5,850</b>
DPH5: Land at Ansty Farm, Cuckfield Road, Ansty	1,600
DPH6: Land to West of Burgess Hill	1,400
DPH7: Land to South of Reeds, Sayers Common	1,850
Housing Sites DPH9 – DPH29	<b>1,562</b>
Windfall allowance	<b>1,208</b>
<i>Of which sites of fewer than 10 units</i>	<i>1,008</i>
<i>Of which previously developed sites more than 10 units</i>	<i>200</i>
<b>Total Housing supply from 2021 – 2038 (Local Housing Need)</b>	<b>19,139 (18,581)</b>
<b>Total under/over supply for resilience and wider HMA</b>	<b>+558</b>

67. This approach meets the housing need arising within Mid Sussex and a contribution towards unmet need within the priority Housing Market Area and/or resilience and robustness as the District Plan proceeds through examination. The same approach was taken during preparation of the Sites DPD which provided a contingency to ensure that housing need will still be met should site yields reduce, or sites are removed, following consultation and examination by the Planning Inspector.
68. Without a contingency for Mid Sussex, there is a risk that the District Plan would be found unsound should site yields be reduced or sites removed during the examination process. This would lead to considerable delay and it is highly likely that the Inspector would require the Council to find additional sites, update the evidence base (such as transport and air quality modelling) and re-consult. By this time the adopted District Plan would be out-of-date. This would significantly increase the risk of speculative, unplanned and unwanted development.

### Approach to Unmet Need

69. The Site Selection process has determined the potential for growth within Mid Sussex and consequently the extent by which the district's needs can be met and the district's ability to contribute towards unmet need elsewhere.
70. The Site Selection process identifies a further significant site with potential:

Policy Ref	Site	Settlement	Housing Yield	Other Infrastructure Proposed
<b>DPH8</b>	Crabbet Park, Old Hollow, Near Crawley	Copthorne	1,000	<ul style="list-style-type: none"> <li>• Primary School</li> <li>• Leisure</li> <li>• Retail</li> <li>• GP</li> </ul>

- 71. **Crabbet Park** is located on Crawley’s eastern border and can deliver approximately 2,300 dwellings. This site was carefully considered during the preparation of the adopted Plan but was rejected due to land ownership uncertainties and infrastructure concerns (related to access, impact on M23 and sewerage infrastructure). However, the site is now being actively promoted and work is being progressed by the site promoter to address these concerns.
- 72. Given the scale of work required to bring this site forward it is considered that only 1,000 homes are likely to be brought forward in the draft Plan period. This position will be reviewed as work on the draft Plan progresses. This site could potentially contribute towards unmet need arising in Crawley.
- 73. Therefore, the allocation of this site leads to a total housing supply of 20,139 within the plan period, as set out in policy DPH1.

<b>Total Housing supply from 2021 – 2038</b>	<b>20,139</b>
<b>(Local Housing Need)</b>	<b>(18,581)</b>
<b>Total under/over supply for resilience and wider HMA</b>	<b>+1,558</b>

- 74. The Council has carefully considered its ability to increase its contribution to meeting the unmet needs in the Northern West Sussex HMA, and to contribute towards unmet need arising from the Coastal West Sussex HMA. Through the Site Selection methodology officers thoroughly and robustly tested the conclusions reached. This included revisiting each stage of the assessment process to determine whether sites initially concluded as ‘rejected’ could have some potential for development and therefore further contribute towards unmet need. The Site Selection: Conclusions paper reflects this exercise.
- 75. In conclusion, the Site Selection process has robustly justified the conclusions for each site. Further in-combination testing has also demonstrated that (particularly in sustainability and transport terms) meeting Mid Sussex need alone will not be without challenges that will need to be resolved as the plan progresses.
- 76. The Council is confident that it has explored and maximised its opportunities to contribute towards unmet need and that the benefits of increasing this contribution would be significantly outweighed by adverse impacts.

**In-Combination Impacts**

- 77. The proposed approach has been tested by the Mid Sussex Transport Model and is reported in the Mid Sussex Transport Study. As expected, the approach will be challenging to deliver without impacting on the transport network. The NPPF (paragraph 111) is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.
- 78. The transport evidence base is iterative; further iterations of the study will assess detailed options for mitigation to address any ‘severe’ impacts that could be predicted to arise if no mitigation was provided.

79. The first priority for transport mitigation is to reduce impacts by improving opportunities for sustainable transport, with physical interventions (such as junction improvements) the second priority. Site promoters will be required to support their allocations with a substantial transport evidence base which has been verified and agreed by WSCC (the highways authority) and National Highways where the impacts are related to its network.
80. Identification of severe impacts at Regulation 18 stage does not automatically rule out a site for allocation if there is some prospect that the impacts can be effectively mitigated. As the transport evidence base is iterative, findings at this stage indicate areas where further work will need to be undertaken ahead of submission; this will involve working co-operatively with the highways authority, National Highways and site promoters to establish appropriate (and evidence based) sustainable transport targets and measures, infrastructure priorities and investment requirements.
81. Transport movements have also been tested through Air Quality modelling to ensure no adverse impacts on Ashdown Forest SAC/SPA. Modelling shows that no adverse impacts are expected from the suite of sites proposed for allocation.

## **Meeting Other Needs**

### Housing Types and Mix

82. Additional policies related to housing need are proposed in line with evidence set out in the SHMA and new government policy including:
  - a facilitative Self and Custom Build housing policy (DPH34) to help meet local needs identified within the Council's Self Build register. Self and Custom build housing will also be expected to be delivered on Significant Sites.
  - a policy on First Homes (DPH37).
  - A policy on the housing mix for market and affordable homes set out (DPH36).
  - a policy on Older Persons' and Specialist Accommodation (use class C2) (Policy DPH30) which requires provision of such accommodation on Significant Sites. In addition, two sites are specifically allocated for this use (DPH31: Land at Byanda, Hassocks and DPH32: Land at Hyde Lodge, Handcross)

### Employment

83. Crawley, Horsham and Mid Sussex make up a local Functional Economic Market Area (FEMA). An Economic Growth Assessment (EGA) was commissioned for the FEMA and was published in 2020. A Mid Sussex EGA update has been prepared to consider changing economic circumstances since, in particular the Covid-19 pandemic and forecast impact on job growth and land requirements.
84. The EGA update confirms that, based on predicted future housing growth, economic forecasting and current supply of employment sites permitted and allocated, there is a surplus of employment land up to 2038. The EGA update therefore concludes that no further employment allocations are required at this stage.
85. However, in order to create mixed and balanced communities and to ensure more opportunities are provided for people to work locally, it is proposed that Significant Sites make provision for local employment opportunities as part of their land use mix (set out in DPE3 and individual site allocation policies).

86. In addition, policy DPE2 allows for current employment sites to expand and grow in order to meet future needs of businesses.

### Gypsy and Traveller Provision

87. The updated Gypsy and Traveller Accommodation Assessment establishes an unmet need for 4 pitches for travellers which meet the government's definition set out in the Planning Policy for Traveller Sites within the plan period to 2038. In order to meet this need, Significant Sites will be expected to provide pitches on-site and this is set out in policy requirements for these sites and reiterated in policy DPH33: Gypsies, Travellers and Traveling Showpeople.

### Retail

88. Since the District Plan was adopted in 2018, much has changed in relation to retail. The updated Retail Study has assessed future needs for retail as well as policy recommendations to respond to national policy on town centre uses and changes to the Use Class order in 2020 (related specifically to Class E). Whilst the study concludes that there is no requirement for additional allocation of retail land, it has proposed boundary revisions and sets policy requirements for designated town centre and Primary Shopping Areas which are set out in policies DPE4 and DPE5 and as shown on the Policies Map.

### **Further Policy Updates**

89. Following the conclusions reached during Stage 1: Review, policies have been updated in accordance with their review status. The list of policies which need to be updated and the list of policies which do not require updating is in Appendix 2. This shows their review status and which adopted Plan policies will be replaced upon adoption.
90. Stakeholders will have the opportunity during the consultation to:
- Review and comment on the 'Scope' of the review i.e. if there are any unchanged policies that need to be updated/if any additional policies are required;
  - Review and comment on the content of policies i.e. if they are sound, justified by the evidence and set appropriate standards/requirements.
91. Alongside updated versions of existing policies, the updated District Plan also includes a range of new policies that were not in the previous District Plan. The inclusion of these policies reflects updated priorities both locally and nationally. The update District Plan includes new policies on:
- Climate Change (DPS1)
  - Health and Wellbeing (DPS6)
  - Biodiversity Net Gain (DPN2)
  - Cycling (DPT3)
  - Parking and Electric Vehicle Charging Infrastructure (DPT4)
  - Major Infrastructure Projects (DPI13)

### **Consultation**

92. Subject to the Scrutiny Committee's recommendation and Council approval on 9th February 2022, the Consultation Draft (Regulation 18) District Plan 2021 – 2038 will be subject to public consultation for six-weeks, proposed for 14th February until 28th March 2022.

93. This represents the first opportunity for members of the community, statutory bodies, organisations and other stakeholders to comment on the proposals. The Council would like to hear views which will help shape future iterations of the District Plan before it is submitted to the Secretary of State for independent examination by a Planning Inspector.
94. Consultation will be carried out in accordance with the prescribed regulations, the Council's adopted Statement of Community Involvement, and the Community Involvement Plan included in Appendix 3.
95. To ensure as many stakeholders as possible can be involved and engaged in the process, the following consultation methods will be used:
- Press release, email alert and utilise social media to advertise;
  - Documentation available on Council website including an on-line response form, consultation portal and interactive map;
  - Letters or emails to specific consultation bodies (statutory consultees) and to other organisations listed in the Community Involvement Plan;
  - Emails to those subscribed to the Planning Policy email alert service
96. This approach goes beyond the minimum requirements set out in the regulations. The full approach is set out in the Community Involvement Plan (Appendix 3).
97. There will be further opportunities to comment on the District Plan prior to its adoption. A further iteration of the District Plan (known as Regulation 19), which reflects the results of consultation, will be considered by this Scrutiny Committee and Council in summer 2022 which will be followed by a second round of consultation. Upon submission to the Secretary of State, stakeholders will have the opportunity to submit further statements and evidence at the Examination in Public. The Inspector will review all evidence and provide a report on conclusions.

### **Policy Context**

98. The review (and subsequent update) of the District Plan is a corporate priority identified within the Corporate Plan and Budget 2021/22 (March 2021) and Service Plan for Planning and Economy. It aligns with the Council's priorities for Sustainable Economic Growth and Strong and Resilient Communities.

### **Other Options Considered**

99. As described in paragraph 6, there is a legal and national policy requirement to review the Plan and update where necessary. There is also a Council commitment within its currently adopted District Plan to do so. The Council could decide not to review or update the Plan, however this would have significant impacts on its ability to maintain a five-year supply and to implement a plan-led approach to development leading to unwanted speculative development. There is potential for development to be brought forward on appeal, without delivering the benefits set out in policies (such as infrastructure provision).

### **Strategy**

100. An alternative strategy approach, to continue with the adopted District Plan strategy, has been described in this paper and reasons for updating the Strategy, supported by the conclusions of the Sustainability Appraisal, are set out above.

## **Sites**

101. The Site Selection Process and conclusions provide justification for the sites selected for allocation.
102. An alternative approach would be to reduce reliance on Significant Sites, and to allocate an equivalent yield on smaller sites spread across the district. The Site Selection process has concluded that there are insufficient additional sites to those proposed for allocation. The reasons for rejecting sites are fully justified; allocation of sites currently rejected would have negative impacts that would not be outweighed by benefits, may not be deliverable, or sustainable.
103. Significant Sites have the ability to provide much needed infrastructure and facilities/services on-site, not only to benefit new residents but to also improve the sustainability of the existing community. This would not be possible by allocating smaller sites across the district.

## **Policies**

104. Policies have been updated to accord with national policy and reflect changing local circumstances. They are based on a sound and robust evidence. Stakeholders will have the opportunity during the consultation to comment on the scope as set out above.

## **Financial Implications**

105. Preparation of the District Plan review and update is funded by a specific reserve, as agreed in the Corporate Plan and Budget 2021/22 (March 2021). 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 project is on-budget.

## **Risk Management Implications**

106. There is a legal and national policy requirement to review and update local plans to ensure that they continue to be effective and carry full weight when making planning decisions. Without an updated plan, there is a risk that policies would be deemed out-of-date and could not be used when determining planning applications.
107. The housing requirement will revert to the Standard Method requirement (1,093 dwellings per annum) automatically on the 5<sup>th</sup> anniversary of current plan adoption i.e. 2023. Without an updated District Plan to take its place, there is a risk that the housing requirement will increase with insufficient supply identified through allocations to meet it. This has risk implications for the Council's five-year housing land supply and could lead to speculative development.
108. The Government consulted on changes to the planning system in 2020. The outcomes of this consultation have not been published, therefore any future changes and/or transition periods are unknown at this time. The Government has urged local authorities to continue plan-making. This position will be kept under review as the District Plan progresses.

## **Equality and Customer Service Implications**

109. An Equality Impact Assessment has been prepared to ensure opportunities to promote equality and/or barriers to service are considered and addressed. This is at Appendix 4.

## **Other Material Implications**

110. There are no other material implications.

## **Sustainability Implications**

111. The updated District Plan (Section 3) outlines the sustainability considerations taken into account during the drafting, which includes alignment with the UN Sustainable Development Goals and national policy requirements related to social, economic and environmental impacts.

112. The site selection process includes sustainability criteria, including the rejection of sites that would not contribute to sustainable development. The updated District Plan includes a range of sustainability policies. 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.

## **Appendices**

1. Consultation Draft District Plan 2021 - 2038
2. District Plan Review – Scope
3. Community Involvement Plan
4. Equalities Impact Assessment

## **Background Papers**

The full evidence base, including Sustainability Appraisal and Habitats Regulations Assessment, is available online at [www.midsussex.gov.uk/DistrictPlan](http://www.midsussex.gov.uk/DistrictPlan)