

DISTRICT PLAN 2021 – 2039 – SUMMARY OF RESPONSES TO DRAFT MID SUSSEX DISTRICT PLAN CONSULTATION (REGULATION 18)

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Wards Affected: All - outside the South Downs the National Park
Key Decision: No
Report to: Scrutiny Committee for Planning, Economic Growth and Net Zero
15th March 2023

Purpose of Report

1. This report provides information about the outcome of the draft Mid Sussex District Plan 2021-2039 (Regulation 18) consultation which took place from 7th November to 19th December 2022. It asks Members to note the representations made and the next steps.

Summary

2. This report:
 - a) Sets out the background to the draft Mid Sussex District Plan 2021-2039 and the work undertaken to date;
 - b) Provides a summary of the representations which were received during the recent draft Mid Sussex District Plan 2021-2039 (Regulation 18) consultation; and
 - c) Sets out the next steps in the preparation of the Mid Sussex District Plan 2021-2039

Recommendations

3. **The Scrutiny Committee for Planning, Economic Growth and Net Zero are recommended:**
 - (i) **To note the comments received during the public consultation on the Draft Mid Sussex District Plan 2021-2039 and supporting documentation; and**
 - (ii) **To note the additional work required and the next steps ahead of the Regulation 19 stage.**
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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 to review the plan (policy DP4: Housing), starting in 2021 with submission to the Secretary of State in 2023.

5. The draft District Plan and supporting documentation was considered by this Committee on 5th October 2022 (Scope of Review, Strategy and Non-Housing Site policies) and 18th October 2022 (Whole Plan). The Committee recommended to Council that the draft District Plan and associated documentation should be approved for consultation purposes. Council approved the draft District Plan for public consultation at its meeting on 2nd November 2022. The consultation commenced on 7th November and concluded on 19th December 2022.

Consultation process

6. The consultation was the first formal opportunity for the community, statutory bodies, organisations and other stakeholders to formally comment on the draft proposals. It is a key stage in the preparation of the Mid Sussex District Plan as it will help to shape future iterations of the Plan.
7. The consultation has been carried out in accordance with the prescribed regulations, the Council's adopted Statement of Community Involvement¹, and the Community Involvement Plan².
8. To ensure as many stakeholders as possible were involved and engaged in the process, the Council:
 - Issued press releases, email alerts and utilised social media;
 - Made documentation available at key locations including at the Council's office, the district's libraries and Help Points and on the Council's website. As well as the draft District Plan and consultation documents, such as the Sustainability Appraisal, the website also included an on-line response form, consultation portal and interactive policies map;
 - Sent letters or emails to specific consultation bodies (statutory consultees) and to other organisations listed in the Community Involvement Plan;
 - Emailed those subscribed to the Planning Policy email alert service;
 - Held two briefings for all Town and Parish Councils as well as individual briefings where requested;
 - Ran six staffed public exhibitions / drop sessions in locations around the district (further details are set out below)
 - Prepared a Frequently Asked Questions pack which was made available on the webpage³ and at the staffed exhibitions / drop in sessions.
9. This approach goes beyond the minimum requirements set out in the regulations and the Council's Statement of Community Involvement.

Consultation Portal: Inovem

10. In line with the Government's push to digitise planning processes, the Council used an online consultation portal: Inovem. A fully navigable version of the draft District Plan was provided on the consultation portal. Once registered, interested parties could write and submit their comments under each section as they were browsing the Plan.

¹ www.midsussex.gov.uk/media/3951/statement-of-community-involvement.pdf

² www.midsussex.gov.uk/media/8591/reg18-dp-cip.pdf

³ www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review

11. The use of the consultation portal has the potential to significantly speed up the analysis and reporting stage of the consultation. It also increases traceability for respondents with the ability to amend their comments for the time of the consultation and review all comments submitted during any consultations held via the portal. Unfortunately, in this first time using Inovem, only a third of responses received were submitted via the portal. Additional promotion of the consultation portal will be key at the next consultation to maximise its benefit.

Public Exhibitions

12. Public Exhibitions were held to support the consultation at six locations across the district between 21st November and 6th December 2022. Settlements where significant housing growth was proposed were prioritised. The content of each session was the same to ensure that those unable to attend their local exhibition received the same information by attending an exhibition in another area.
13. The sessions were advertised via the consultation webpage, social media and Town and Parish Councils. Exhibitions were well attended as shown below.

Exhibition	Approximate Attendance
Bolney (21 st November)	100
Hurstpierpoint (22 nd November)	100
Sayers Common (24 th November)	50-70
Crawley Down (28 th November)	50-60
Burgess Hill (30 th November)	40
Haywards Heath (6 th December)	15

14. Posters summarised the content of the draft District Plan and attendees had the opportunity to ask the Officers questions about the proposals. Maps showing the proposed housing sites were displayed and a summary leaflet and Frequently Asked Questions pack were available in hard copy for attendees to take away. This information was also made available on the District Plan Review webpage⁴.

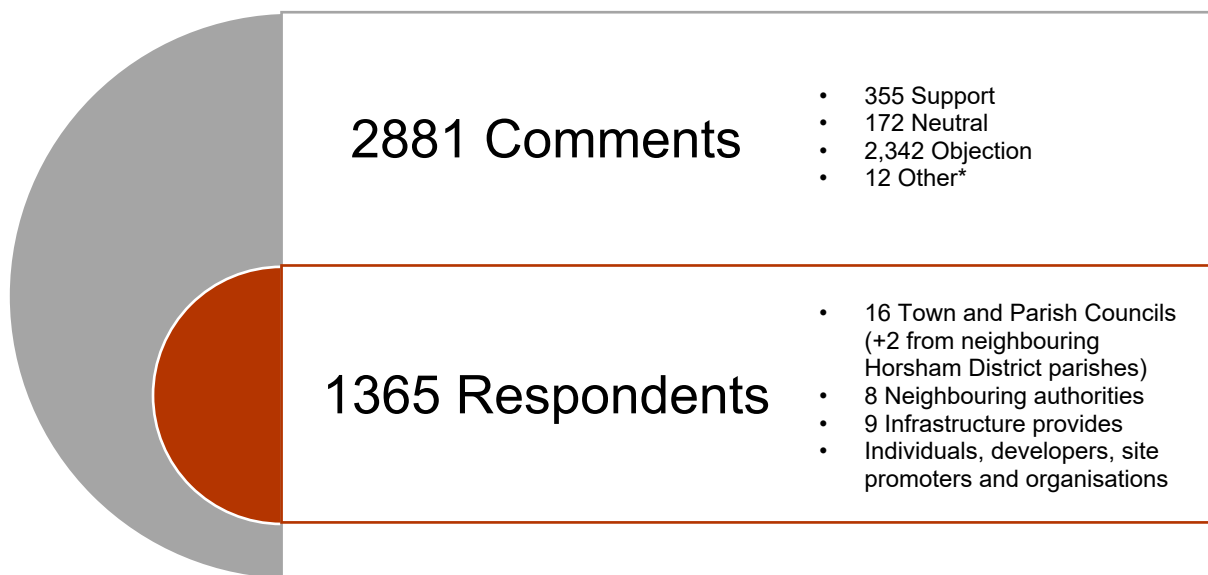
Outcomes of the consultation

15. The consultation commenced on 7th November and concluded on 19th December 2022. In total, **1,365 respondents** submitted **2,881 individual comments**⁵ on the document and supporting evidence (including the Sustainability Appraisal and Habitats Regulations Assessment).
16. **Appendix 1** sets out a summary of all comments received and the key issues raised are summarised below. All the comments in full are available on the District Plan Review webpage⁶.

⁴ www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review

⁵ Some comments are related to multiple policies and/or topics.

⁶ www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review



* Includes comments not related to the District Plan and duplicate comments

Figure 1 - Number of Comments received.

The Proposed Spatial Strategy

17. 209 comments were received on the proposed strategy for the District Plan
 - **Support:** 7
 - **Object:** 184
 - **Neutral:** 18

18. The most significant number of objections to the spatial strategy raised concerns about current infrastructure and its ability to accommodate further growth.

19. Eight comments were received in relation to the 20-minute neighbourhood principle, setting out concerns that people would be restricted to using facilities and services within 20 minutes of their home. Given the recent press interest in this concept it is important to note that this is not the purpose of 20-minute neighbourhoods. It is a sustainable approach to creating places that have facilities and services which provides people with opportunities to meet their day to day needs locally and in a way that can be accessed by foot or on a bicycle.

Policies

20. Over 800 comments were submitted in relation to the 58 draft policies. The table below summaries the number of comments received for each of the draft policies and whether these comments were generally supporting, objecting or neutral.

Policy	Status	Comments received			
		Total	Sup	Obj	Neu
DPS1: Climate Change	New Policy	30	5	21	4
DPS2: Sustainable Design and Construction	Major Update	49	5	40	4
DPS3: Renewable and Low Carbon Energy Schemes	Minor Update	15	1	13	1
DPS4: Flood Risk and Drainage	Minor Update	38	2	36	0
DPS5: Water Infrastructure and Water Environment	Minor Update	21	2	16	3
DPS6: Health and Wellbeing	New Policy	25	4	19	2

Policy	Status	Comments received			
		Total	Sup	Obj	Neu
DPN1: Biodiversity, Geodiversity and Nature Recovery	Major Update	27	6	21	0
DPN2: Biodiversity Net Gain	New Policy	33	4	26	3
DPN3: Green Infrastructure	New Policy	23	3	18	2
DPN4: Trees, Woodland and Hedgerows	Minor Update	82	3	79	0
DPN5: Historic Parks and Gardens	No Update	3	1	2	0
DPN6: Pollution	New Policy	7	1	6	0
DPN7: Noise Impacts	Minor Update	4	0	4	0
DPN8: Light Impacts and Dark Skies	Minor Update	5	0	5	0
DPN9: Air Quality	Minor Update	6	0	6	0
DPN10: Land Stability and Contaminated Land	New Policy	3	0	3	0
DPC1: Protection and Enhancement of the Countryside	Minor Update	18	2	12	4
DPC2: Preventing Coalescence	No Update	21	1	17	3
DPC3: New Homes in the Countryside	Minor Update	13	1	10	2
DPC4: High Weald Area of Outstanding Natural Beauty	Minor Update	16	3	10	3
DPC5: Setting of the South Downs National Park	No Update	7	3	3	1
DPC6: Ashdown Forest SPA and SAC	Minor Update	9	5	1	3
DPB1: Character and Design	Minor Update	13	1	11	1
DPB2: Listed Buildings and Other Heritage Assets	Minor Update	3	2	1	0
DPB3: Conservation Areas	No Update	3	0	3	0
DPT1: Placemaking and Connectivity	Major Update	29	4	21	4
DPT2: Rights of Way and Other Recreational Routes	No Update	8	3	5	0
DPT3: Active Travel	New Policy	18	3	11	4
DPT4: Parking and Electric Vehicle Charging Infrastructure	New Policy	11	2	4	5
DPT5: Off-Airport Car Parking	New Policy	5	2	3	0
DPE1: Sustainable Economic Development	Major Update	6	1	4	1
DPE2: Existing Employment Sites	Minor Update	6	0	6	0
DPE3: Employment Allocations	New Policy	7	1	5	1
DPE4: Town and Village Centre Development	Major Update	6	2	3	1
DPE5: Within Town and Village Centre Boundaries	Major Update	2	0	1	1
DPE6: Development within Primary Shopping Areas	Major Update	0	0	0	0
DPE7: Smaller Village and Neighbourhood Centres	Major Update	3	0	2	1
DPE8: Sustainable Rural Development and the Rural Economy	Minor Update	4	0	3	1
DPE9: Sustainable Tourism and the Visitor Economy	Minor Update	7	1	6	0
DPH2: Sustainable Development - Outside the Built-up Area	New Policy	25	4	20	1
DPH3: Sustainable Development - Inside the Built-up Area	New Policy	12	4	8	0
DPH4: General Principles for Housing Allocations	New Policy	29	5	23	1
DPH26: Older Persons' Housing and Specialist Accommodation	New Policy	14	4	9	1
DPH29: Gypsies, Travellers and Travelling Showpeople	Major Update	7	2	4	1
DPH30: Self and Custom Build Housing	New Policy	12	1	10	1
DPH31: Housing Mix	Major Update	26	3	22	1
DPH32: Affordable Housing	Minor Update	27	2	22	3
DPH33: First Homes	New Policy	14	3	10	1

Policy	Status	Comments received			
		Total	Sup	Obj	Neu
DPH34: Rural Exception Sites	Minor Update	8	2	4	2
DPH35: Dwelling Space Standards	No Update	5	2	3	0
DPH36: Accessibility	Minor Update	9	1	8	0
DPI1: Securing Infrastructure	Major Update	33	4	23	6
DPI2: Planning Obligations	New Policy	8	2	3	3
DPI3: Major Infrastructure Projects	New Policy	3	1	1	1
DPI4: Communications Infrastructure	Minor Update	1	1	0	0
DPI5: Open Space, Sport and Recreational Facilities	Minor Update	10	4	4	2
DPI6: Community and Cultural Facilities and Local Services	Minor Update	7	3	2	2
DPI7: Viability	Minor Update	6	2	3	1

21. Of the Policies, 30 were either new or were subject to major changes compared to the adopted District Plan policy. 18 of these policies received 10 or less objections, including two policies (DPE6: Development in Primary Shopping Areas and DPI4: Communications Infrastructure) which received no objections. 12 received over 10 objections.
22. The Sustainability chapter contains four updated and two new policies focusing on the delivery of sustainable growth. 40 objections were received in respect of the two new policies: DPS1: Climate Change and DPS6: Health and Wellbeing. Whilst the principles of both policies were generally supported, many respondents suggested that the wording could be strengthened. Others raised concerns regarding the blanket application of the policies' requirements.
23. Policies DPT1: Placemaking and Connectivity and DPT3: Active Travel together received 32 objections. Objections were mainly related to the location of proposed development, insufficient infrastructure and the need to amend wording to strengthen policy.
24. It is worth noting that whilst Policy DPN4: Trees, Woodland and Hedgerows received a total of 82 comments, 64 of these were specifically seeking additional protection to Worth Forest in light of concerns regarding a potential holiday park development in that location. A local campaign group against the (then) proposed Center Parcs development encouraged its supporters to make representations to the consultation.

Housing

Policy	Comments received			
	Total	Sup	Obj	Neu
DPH1: Housing	395	180	208	7

25. The 395 comments received in respect of Policy DPH1: Housing includes submissions on a range of matters not specifically directed at the Policy but related to wider housing matters including:
 - **Sites not included in the Plan (Omission sites):** 79 comments
 - **Housing requirement:** 96 comments
 - **Exclusion of the significant site at Ansty:** 180 comments in support, alongside an objection submitted by the site promoter
 - The remainder relate to commitments, windfall, unmet need and overall supply.

26. **Sites not included in the Plan (Omission sites):** A total of 79 comments were received in relation to omission sites. These are sites that were either already in the Strategic Housing and Employment Land Availability Assessment (SHELAA) (56 sites) and assessed through the Site Selection process but not taken forward as proposed allocations, or new sites (nine sites) that have been submitted to the Council through the consultation. The new sites will be included in an updated SHELAA and assessed through the Site Section process using the same methodology used at Regulation 18 stage. The conclusions of this work will inform the preparation of the Regulation 19 Plan.
27. **Housing requirement:** 96 comments were received objecting to the housing requirement figure predominately from site promoters of sites not included in the draft District Plan. They argue that the proposed over-supply was not high enough, the draft District Plan did not address the unmet housing need from neighbouring authorities, or the updated spatial strategy had not been applied correctly. Other comments received in relation to the housing need figure were generally supportive in the use of the Standard Method stating that it is compliant with the NPPF.
28. **Exclusion of the significant site at Ansty:** 180 comments were received in support of the draft District Plan exclusion of the significant site at Ansty. The site promoter submitted a representation objecting to the draft District Plan.

Significant Sites

29. 615 comments were submitted in relation to the significant sites. The table below summaries the number of comments received against each of the draft policies and whether these comments were generally supporting, objecting or neutral.

Housing Site	No of Homes	Comments received			
		Total	Sup	Obj	Neu
DPSC1: Land to the west of Burgess Hill	1,400	145	2	136	7
DPSC2: Land to the south of Reeds Lane, Sayers Common	2,000	417	7	402	8
DPSC3: Land at Crabbet Park, Copthorne	2,300	53	4	43	6

30. The number of comments and objections received to each of the proposed significant sites was noticeably varied. The most objections were received in respect of DPSC2: Land to the South of Reeds Lane (402 objections). DPSC1: Land west of Burgess Hill and DPSC3: Land at Crabbet Park received significantly fewer objections, 136 and 43 respectively.

Housing sites

31. There were over 800 comments to the proposed housing allocations. The table below summarises the number of comments received against each of the proposed housing allocations and whether these comments were generally supporting, objecting or neutral.

Housing Site	No of Homes	Comments received			
		Total	Sup	Obj	Neu
DPH5: Batchelors Farm, Keymer Road, Burgess Hill	33	10	1	8	1
DPH6: Land at Hillbrow, Janes Lane, Burgess Hill	25	10	0	9	1

Housing Site	No of Homes	Comments received			
		Total	Sup	Obj	Neu
DPH7: Burgess Hill Station, Burgess Hill	300	94	0	94	0
DPH8: Land off West Hoathly Road, East Grinstead	45	6	1	4	1
DPH9: Land at Hurstwood Lane, Haywards Heath	45	4	1	3	0
DPH10: Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath	30	4	1	3	0
DPH11: Land east of Borde Hill Lane Haywards Heath	60	134	1	129	4
DPH12: Orchards Shopping Centre, Haywards Heath	100	6	0	5	1
DPH13: Land to west of Turners Hill Road, Crawley Down	350	59	0	57	2
DPH14: Hurst Farm, Turners Hill Road, Crawley Down	37	16	1	14	1
DPH15: Land rear of 2 Hurst Road, Hassocks	25	6	2	3	1
DPH16: Land west of Kemps, Hurstpierpoint	90	73	1	70	2
DPH17: The Paddocks, Lewes Road, Ashurst Wood	8-12	5	0	3	2
DPH18: Land at Foxhole Farm, Bolney	200	271	2	268	1
DPH19: Land at Chesapeake and Meadow View, Reeds Lane, Sayers Common	33	17	3	14	0
DPH20: Land at Coombe Farm, London Road, Sayers Common	210	25	1	22	2
DPH21: Land to the West of Kings Business Centre, Reeds Lane, Sayers Common	100	15	1	14	0
DPH22: Land at LVS Hassocks, London Road, Sayers Common.	200	14	0	14	0
DPH23: Ham Lane Farm House, Ham Lane, Scaynes Hill	30	25	0	22	3
DPH24: Challoners, Cuckfield Road, Ansty	37	31	0	30	1
DPH25: Land to the west of Marwick Close, Bolney Road, Ansty	45	25	1	22	2
DPH27: Land at Byanda, Hassocks	TBC	5	1	3	1
DPH28: Land at Hyde Lodge, Handcross	TBC	6	0	4	2

32. The two significant sites (DPSC1: Land to the west of Burgess Hill and DPSC2: Land to the south of Reeds Lane), together with DPH7 Burgess Hill Station, DPH11 Land east of Borde Hill Lane, DPH16 Land west of Kemps, and DPH18 Land at Foxhole received the vast majority of the responses (around 75% of comments received on all sites).
33. By comparison, a lower level of response was received on the remaining 20 housing sites. The following proposed sites received 10 objections or less:
- **DPH5:** Batchelors Farm, Keymer Road, Burgess Hill
 - **DPH6:** Land at Hillbrow, Janes Lane, Burgess Hill
 - **DPH8:** Land off West Hoathly Road, East Grinstead
 - **DPH9:** Land at Hurstwood Lane, Haywards Heath
 - **DPH10:** Land at Junction of Hurstwood Lane and Colwell Lane, Haywards Heath
 - **DPH12:** Orchards Shopping Centre, Haywards Heath
 - **DPH15:** Land rear of 2 Hurst Road, Hassocks
 - **DPH17:** The Paddocks, Lewes Road, Ashurst Wood
 - **DPH27:** Land at Byanda, Hassocks
 - **DPH28:** Land at Hyde Lodge, Handcross

34. Officers will continue to liaise with the site promoters and review the comments received, including those from statutory consultees and infrastructure providers to ensure they remain the most suitable sites for allocation.
35. Non-site-specific comments were also received in relation to potential impacts of the draft District Plan proposals on wider areas:
 - Sayers Common village: 101 comments
 - Burgess Hill: 16 comments
 - Hurstpierpoint: 47 comments
 - Crawley Down: 4 comments
36. Many of the issues raised will require additional work ahead of the Regulation 19 consultation. This includes further assessment and evidence work as set out in the Next Steps section of this report.

Other Comments

37. Whilst the majority of comments received were related to the proposed sites or policies, a number of respondents also raised other issues:
 - **Evidence base:** 187 comments
 - **Consultation Arrangements:** 48 comments
38. **Evidence base:** There were 108 comments regarding the assessment and site selection process of the proposed housing allocations. For example, site promoters of sites which were not progressed submitted additional evidence/justification for why their site should have been allocated. Updated evidence submitted by respondents will be reviewed ahead of Regulation 19.
39. 16 comments were received regarding the Transport Study. Comments from statutory transport consultees (National Highways and local highways authorities) provided technical feedback and sought an ongoing dialogue to understand any potential cross boundary impacts.
40. 34 comments were received in relation to the infrastructure evidence base. The publication of the draft Infrastructure Delivery Plan (IDP) alongside the draft District Plan was generally supported. The IDP will be updated prior to Regulation 19 in view of the comments provided by key infrastructure consultees, and ongoing discussions between providers, the Council and site promoters.
41. The remaining comments were spread between other evidence base documents.
42. **Consultation:** 48 comments specifically related to the consultation arrangements, in particular to the length and timing of the consultation. However, as these matters are prescribed within regulations, Members can be confident that the consultation on the draft District Plan was legally compliant in this respect.
43. In accordance with the regulations, the Council consulted the 'Specific Consultation Bodies'. Comments were also received from a number of key respondents.
 - **Neighbouring Authorities:** The recurring themes of the representations from neighbouring authorities relate to transport impacts and unmet housing need.

- **West Sussex County Council:** Suggests policy wording amendments for clarity but also to reflect latest agreed positions; work will be ongoing as the Plan progresses towards submission. The County Council highways authority recognise that the transport modelling is an iterative process and therefore will not be finalised until nearer submission, so until this evidence has matured, they maintain a holding objection. However, it is important to note that the highways authority is fully engaged with the work and this is progressing as planned.
- **Infrastructure providers:** Nine infrastructure providers, including West Sussex County Council, provided comments. Amendments have been suggested to strengthen the plan. Of note:
 - **NHS:** Support the draft District Plan in that it will enable NHS infrastructure delivery alongside new homes. They state they will continue to work with this Council to review proposed locations for growth.
 - **South East Water:** No objection in relation to water availability to serve proposed housing allocations.
 - **Southern Water:** No objection in relation to wastewater; suggest wording amendments to ensure protection and timely delivery of infrastructure.
 - **WSCC (Education):** No objection. Suggests wording for consistency. Will continue to work with the Council on provision of a Special Educational Needs school to meet need.
- **Natural England:** Suggests various policy wording amendments to strengthen proposed policies. Natural England has requested that significant sites within the setting of a protected landscape should be informed by a Landscape and Visual Impact (LVIA) or a landscape capacity study ahead of the Regulation 19 stage. No objections were raised on the Habitat Regulations Assessment, although minor additional work will be needed to acquire full support from Natural England as the plan progresses.
- **Historic England:** Generally supportive of the Council's approach but have requested additional policy criteria for sites which may have impact on listed buildings.
- **Environment Agency:** Recommends amendments to policy wording, in particular for DPS4: Flood Risk and Sustainable Drainage, to strengthen and ensure policies reflect recently updated Guidance. No objection raised against proposed housing allocations with Flood Zone 2 and 3 within the site boundary but supports the Council approach to avoid development within those area. They suggest that the Council should ensure that the Strategic Flood Risk Assessment (SFRA) is up-to-date.
- **Town and Parish Councils:** The responses from Town and Parish Councils are predominantly objections or comments on the proposed site allocations within their respective town / parish. Concerns were also raised in relation to the status of Neighbourhood Plans.

Infrastructure

44. The delivery of the right level and type of infrastructure is key to supporting the creation of sustainable communities.
45. Infrastructure and services are provided by a range of organisations, outside the function of the District Council. It is therefore key to clearly set out where those responsibilities lie in relation to infrastructure provision, and how the Council is working to ensure that the relevant providers effectively inform the plan preparation process.

46. The Infrastructure Delivery Plan (IDP), produced alongside the draft District Plan, sets out the infrastructure position at the time the Plan was published. It is the result of partnership working with a variety of agencies and supports integration between housing and infrastructure planning. It specifies the infrastructure requirements to support new development within the Plan area and, where relevant, across the district boundary.
47. Infrastructure providers were consulted and their support for the draft Plan and the approach taken by the Council is set out in paragraph 43 above. The IDP is a live document and it will directly feed into the District Plan as work progresses. The Council is committed to securing and overseeing the delivery of infrastructure required to support future development across the district. This will be best achieved by continued dialogue with infrastructure providers throughout the preparation of the District Plan.

Duty to Co-operate

48. In accordance with legislation and national policy, the Council has a duty to co-operate with neighbouring authorities and other prescribed bodies; this means working constructively and actively on an ongoing basis for strategic planning matters.
49. Cross-boundary strategic issues arising from the preparation of the draft District Plan are well established and include, but are not limited to, the protection of internationally designated sites, transport matters and seeking options to addressing unmet housing need arising from neighbouring authorities. The Council positively engaged with its neighbouring authorities during the preparation of the draft District Plan on strategic cross-boundary matters and will continue to engage ahead of the next formal stages. All neighbouring authorities responding to the consultation, including Horsham District Council and Crawley Borough Council, noted that the Council had engaged positively and were therefore not objecting to the principle (legal element) of the duty to co-operate. There is a joint understanding of each other's current position and which areas will require further liaison and engagement. This work is iterative and is ongoing. In accordance with the NPPF, as the draft Plan progresses toward submission, Statements of Common Ground will be prepared to capture cross-boundary matters and progress made to address them.

Next steps

50. The following are the priority areas of work required before publication of the next version of the District Plan:
 - **Proposed Site Allocations:** Officers are working through the comments received on the proposed site allocations. Following which we will work with the site promoters to ensure there is sufficient information/evidence to address any issues raised. All allocations will be reviewed to ensure they can continue to be proposed for allocation, based on evidence.
 - **Sites not included in the Plan (Omission sites):** New sites submitted will be added to the Strategic Housing and Employment Land Availability Assessment and assessed through the Site Selection Methodology. Information received on existing omission sites will be reviewed and reflected in updated assessments if justified by satisfactory evidence. An updated SHELAA and Site Selection Paper will be published to inform the Regulation 19 Plan. If appropriate it may be necessary to reconvene the Members Working Group previously set up by

this Committee to discuss the outcomes of any revised Site Selection Paper ahead of Regulation 19 stage.

- **General Policies:** Officers will assess any proposed amendments and progress work on the policies, including further liaison and supporting evidence if required.
- **Evidence base:** Further transport modelling will be carried out, along with an updated Sustainability Appraisal and Habitats Regulation Assessment in accordance with the regulations. Other updates to the evidence base may be required to reflect changes to the planning system.

51. Officers will continue discussions with neighbouring authorities and key stakeholders and will work on preparing Statements of Common Ground as required by the NPPF. These will be completed and published at Regulation 19 stage.
52. The next formal stage of the process is the publication of the Proposed Submission District Plan (Regulation 19). The Council's adopted Local Development Scheme indicates this stage will take place in Summer/Autumn 2023 to allow sufficient time for the work outlined in this report to be completed. Following Regulation 19 consultation the District Plan, evidence base, and all consultation responses are submitted to the Secretary of State for examination. The Secretary of State will appoint an independent Inspector to conduct the Examination in Public of the District Plan. The examination is scheduled for early 2024.

Changes to the Planning System

53. In December 2022 the Government published a consultation document "Levelling-up and Regeneration Bill: Reforms to national planning policy". A number of respondents made reference to this consultation in their response, suggesting that this should lead to reduced housing numbers or that work on the Plan should stop or be paused.
54. The Government sought comments on a revised NPPF and changes to future planning policy to reflect the Levelling-up and Regeneration Bill (LURB). The Council submitted its response on 2nd March and this is a background paper to this report.
55. There are no proposed changes to the Standard Method calculation which is how the housing need for the district is calculated. The Standard Method will remain the starting point and an alternative approach can continue to be used, where justified by exceptional circumstances. In its response to the Government's consultation the Council has argued that the following local characteristics should be considered as exceptional circumstances when assessing local housing needs:
 - **Demographic Characteristics – household projections.** Due to specific local demographic circumstances which impact on the household projections used to identify housing need, the Council should be supported to use the most recent household projections which more appropriately reflect local needs. Currently, Councils must use out-dated 2014-based household projections, which do not reflect the current need despite more recent projections being available.

- **Economic Characteristics – adjustment for affordability.** The adjustment for affordability requires Councils to use workplace affordability ratios. Evidence shows that residence-based affordability ratios, which account for earnings potential from those that out-commute, is a more accurate way of reflecting affordability in our district. This is because 44 per cent of our residents out commute and can secure higher income levels.
 - **Environmental Characteristics** such as the presence of designated landscapes. Mid Sussex is 50% Area of Outstanding Natural Beauty, only 12% of our land areas is within a designated built-up area with the remainder set in countryside.
 - **Prevailing Rural Character.** The district is characterised by villages and market towns, therefore landscape sensitivity and implications for heights and density should be a consideration.
56. The proposed changes to the data sets will better reflect the housing need in this district which suggests a lower housing requirement. However, the use of these datasets will be dependent on the NPPF providing flexibility to allow their use when the revisions come into force.
57. As part of Government's aim to incentivise Plan making, changes to the operation of the 5-year housing land supply requirements are proposed. Subject to the proposed changes coming in to force as proposed, Mid Sussex will benefit from a reduced housing land supply requirement of 4 years and not 5 because the Council has published a Regulation 18 Plan with a policies map and proposed allocations. This would apply for a period of 2 years from the point that the changes to the Framework take effect.
58. The Government is clear that Plan making should continue and propose transition arrangements, with plans submitted for examination before 30 June 2025 being examined under the existing legal requirements. Government advises that changes to the NPPF are likely to be made in Spring 2023 with the enactment of the Bill following later estimated to be the end of 2024. The changes to the NPPF will impact on the preparation of the District Plan and will need to be reflected in the Regulation 19 Plan. In our response to the recent consultation on changes to the planning system, the Council has asked the Government to reconsider the transitional arrangements in respect to Plan reviews that may wish to take advantage of the new system.
59. As noted above, the Council's adopted Local Development Scheme estimates that the Proposed Submission Plan (Regulation 19) will be published in Summer/Autumn 2023. Therefore, the current planned timetable for the District Plan allows time to consider any implications arising, and to take advantage of, the proposed changes to the planning system before this Committee and Council considers the next iteration of the Plan.

Policy Context

60. 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

61. 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

62. 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.
63. If an up-to-date District Plan is not in place significant costs could arise from defending against speculative development. During a 7-year period without an up-to-date Local Plan the Council incurred costs of £720,000 defending speculative development.

Risk Management Implications

64. 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. In the meantime, as noted in paragraph 53 onwards, a consultation on short-term changes to the Planning System has recently completed, with changes to the NPPF likely to come in to force in Spring 2023. The Council will consider these changes before publishing its Regulation 19 version of the Plan to ensure it is policy and legally compliant ahead of submission to the Secretary of State for examination.
65. The Government has urged local authorities to continue plan-making, and currently Local Planning Authorities must continue to comply with current legislation, which requires Local Plans to be updated where required every 5 years. The same punishments for not complying, including the consequences of not meeting housing need or maintaining a 5-year housing land supply are still in force. This position will be kept under review as the work on the preparation of the District Plan progresses.

Equality and Customer Service Implications

66. 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

67. There are no other material implications.

Sustainability Implications

68. The updated District Plan includes a range of sustainability policies as described above. 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.
69. 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). Appendices

Appendix 1: Summary of Consultation Responses

Background Papers

Consultation Responses in full can be viewed here:

www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review

Response to the Reforms to the Planning System Consultation:

Covering Letter from the Cabinet Member -

<https://midsussex.moderngov.co.uk/documents/s15495/MIS 9a - Cllr RS Letter NPPF Consultation Response.pdf>

Technical Response - <https://midsussex.moderngov.co.uk/documents/s15496/MIS 9a - NPPF Technical Response.pdf>