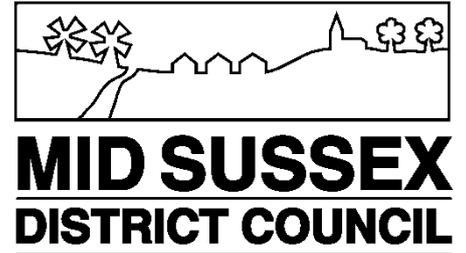


Mid Sussex District Council



Duty to Cooperate Statement

August 2016

Contents

1.0	Introduction	1
2.0	Duty to Cooperate Framework.....	1
3.0	Memorandums of Understanding with neighbouring and nearby local authorities	2
4.0	Statements of Common Ground with public bodies	4
5.0	Production of joint evidence with neighbouring authorities.....	5
6.0	Capacity of Mid Sussex District to Accommodate Development	7
7.0	Sustainability Assessment of Cross-Boundary Options	7
8.0	Coastal West Sussex and Great Brighton Strategic Planning Board.....	12
9.0	Representations on the Proposed Modifications to the Crawley Borough Local Plan 13	
10.0	Joint working with the Greater London Authority on planning for London and the 'Wider South East'	13
11.0	Consultation on Focused Amendments to the Pre-Submission Draft District Plan, November 2015	14
12.0	Cooperation with the Marine Management Organisation	15

1.0 Introduction

- 1.1 The document provides an update to the Duty Cooperate Statement (July 2013) that was submitted to the Planning Inspectorate with the previous Mid Sussex District Plan (May 2013). It explains the work that has been undertaken by Mid Sussex District Council over the period 2014 - 2016 in accordance with the duty to cooperate alongside the preparation of the revised version of the District plan – the Mid Sussex District Plan 2014 – 2031.

2.0 Duty to Cooperate Framework

- 2.1 The Council resolved to take a structured approach to meeting the duty to cooperate. A Duty to Cooperate Framework was therefore prepared with the objective of establishing a robust and transparent process to guide cooperation with the relevant local authorities and public bodies. It was also intended to enable cooperation to be monitored, the outcomes achieved recorded and the frequency of engagement with the relevant authorities/public bodies set out. In particular, the Duty to Cooperate Framework would enable the Council to demonstrate that engagement had been constructive, active, ongoing, collaborative, diligent and of mutual benefit, as required by legislation and national policy.
- 2.2 A draft Duty to Cooperate Framework was endorsed by the Council's Scrutiny Committee for Planning and Economic Development on 4th June 2014 on the basis that it would be kept under review. A review and update of the Framework was endorsed by the same Scrutiny Committee on 27th October 2015. The document is set out at **Appendix 1**.
- 2.3 The draft Framework set out what were understood to be the relevant strategic planning issues requiring cooperation with neighbouring and nearby local authorities and public bodies (in practice, these issues were to evolve during the discussions with the authorities/bodies). It also indicated that a programme of officer and Member meetings with all of the relevant local authorities would be arranged with the aim of achieving signed Memorandums of Understanding (MoU) with each of them. This was in accordance with the advice in the Planning Practice Guidance (Paragraph: 016 Reference ID: 9-016-20140306) that:

“Another way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross boundary matters. Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy.”

3.0 Memorandums of Understanding with neighbouring and nearby local authorities

3.1 Commencing in May 2014, ongoing duty to cooperate meetings with the following local authorities were held, as set out in the Duty to Cooperate Framework:

- Adur & Worthing Councils
- Arun District Council
- Brighton & Hove City Council
- Chichester District Council
- Crawley Borough Council
- East Sussex County Council
- Horsham District Council
- Lewes District Council
- South Downs National Park Authority
- Tandridge District Council
- Wealden District Council
- West Sussex District Council

3.2 During these meetings, the respective timetables for the preparation of local plan documents were shared and the relevant cross-boundary strategic planning issues and outcomes were discussed and agreed. Further meetings were arranged to discuss emerging evidence base documents such as the “Capacity of Mid Sussex District to Accommodate Development” study (see section 6), “Sustainability Assessment of Cross Boundary Options” (see section 7) and “Housing Provision Paper” (see section 8). This continued engagement led to the drafting of Memorandums of Understanding, which were generally signed either by the relevant Cabinet Member for planning or the Leader of the Council. The most recent versions of these signed MoUs are included in **Appendix 2**.

3.3 In the case of Crawley and Horsham Councils, the pre-existing Northern West Sussex Authorities Position Statement was revised in lieu of an MoU. In the case of Tandridge District Council, which has not adopted a cabinet model of governance and hence does not have a planning portfolio holder, the MoU was signed at chief officer level.

3.4 As the relevant strategic issues developed (such as a revised assessment of Objectively Assessed Housing Need, a new key piece of evidence was published or local plan timetables changed), this triggered the need for an updated MoU. It has also become apparent that there were only indirect links on certain strategic planning matters with some authorities such as Arun and Chichester, where issues crossed housing market area boundaries rather than the respective district boundaries.

3.5 Following the release of new household projections by DCLG in July the Council held meetings with CBC and BHCC to advise them of the impact of this data on 27th July

and 29th July respectively. These meetings were followed up in writing on the 4th August and acknowledged by CBC on 11th August and 27th July and BHCC on 12 August (see appendix 7 and 8). The impact of the change in household projections is that the OAN after applying vacancy rates and market signals increases from 656 to 754 dwellings pa. The provision number remains at 800 dwellings pa, thereby reducing the amount available to meet the housing needs of neighbouring authorities.

- 3.6 At least one MoU or Position Statement has been signed with all of the local authorities listed above with the exception of East Sussex County Council. Following a series of technical meetings between the two authorities and West Sussex County Council Highways concerning an assumed increase in traffic movements from people living and working in Burgess Hill through the village of Ditching in East Sussex, Mid Sussex District Council, prepared an MoU and, with the assistance of West Sussex County Council Highways, a Statement of Common Ground signature by East Sussex County Council. Despite working with East Sussex County Council in the lead up to the drafting of the MoU and the Statement of Common Ground, no response has been received to date regarding these, despite repeated attempts to make contact with and arrange further meetings with responsible officers. It is also noted that East Sussex County Council did not make any representations in response to the Pre-Submission Draft District Plan. It is assumed the County Council has no major concerns with either the proposals in the District Plan or with any cross-boundary strategic planning issues. However, we shall continue to work constructively with ESCC to achieve an MoU and a Statement of Common Ground, on completion of the amended Mid Sussex Transport Study, which reports on the likely transport impacts of the Focused Amendments to the Pre-Submission Draft District Plan (November 2015).

Outcomes resulting from the Memorandums of Understanding

- 3.7 The following agreed actions comprise the main outcomes that have been secured through joint working with neighbouring and nearby local authorities:
- A paragraph has been inserted into the supporting text of the District Plan to draw attention to the need to consider the feasibility of minerals extraction where a proposed development is situated within a West Sussex Minerals Consultation Area. (West Sussex County Council)
 - The revised Mid Sussex Infrastructure Delivery Plan (August 2016) following input from West Sussex County Council officers on the education, transport, and public and community service infrastructure needed to support the District Plan. (West Sussex County Council)
 - It has been agreed that only indirect linkages exist with Arun and Chichester District Councils in respect of housing need and Gypsy and Traveller site provision, evidence shows there are stronger links with other authorities, which should take priority.

- There is an agreed aim to meet housing need in the Northern West Sussex Housing Market Area (Crawley Borough Council and Horsham District Council) as far as possible, allowing for constraints.
- The District Plan includes policies on landscape character, protecting the setting of the South Downs National Park, transport, green infrastructure and light pollution that assist the South Downs National Park Authority in ensuring that the purposes and duties of the National Park are supported. The National Park Authority also contributed to the various iterations of the District Plan and its comments and suggestions were incorporated in the pre-submission version and the Schedule of Focused Amendments. (South Downs National Park Authority)
- Wealden and Mid Sussex are working towards agreeing a joint Strategic Access Management and Monitoring strategy to help mitigate the effects of increased recreational pressure on the Special Protection Area from new housing and any other relevant development in the vicinity of Ashdown Forest. (Wealden District Council)
- Agreement has been reached with Surrey County Council regarding concerns about securing mitigation for any potential cross-boundary impact of future development. This was achieved through on-going dialogue that led to an amendment to the District Plan transport policy

4.0 Statements of Common Ground with public bodies

- 4.1 Allied to the desire to secure Memorandums of Understanding with neighbouring and nearby local authorities was the Council's intention to invite relevant public bodies to enter into Statements of Common Ground (SoCGs). This resulted in SoCGs being signed with the Environment Agency, Natural England, South East Water Ltd and Thames Water Utilities Ltd. These are set out in **Appendix 3**. The Council also expects to sign a Statement with Highways England and West Sussex County Council on the matter of highways, in advance of the Examination.
- 4.2 Southern Water, which supplies water to a small area in the south of the district and is the District's main wastewater treatment provider, was also encouraged to enter into a SoCG. The response which was provided by Southern Water, however, indicated that they did not consider themselves to be a public body to which the duty to cooperate applies. The response went on to state that if Southern Water were to "... identify any concerns as a result of the proposals set out in a Local Plan, for example any service capacity issues that we consider the planning authority would need to consider in co-operation with neighbouring authorities, we would highlight these in our consultation responses. We have not identified any such issues for Mid Sussex."
- 4.3 The following agreed actions comprise the main outcomes that have been secured through joint working with the above public bodies and the signing of SoCGs:
- District Plan Policies DP7: General Principles for Strategic Development at Burgess Hill and DP8: Strategic Allocation to the east of Burgess Hill at Kings

Way were redrafted to reflect in full the comments of the Environment Agency at previous stages of plan preparation.

- At the request of Thames Water, the District Council has agreed to put forward a proposed modification to Policy DP27: Noise, Air and Light Pollution of the District Plan in respect of the implications arising from any development proposed within 800m of a sewage treatment works or 15m of a pumping station.
- Natural England has endorsed the District Council's approach to the protection of the Ashdown Forest Special Protection Area and Special Area of Conservation.

4.4 Work has been on-going on the amended Mid Sussex Transport Study which considers the likely transport impacts of the Focused Amendments to the Pre-Submission Draft District Plan (November 2015). A draft of the Study concludes that the levels of development proposed would not worsen the performance of the highway transport network, relative to the Reference Development Case, provided that a number of remedial schemes are introduced; and would not have any adverse impacts on traffic flows in the Ashdown Forest. However, after more than 12 months of joint working, Highways England have recently raised some queries about the cumulative effect of growth across the district, as whole, on the strategic road network, including the effects of recent consents and the allocations in adopted Neighbourhood Plans. The concern is regarding development which could lead to delays of 30 seconds or more on their network which is now seen as severe, and to identify the scope for mitigation in these cases. To this end, the Council's transport consultants are carrying out further analysis of their Saturn model outputs to establish the small number of junctions where the 30 second delay might occur and establish how such impacts can be reasonably mitigated. Neither Highways England nor the Council's transport consultants anticipate that any impacts will be identified which are incapable of being mitigated. However, this additional analysis has slightly delayed the signing of a Statement of Common Ground with Highways England.

4.5 It is also proposed to sign a Statement with West Sussex County Council on the matter of highways. West Sussex has not raised any objections to proposals to date.

5.0 Production of joint evidence with neighbouring authorities

5.1 Mid Sussex District Council has been involved with the preparation of two important studies with its housing market area partners, Crawley Borough Council and Horsham District. These are the Northern West Sussex Economic Growth Assessment, published in 2014 and the Northern West Sussex Housing Market Area – Affordable Housing Needs Model Update.

(i) Northern West Sussex Economic Growth Assessment

5.2 The Northern West Sussex Economic Growth Assessment was produced to inform the emerging local plans in the Northern West Sussex sub-region (Crawley, Horsham

and Mid Sussex). The report was produced by Nathaniel Lichfield & Partners on behalf of the three local planning authorities and was published in April 2014.

- 5.3 This study was important because there is a high degree of economic inter-relationship between the three authorities in the Northern West Sussex sub-region and planning policy decisions made within any one of the local authority areas potentially has a bearing on the sub-region as a whole.
- 5.4 The Assessment found that the commercial property market is relatively buoyant with the area representing an attractive business location due to its central location, excellent transport links and connectivity and access to a highly skilled workforce. Market and business feedback indicated the need to allocate additional land in the sub-region to maintain a high quality and competitive business offer.

(ii) Northern West Sussex Housing Market Area – Affordable Housing Needs Model Update

- 5.5 This was undertaken on behalf of the three authorities by Chilmark Consulting and was published in October 2014. In order to bring the Northern West Sussex Housing Market Area (NWS HMA) up-to-date, the three authorities identified the need to review the affordable housing needs model for their areas and update contextual information to support this including:
- residential sales prices and the rental market
 - the role of intermediate housing products
 - whether the basis for defining the NWS HMA area remained valid as the primary housing market area for Mid Sussex, Crawley and Horsham.
- 5.6 The work in the 2014 Update report built upon the previous analyses in the Strategic Housing Market Assessment (SHMA), 2009 and SHMA Update, 2012 and demonstrates continued close cooperation and joint working between the three constituent local authorities in the Housing Market Area. The report concluded that the Northern West Sussex HMA continued to represent the primary Housing Market Area that Crawley Borough, Horsham and Mid Sussex Districts should consider and plan for, following the functional housing and economic geographies established in the SHMA, 2009.
- 5.7 The findings from this work have fed into Mid Sussex District Council's "Housing and Economic Development Needs Assessment" (February 2015 and updated June 2015) which confirms the housing market area and affordable housing need for Mid Sussex.
- 5.8 Due to different timescales and rates of progress with each authority's Local Plan, it was not practical to undertake a Housing Market Area-wide SHMA that identifies the Objectively Assessed Need for all types of housing (both market and affordable) within the HMA. However, ongoing engagement has taken place between the authorities to ensure that their individual assessments of OAN are robust and methodologies are compatible by undertaking a 'benchmarking' exercise. This is

further explained in the Northern West Sussex Authorities Position Statement, and ensures that the housing need situation across the HMA is fully understood.

6.0 Capacity of Mid Sussex District to Accommodate Development

- 6.1 In order to give consideration to helping neighbouring authorities meet their unmet housing need, the capacity of Mid Sussex to accommodate further development should be understood. Whilst a number of evidence base documents highlight the various environmental and other constraints that exist within the District, it was felt beneficial to bring all the information together into one document so that any limitations on capacity could be understood, and recommendations could be made as to the most sustainable areas for development within the District.
- 6.2 The Capacity Study, undertaken by Land Use Consultants (LUC) looked at Primary constraints (i.e. those listed within the NPPF as being of national importance) and Secondary constraints (i.e. those designated at a local level where development may not be precluded but could have negative impacts, especially in combination with other secondary constraints in the same location). It also looked at a number of sustainability considerations in terms of access to existing services.
- 6.3 The study concluded that 92% of the District is covered by primary constraints plus at least one secondary constraint. The area of the District already built-up accounts for 4%, leaving only 4% that is not covered by a primary or secondary constraint.
- 6.4 The findings of this study were discussed at the Duty to Co-Operate meetings with all nearby authorities in June/ July 2014 in order to demonstrate the environmental and other constraints to development within Mid Sussex, and the extent to which Mid Sussex could assist in meeting unmet housing needs across the area.

7.0 Sustainability Assessment of Cross-Boundary Options

- 7.1. The District Council had the benefit of an informal Planning Inspectorate Advisory Visit on 30th June 2014. During this visit, the Inspector, Mr Simon Emerson, said that those local authorities who were seeking the Council to meet their unmet housing and other needs had an obligation to be clear and helpful about what they were seeking. The Inspector suggested that the Council could write to the authorities concerned to remind them that they had an obligation under the duty to cooperate to provide more detailed information about any unmet needs. The Inspector considered that there needed to be clarity on the scale of unmet needs, the type of needs (i.e. market or affordable housing), the timing (i.e. which part of the Plan period the requirement would fall into) and its location.

- 7.2. Once this information had been obtained, the Inspector indicated that it would be possible for Mid Sussex to test the benefits/disbenefits of providing this level of growth through the sustainability appraisal (SA) process. The Inspector considered that the SA should give weight to the benefits of meeting the unmet needs of neighbouring/ nearby local authorities as well as considering the potentially negative effects on the environment of Mid Sussex of doing so. The Inspector felt that the Council and other local authorities could consider the weight given to benefits and constraints, including the significance of the locational element and the extent to which the benefits decrease over distance.
- 7.3. Following receipt of this advice, on 5th August 2014, the Council wrote to the neighbouring authorities of Adur & Worthing, Brighton & Hove, Crawley, Lewes, the South Downs National Park Authority, Tandridge and Wealden to invite them to submit details of any unmet development needs which they would like Mid Sussex to consider accommodating. This invitation was not extended to Horsham District Council as the emerging Horsham District Planning Framework was proposing to meet their housing needs in full, although they were kept informed. All of the above authorities responded to the effect that they were expecting to have housing needs which they would not be able to meet through their own local plans with the exception of the National Park Authority, which was in the early stages of preparing its Local Plan for the whole of the National Park and was not in a position to comment on its housing need.
- 7.4. At the same time, the Council commissioned Land Use Consultants to undertake a 'Sustainability Assessment of Cross-Boundary Options' for the District Plan. The Assessment was required to:
- i) Assess the sustainability impacts of any requests for Mid Sussex to accommodate the unmet needs of other local authorities (the 'requesting authorities') on both Mid Sussex and the requesting authorities' areas.
 - ii) Draw conclusions regarding the cross-boundary nature of effects, in terms of Social, Environmental and Economic impact.
- 7.5. In the preparation of the Sustainability Assessment, the neighbouring authorities that were subject to the assessment (Adur & Worthing, Brighton & Hove, Crawley, Lewes, Tandridge and Wealden) were consulted on the consultants' brief, the baseline information, the appraisals and the conclusions, and provided LUC with comments to ensure factual accuracy. All of the local authorities welcomed and supported this piece of work and broadly agreed to its findings.
- 7.6. The overall aim of the study was to provide a sound Sustainability Assessment of the impacts of requests from these neighbouring authorities to accommodate their unmet housing needs within Mid Sussex. The study followed the same methodology and reporting style to the District Council's Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) in order to be compatible and comparable with the SA/SEA work of the District Plan although this was not a statutory report and was therefore not required to meet all of the stipulations of the SEA Regulations. The Sustainability Assessment built upon previous work, particularly the LUC Mid Sussex Capacity Study and SA/SEA work by Mid Sussex District, in order to assist in revising the District Plan and meeting the duty to cooperate.

- 7.7. The study assessed 25 options using a range of scenarios from accommodating all the estimated unmet housing needs of neighbouring local authorities, to 50% of their unmet housing needs, to options based on commuting patterns and on past migration rates. To inform the assessment, five potential development locations north of the High Weald Area of Outstanding Natural Beauty (AONB) and six potential development locations south of the High Weald AONB and north of the South Downs National Park were identified, based on the findings of the LUC Capacity Study (section 6 above).
- 7.8. The study found that if all the potential unmet need of all the neighbouring local authorities were to be met in Mid Sussex, this would equate to c. 38,733 net additional dwellings over the 20-year period, 2011 to 2031. To put this into context, the withdrawn submission version of the Mid Sussex District Plan provided for 10,600 dwellings over the same period. If the full unmet housing need were to be added to the need identified for Mid Sussex, this would increase housing provision to nearly 50,000 dwellings, or 4.7 times the amount of housing included in the withdrawn Mid Sussex District Plan. Even 50% of the unmet housing need would result in nearly 30,000 dwellings in total being provided in Mid Sussex, or nearly three times the amount of housing provided for in the withdrawn Mid Sussex District Plan.
- 7.9. The study indicated that the options based on commuting patterns would also give rise to a significant increase in additional housing development in Mid Sussex (c.13,572 dwellings). Although the options based on past trends in migration would result in a smaller increase of around 4,140 additional dwellings, this would still amount to nearly 40% more housing than was provided in the withdrawn Mid Sussex District Plan, and would be likely to require significant urban extensions to deliver.
- 7.10. The study assumed that those options that would result in 5,000 or more additional homes being developed within the District (i.e. nearly 50% more dwellings than proposed in the previous submission District Plan), would be more likely to give rise to significant positive and/or negative effects than options that would result in fewer than 5,000 additional homes.
- 7.11. The study found that the options that proposed the most additional housing would result in the most significant effects. Where housing need is met in full, there would be significant positive effects against some of the social SA objectives, especially SA objective 1 (To ensure that everyone has the opportunity to live in a home suitable for their needs and which they can afford) although, in practice, the options meeting some or all of the seven neighbouring authorities' unmet need (Options 1, 2 and 3) would be very difficult to achieve, as there is unlikely to be sufficient available and suitable land in Mid Sussex (as determined through the Strategic Housing Land Availability Assessment) to meet these option numbers in full. In addition, there would be likely issues regarding the capacity of health services (SA objective 2) and education facilities (SA objective 3) to cater for the additional demands arising.
- 7.12. The study noted that there is the potential to address such capacity issues through the provision of new community services and facilities alongside new housing development, or investment to expand existing services, although the ability to do so

would depend upon funding and viability and the strength of the relationship between the development and the services to be provided. Whilst the study recognised that strategic development would deliver education/health/community facilities on site, in principle, it is generally more sustainable and viable to develop first close to existing facilities, and help to expand them where required.

- 7.13. The study also found that the greater the housing required under the options, the more likely that significant adverse effects would arise with respect to the environmental SA objectives. For example, under Options 1 to 3, which seek to cater for 100%, 50% and commuting-related need of all the neighbouring authorities, significant adverse effects would be experienced against all the environmental SA objectives 6 to 14, albeit sometimes with mixed effects. If Mid Sussex District were to accommodate only Brighton & Hove's unmet needs and no other neighbouring authorities', this would be likely to result in significant adverse effects against all the environmental SA objectives, even if only half of the unmet need were to be provided for. Similarly, if Mid Sussex were to seek to cater for 100% of Tandridge's unmet needs alone, or 100% of Worthing's unmet needs alone, significant adverse effects against all the environmental SA objectives would be likely.
- 7.14. The study found that it is only for those neighbouring authorities that have low numbers of unmet housing needs, such as for Adur, Crawley, Lewes and Wealden, that the likelihood of significant adverse effects arising against the environmental SA objectives reduces, but this is on the assumption that only each authority's unmet needs and no others are provided for in Mid Sussex.
- 7.15. There would be the option of meeting some but not all of the unmet need of a combination of neighbouring authorities (i.e. a mix of some of the options considered in the study). The Sustainability Assessment showed that, across a range of SA objectives, similar effects would arise irrespective of which authorities' needs were to be met in Mid Sussex, with the significance of these effects dependent upon the total numbers of homes involved, and where in Mid Sussex these might be accommodated. For example, meeting a combination of the needs of the southernmost neighbouring districts would put greatest pressure and give rise to the greatest effects on those locations identified in the Sustainability Assessment in the south of Mid Sussex – the same locations would be needed irrespective of the neighbouring authority.
- 7.16. A number of the options considered could give rise to significant positive effects against two of the economic SA objectives: SA objective 15 (To encourage the regeneration of the District's existing Town Centres and support the viability and vitality of village centres) and SA objective 16 (To ensure high and stable levels of employment so everyone can benefit from the economic growth of the District). In such instances, the economic benefits are likely to arise within Mid Sussex rather than within the authorities whose unmet housing needs are being met.
- 7.17. The overall conclusion of the study was that providing for additional development in Mid Sussex to meet the unmet housing needs of neighbouring local authorities would not be without its own challenges. Mid Sussex District is constrained in its own right,

and the greater the amount of development provided by the authority, the greater the likelihood of significant adverse effects arising. In addition, the study found that any negative impacts that had been identified in the assessments for meeting the unmet needs of Mid Sussex's neighbours would be cumulative, on top of any potential negative impacts already identified from meeting Mid Sussex's own housing requirement in the District Plan (at the time the report was written this was assumed to be 516dpa based on the data available at that time). In terms of prioritisation, the study considered that it would make more sense to provide for the needs of those neighbouring authorities where the neighbouring authorities have fully explored and assessed their own capacity to accommodate their own needs, where strong economic functional relationships exist, and where there are good public transport links to enable travel by more sustainable modes.

- 7.18. Once the first draft of the Sustainability Assessment had been received from the consultants, the Council sent this to all of the neighbouring authorities featured and arranged a further programme of meetings with them in December 2014 to explain the results of the study and to provide them with an opportunity to comment on it. Many of the authorities' comments were reflected in the final draft of the study, which was again distributed to them.
- 7.19. Whilst the study was necessarily a high level assessment, it nevertheless represents a thorough and robust consideration of the benefits and disbenefits of seeking to accommodate the unmet housing needs of all of the neighbouring authorities. It also assists in demonstrating that the Council has given "... detailed and rigorous consideration to the development needs of nearby authorities and has drawn robust conclusions with regards to whether or not any of those needs could be met in a sustainable way within the District, bearing in mind the environmental and other constraints that exist."¹
- 7.20. Following feedback from neighbouring authorities Mid Sussex District Council incorporated the findings of the Sustainability of Cross-Boundary Options and information regarding commuting and migration into the Sustainability Appraisal. This presented a fuller picture of environmental and infrastructure capacity, sustainability, and housing supply and the most appropriate housing provision number for the District Plan (including contributions to neighbouring authorities).
- 7.21. The Sustainability Appraisal analysed the sustainability and commuting/migration links between Mid Sussex and each neighbouring authority subject to the Sustainability Assessment of Cross-Boundary Options study. It identified that the strongest functional and economic links were with Crawley and Brighton & Hove, and that any excess between meeting the Mid Sussex OAN and plan provision would be best used to contribute towards meeting unmet need arising from these two areas.
- 7.22. The findings were discussed with the relevant authorities during Duty to Co-Operate meetings held in June 2015.

¹ Quotation from paragraph 45 of letter dated 2nd December 2013 from Mr David Hogger, Planning Inspector, to Mid Sussex District Council in relation to the withdrawn Mid Sussex District Plan.

8.0 Coastal West Sussex and Great Brighton Strategic Planning Board

- 8.1 In October 2014, Mid Sussex District Council joined the Coastal West Sussex and Greater Brighton Strategic Planning Board (CWS&GB SPB), which includes Adur and Worthing Councils, Arun District Council, Chichester District Council, the South Downs National Park Authority, Brighton & Hove City Council, Lewes District Council and Horsham District Council plus West Sussex County Council.
- 8.2 The Board was set up in late 2012 with the support of the Coastal West Sussex Partnership to:
1. Identify and manage spatial planning issues that impact on more than one local planning area within CWS&GB; and
 2. Support better integration and alignment of strategic spatial and investment priorities in CWS&GB, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.
- 8.3 The Terms of Reference for the Board are set out in **Appendix 4**.
- 8.4 The Board is in the process of updating its Local Strategic Statement, which will now include the areas of Horsham and Mid Sussex. Mid Sussex Members and officers have been participating in the regular CWS&GB SPB workshops and meetings since joining the Board.
- 8.5 A draft Memorandum of Understanding has been drawn for councillors of the authorities represented on the Board to sign. As currently drafted, the objectives of the MoU are:
- To help secure a broad but consistent approach to strategic planning and development issues across the Coastal West Sussex and Greater Brighton area.
 - To identify and manage spatial planning issues that impact on more than one local planning area within Coastal West Sussex and the Greater Brighton area.
 - To ensure that the local planning and development policies prepared by each Local Planning Authority are where appropriate informed by the views of other Local Planning Authorities across the Coastal West Sussex and Greater Brighton area.
 - To ensure that decisions on major applications, that are larger than local planning applications, are informed by the views of other Local Planning Authorities across the Coastal West Sussex and Greater Brighton area.
 - To support better integration and alignment of strategic spatial and investment priorities in the Coastal West Sussex and Greater Brighton area,

ensuring that there is a clear and defined route, where necessary, through the statutory local planning process.

- 8.6 A copy of the MoU is also included within **Appendix 4**.
- 8.7 An example of effective joint working through membership of the Board has been the preparation of Greater Brighton & Coastal West Sussex Background Papers on the economy, housing and transport across the Greater Brighton City Region and the Coastal West Sussex area. These papers were published in July 2015. They recognise that long term sustainable growth across the Greater Brighton and wider Coastal West Sussex area will depend upon addressing key strategic issues in an integrated and deliverable way. This work will help inform the Strategic Planning Board / Greater Brighton Economic Board's update of the Local Strategic Statement, define priorities to support funding bids as well as supporting local plan preparation across the sub-region.

9.0 Representations on the Proposed Modifications to the Crawley Borough Local Plan

- 9.1 The Planning Inspector who conducted the public examination into Crawley 2030: the Crawley Borough Local 2015 – 2030 recommended that a main modification be made to Policy H1 (Housing Provision). Pursuant to this, Crawley Borough Council consulted on the proposed inclusion of the following paragraph into the policy:

“There will be a remaining unmet housing need, of approximately 5,115 dwellings, arising from Crawley over the Plan period. The council will continue to work closely with its neighbouring authorities, particularly those which form the Northern West Sussex Housing Market Area, in exploring opportunities and resolving infrastructure and environmental constraints in order to meet this need in sustainable locations. This will include continued assessment of potential urban extensions to Crawley.”

- 9.2 As one of the local authorities which would be directly affected by this modification, in the spirit of the ongoing joint working and cooperation with Crawley, the District Council submitted a letter in support of it (reproduced in **Appendix 5**).

10.0 Joint working with the Greater London Authority on planning for London and the 'Wider South East'

- 10.1 Mid Sussex District Council Cabinet Members and officers have engaged with the Greater London Authority since 2014 on strategic planning issues affecting London and the 'Wider South East'. A Regional Summit for local authority councillors on these issues was held on 19th March 2015.

- 10.2 Discussion at this Summit indicated a need and willingness to develop political co-ordination/cooperation across London and the former South East and East of England regions to deal with issues of genuinely collective strategic Wider South East significance, i.e. those which cannot be dealt with by local working. It was therefore agreed to explore how best local authorities in the South East, East of England and London regions should politically engage on strategic housing, planning, growth and infrastructure investment, including the full London Plan review.
- 10.3 At the request of members at this Summit, political Roundtables were held on 10th July and 18th September 2015 to help shape future political arrangements. The Leader of the District Council participated in the July 2015 meeting.
- 10.4 The outcomes from these Roundtables helped to shape proposals for agreement at a second Wider South East Political Summit that was held on 11th December 2015. The aim of this event was to establish immediate political arrangements to ensure that Wider South East views are heard during the full London Plan review, as well as setting foundations for engaging with the new London Mayor following the May 2016 elections. A key outcome of these pan-regional discussions is that opportunities will be given for Wider South East political input to any early GLA high-level growth scenarios/options development in 2015-16.
- 10.5 It is noted that at no time has the Mayor of London or the Greater London Authority submitted a request for Mid Sussex to meet any unmet housing need in London.

11.0 Consultation on Focused Amendments to the Pre-Submission Draft District Plan, November 2015

- 11.1 In the light of the representations which were received to the publication of the Pre-Submission Draft District Plan in June 2015 and subsequent Inspectors' reports on the examination of neighbouring authorities' local plans, the Council decided to reconsider its position on its Objectively Assessed Need (OAN) for housing and its housing plan provision figure.
- 11.2 On 11th November, the Council agreed to publish for public consultation a Schedule of Focused Amendments to the Pre-Submission Draft District Plan. These included a revised estimate of the district's OAN from 627dpa to 695dpa, and a proposed increase in housing provision from 650 to 800dpa. The implications of these revisions were that 105dpa, or 1,785 homes over the plan period, would be available to help to meet some of the unmet requirements of neighbouring authorities, particularly Crawley and Brighton & Hove, with whom the functional and economic links are strongest.
- 11.3 In addition, the Focused Amendments proposed a strategic allocation of 600 homes at Pease Pottage predominantly intended to the unmet needs of Crawley Borough Council. A Statement of Common Ground is being drawn up with Crawley Borough Council to set out some agreed principles for the development of the Pease Pottage

site and discussions between the two authorities have influenced policy wording for DP9a.

- 11.4 A number of the MoUs with neighbouring local authorities were updated to reflect the proposed amendments to the District Plan. These are attached at **Appendix 2**.
- 11.5 The Council considers that these proposals represent a very positive response to the development needs of neighbouring authorities which would otherwise be unmet through their own local plans.

12.0 Cooperation with the Marine Management Organisation

- 12.1 The Marine Management Organisation (MMO) is one of the prescribed bodies to which the duty to cooperate relates. Representatives of the MMO held an integration and implementation session on 20th May 2015 to discuss what marine planning meant for Mid Sussex and the other Gatwick Diamond local authorities, and how the MMO's emerging South Inshore and South Offshore Marine Plans will be put into effect. Notwithstanding this session, the District Council is not aware that there are any marine planning issues in Mid Sussex which will need to be addressed in the Marine Plans.

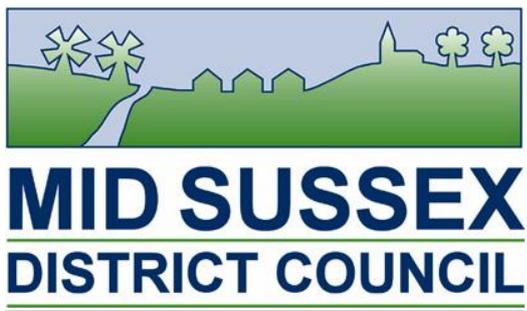
List of Appendices

1. Duty to Cooperate Framework
2. Memorandums of Understanding between Mid Sussex District Council and neighbouring/ nearby local authorities
 - (a) Adur & Worthing Councils MoU
 - (b) Arun District Council MoU
 - (c) Brighton & Hove City Council MoU
 - (d) Chichester District Council MoU
 - (e) Lewes District Council & South Downs National Park Authority MoU
 - (f) South Downs National Park Authority MoU
 - (g) Tandridge District Council MoU
 - (h) Wealden District Council MoU
 - (i) West Sussex County Council MoU
 - (j) Northern West Sussex Authorities Position Statement
3. Statements of Common Ground with Government agencies and public bodies
 - (a) Environment Agency SoCG
 - (b) Highways England SoCG (to follow)
 - (c) Natural England SoCG
 - (d) South East Water Ltd SoCG
 - (e) Thames Water Utilities SoCG
 - (f) West Sussex County Council (Highways) (to follow)
4. Coastal West Sussex & Greater Brighton Strategic Planning Board
 - (a) Terms of Reference
 - (b) Memorandum of Understanding
5. Letter dated 12th August 2015 from Cllr Andrew MacNaughton, Cabinet Member for Planning, Mid Sussex District Council in response to the Crawley Borough Local Plan 2015 – 2030 Modifications Consultation
6. Minutes of the Greater London Authority Wider South East Regional Summits and Roundtable meetings
7. Email correspondence with CBC and BHCC re change in OAN.

Appendix 1.

Duty to Cooperate Framework

Duty to Cooperate Framework



September 2015

Introduction

The Localism Act 2011 introduced a requirement for local authorities and certain specified public bodies to cooperate with one another (the 'duty to cooperate') in the preparation of local development plans. The duty requires local authorities and other public bodies to engage constructively, actively and on an ongoing basis in order to maximise the effectiveness of their development plans in so far as they relate to strategic matters. Strategic matters are defined in the Act as:

1. sustainable development that has or would have a significant impact on at least two local authority areas, and
2. sustainable development in a two-tier area where the development is a county matter or has or would have a significant impact on a county matter (i.e. typically waste and minerals proposals).

The engagement required under the duty to cooperate includes, in particular, considering whether to consult on, prepare, enter into and publish joint approaches to the undertaking of local plans; and whether to prepare joint local plans.

The Localism Act sets out a legal test for cooperation whilst the National Planning Policy Framework (March 2012) introduced a policy test. Paragraph 178 of the Framework states that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the following strategic priorities:

- the homes and jobs needed in the area
- the provision of retail, leisure and other commercial development
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

The Framework advises local planning authorities to work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual local plans. The intention is that this joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the Framework. As part of this process, the Framework advises local authorities to consider producing joint

planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.

The Framework explains that local planning authorities will be expected to demonstrate evidence of having cooperated effectively to plan for issues with cross-boundary impacts when their local plans are submitted for examination. This Duty to Cooperate Framework has been prepared in order to enable Mid Sussex District Council to fulfil this policy test.

Purpose

The objective of this Duty to Cooperate Framework is to establish a robust and transparent process to enable cooperation with the relevant local authorities and organisations to be demonstrated. It will also enable cooperation to be documented and monitored in terms of the strategic issues to be addressed, the outcomes achieved and the frequency of engagement with the relevant authorities/public bodies. In particular, however, this document will enable the Council to demonstrate that engagement has been:

- constructive
- active
- ongoing
- collaborative
- diligent and
- of mutual benefit.

In addition, the Framework is intended to identify and assess the implications of strategic cross-boundary issues on which the relevant authorities need to work together to maximise the effectiveness of their local plans.

Principles

Mid Sussex District Council will undertake work on the duty to cooperate having regard to the principles for cooperation which were agreed by the West Sussex local authority Chief Executives in February 2014. The principles were subsequently discussed with Brighton & Hove City Council and Lewes District Council. These principles:

- emphasise the importance of strengthening liaison between local authorities and working together on the duty to cooperate in a spirit of positive and collaborative joint working

- stipulate that work must be overseen at the highest levels within the local authorities with outcomes clearly recorded and signed off by Chief Executives and Leaders
- seek to avoid creating additional layers of bureaucracy
- recognise the economic geography of and existing partnerships in the area; and
- state that arrangements must be consistent with the principles of localism.

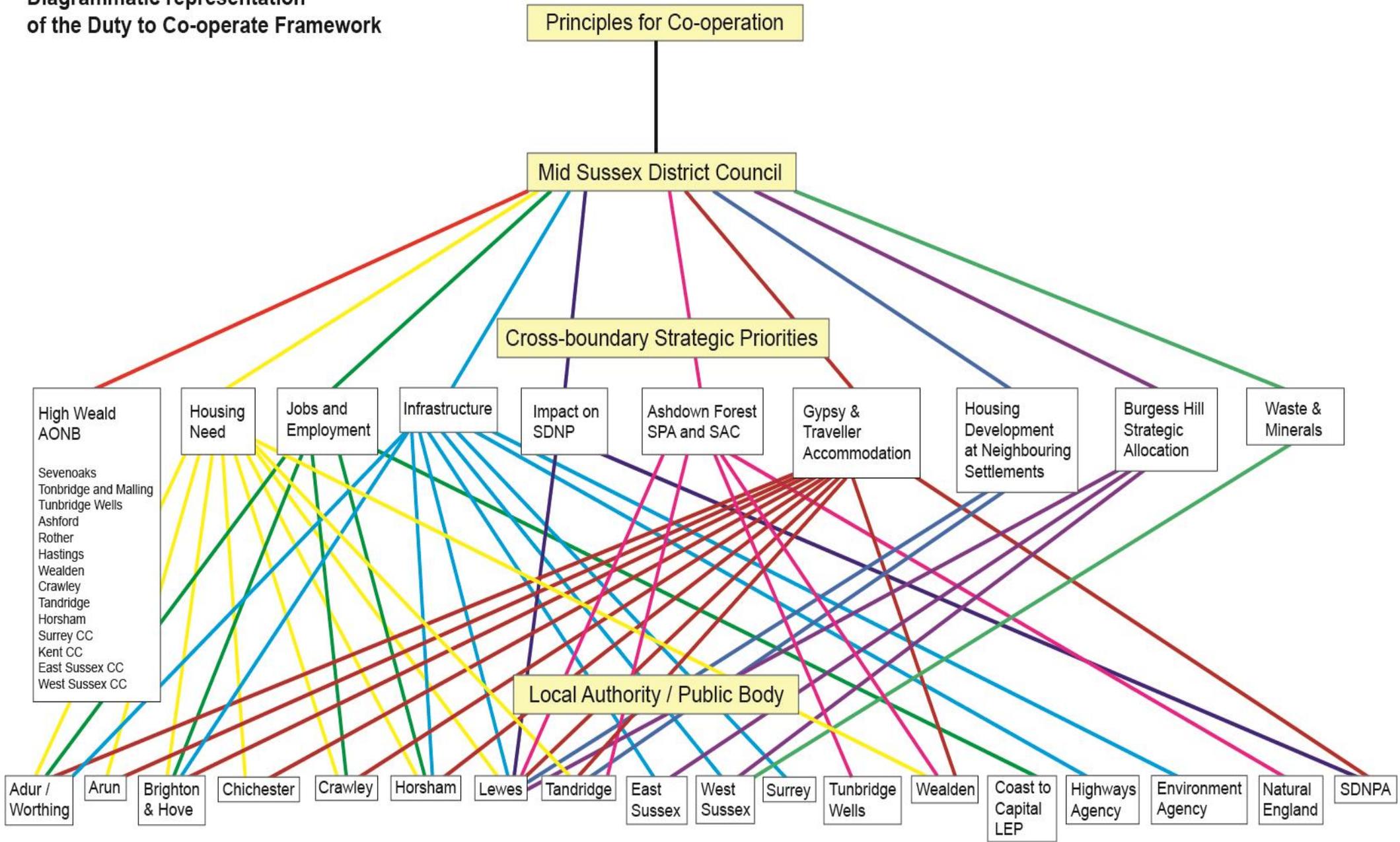
Cross-boundary strategic priorities

The cross-boundary strategic issues have been agreed with our neighbours and public bodies. These are identified as follows:

- Housing need (Adur/Worthing, Arun, Brighton & Hove, Chichester, Crawley, Horsham, Lewes, Tandridge, Wealden)
- Jobs and employment development (Adur/Worthing, Brighton & Hove, Crawley, Horsham, Coast to Capital LEP)
- Infrastructure (Adur/Worthing, Brighton & Hove, East Sussex, Horsham, Lewes, Surrey, West Sussex, Environment Agency, Highways Agency)
- Impact on South Downs National Park (Lewes, South Downs National Park Authority)
- Ashdown Forest Special Protection Area and Special Area of Conservation (Natural England, Lewes, Tunbridge Wells, Wealden)
- Gypsy and traveller accommodation (Adur/Worthing, Arun, Brighton & Hove, Chichester, Crawley, Horsham, Lewes, Wealden, SDNPA, Tandridge)
- Housing development at neighbouring settlements (Lewes, Tandridge)
- Burgess Hill strategic allocation (East Sussex, Lewes, West Sussex)
- High Weald Area of Outstanding Natural Beauty (14 local authorities in Kent, East Sussex, West Sussex and Surrey)
- Waste and minerals (West Sussex)

The inter-relationship between these priorities and the relevant neighbouring and nearby local authorities and public bodies is illustrated on the diagram overleaf.

**Diagrammatic representation
of the Duty to Co-operate Framework**



Existing Sub-Regional Structures and Groupings

The Council operates within a complex landscape of county and sub-regional structures and groupings which bring the relevant bodies together to enable joint working. The use of these forums will contribute to duty to cooperate discussions and provide an overarching framework within which to cooperate with individual bodies about relevant and specific strategic priorities. The diagram overleaf illustrates these groupings.

West Sussex

The overarching partnership board in the County to date has been 'The Co-operative', which consists of all the local authority Leaders and partners in West Sussex such as Sussex Police and the Clinical Commissioning Groups. The focus of this Board has been on strategic matters such as the establishment of a joint Gypsy and traveller transit site in West Sussex.

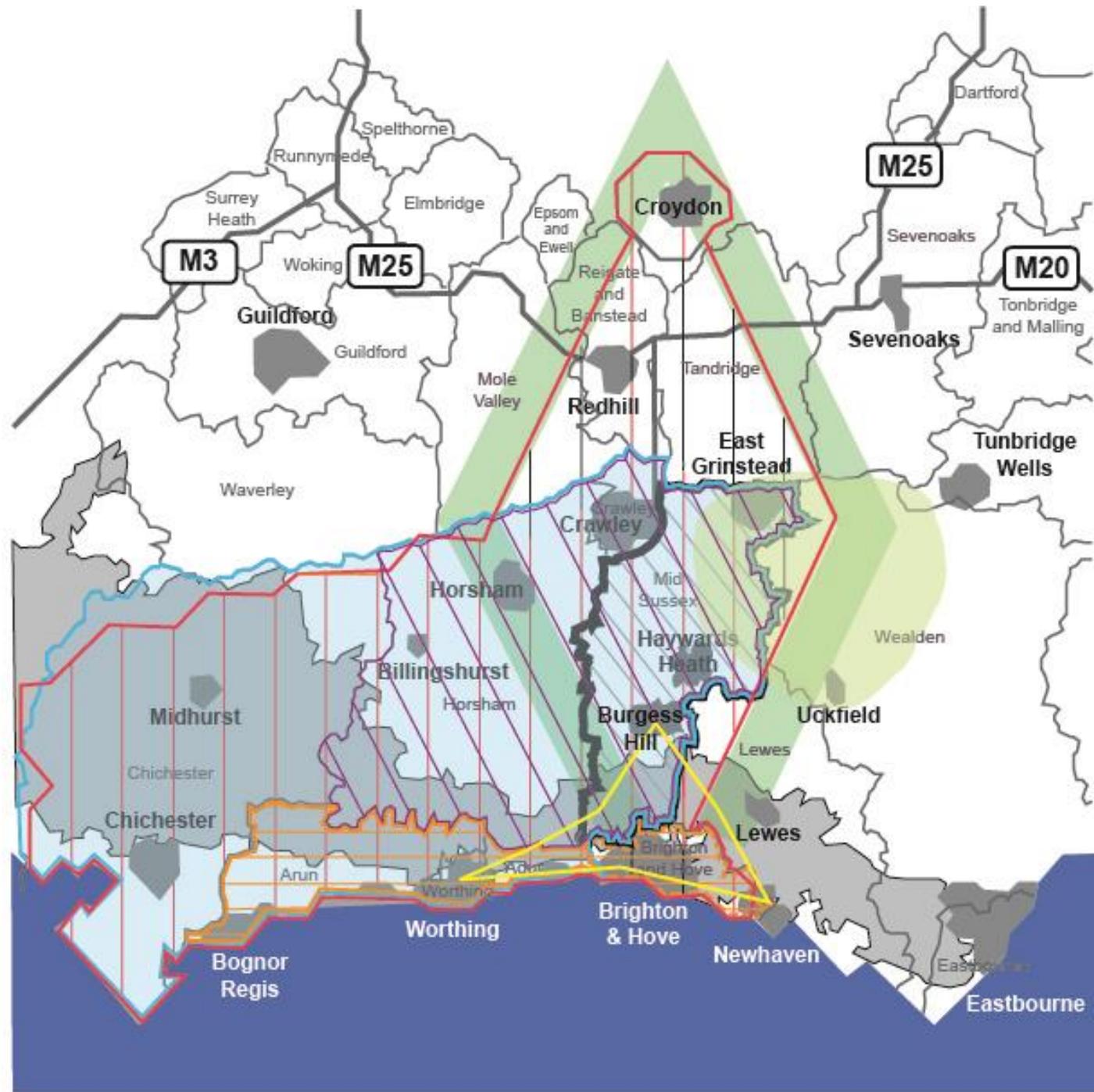
The County Joint Leaders (whose meetings are also attended by the Chief Executives) delegated the responsibility of coordinating work on the duty to cooperate to a Joint Planning Board. This consists of Planning Cabinet Members from West Sussex and the Chairman of the South Downs National Park Planning Committee. The Terms of Reference of the Joint Planning Board specifically refer to the group acting as a political forum to discuss and coordinate joint planning issues and working arrangements between local planning authorities in West Sussex. The Joint Planning Board is supported by the Chief Planning Officers' Group, which is in turn supported by the Planning Policy Officers' Group.

Gatwick Diamond

The Gatwick Diamond Initiative is a business-led partnership which includes representatives of all seven local planning authorities and two County Councils (West Sussex and Surrey) in the Diamond, including Mid Sussex. The Initiative partners with business leaders, business membership organisations, colleges and universities, local authorities and government agencies.

Within the Gatwick Diamond, a Memorandum of Understanding (MoU) has been prepared and endorsed by the local authorities to provide a framework for cooperation whilst a Local Strategic Statement (LSS) explains how the local authorities are working together on strategic issues and is accompanied by a Sustainability Appraisal/Strategic Environmental Assessment.

The Gatwick Diamond's vision is 'to be an internationally recognised world-class, business location achieving sustainable prosperity'. It has four thematic groups to take forward this vision, one of which is the Grow Group, chaired by the Chief Executive of Horsham District Council. The objectives of this group include supporting the roll out of the LSS and the duty to cooperate.



Duty to Co-operate Framework

-  Mid Sussex District
-  District boundaries
-  South Downs National Park
-  Coast to Capital LEP
-  Gatwick Diamond Initiative
-  Ashdown Forest 7km zone of influence
-  North West Sussex Housing Market Area
-  West Sussex Coastal Housing Market Area
-  West Sussex Co-Operative West Sussex Chief Executives Joint Planning Board
-  Greater Brighton City Deal

Mid Sussex has representatives at Member and officer level on all of these groupings, and has contributed to the discussions about the strategic priorities for the Diamond. Outcomes of this work were the LSS and the MoU, which sets out a work programme for taking forward the LSS.

Coast to Capital Local Enterprise Partnership (LEP)

The Gatwick Diamond is one of the five spatial areas in the LEP. This is a relatively new grouping, but is rapidly increasing in importance as a conduit between Central Government and local authorities – particularly in respect of funding to support growth.

The Leader of Mid Sussex, Councillor Garry Wall, is the Borough/District Councils' representative on the Board of the LEP and MSDC Members and officers assisted the LEP in preparing its Strategic Economic Plan for submission to Government in March 2014.

Northern West Sussex Housing Market Area

A pan-West Sussex study in 2009 identified two distinct Housing Market Areas in the County – the Northern West Sussex and the Coastal areas. The Northern West Sussex Housing Market Area comprises Mid Sussex, Crawley and Horsham.

Greater Brighton City Deal

A Greater Brighton City Deal was agreed by the Government in March 2014. It encompasses Brighton & Hove, Lewes, Mid Sussex, Adur and Worthing and will unlock more than £170 million of investment in Greater Brighton to create 8,500 jobs and expand its technology businesses.

Coastal West Sussex and Greater Brighton Strategic Planning Board

In October 2014, Mid Sussex District Council joined the 'Coastal West Sussex and Greater Brighton Strategic Planning Board', which includes Adur and Worthing Councils, Arun District Council, Chichester District Council, the South Downs National Park Authority, Brighton & Hove City Council, Lewes District Council and Horsham District Council. The Board was set up in late 2012 with the support of the Coastal West Sussex Partnership to:

1. Identify and manage spatial planning issues that impact on more than one local planning area within CWS&GB; and
2. Support better integration and alignment of strategic spatial and investment priorities in CWS&GB, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.

The Board is in the process of updating its Local Strategic Statement, which will include the area of Mid Sussex.

Duty to Cooperate Engagement

The Council will undertake its duty to cooperate engagement in accordance with the schedule in Appendix 1.

Desired Outcomes

Mid Sussex will agree signed a memorandum of understanding (MoU) with each of the above local authorities and a statement of common ground with the public bodies. The MoUs will be signed by a Chief Officer or a Cabinet Member of the Council. In the case of housing market area partners Crawley Borough Council and Horsham District Council, the existing Position Statement which has been signed by all three authorities will be reviewed. Any outcomes from the duty to cooperate work will, where appropriate, be incorporated or used to inform the District Plan.

Monitoring and Review

The Council must provide details of the activities that it has undertaken on the duty to cooperate in its annual monitoring report. This will provide the opportunity to consider whether the arrangements for joint working are operating satisfactorily and enable refinements to be introduced in a timely fashion where necessary.

List of Appendices

1. Duty to Cooperate Schedule
2. Example of neighbouring/nearby authorities' duty to cooperate protocol/checklist

Appendix 1: Duty to Cooperate Schedule

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
South Downs National Park Authority	<i>Character and environment - National Park and setting</i> <i>Housing - Gypsy and traveller accommodation</i>	Hold Member and officer meetings Liaise over production of the District Plan Agree memorandum of understanding		
Adur/Worthing District Councils	<i>Housing – housing need</i> <i>Housing - Gypsy and traveller accommodation</i> <i>Economic Growth – employment allocations</i> <i>Infrastructure - transport</i>	Hold Member and officer meetings Agree memorandum of understanding		
Arun District Council	<i>Housing - housing need</i> <i>Housing - Gypsy and traveller accommodation</i>	Hold Member and officer meetings Agree memorandum of understanding		

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
Chichester District Council	<i>Housing</i> - housing need <i>Housing</i> - Gypsy and traveller accommodation	Hold Member and officer meetings Agree memorandum of understanding		
Crawley Borough Council	<i>Housing</i> - housing need <i>Economic Growth</i> -strategic employment allocation at Burgess Hill and development at Crawley <i>Infrastructure</i> - strategic infrastructure <i>Housing</i> - Gypsy and traveller accommodation	Hold Member and officer meetings Produce revised joint position statement	See North West Sussex Authorities	
Horsham District Council	<i>Housing</i> – housing need <i>Economic Growth</i> -strategic employment <i>Infrastructure</i> - broadband <i>Housing</i> - neighbourhood planning <i>Housing</i> - Gypsy and	Hold Member and officer meetings Agree revised joint position statement	See North West Sussex Authorities Ongoing liaison over neighbourhood planning	

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
	traveller accommodation			
West Sussex County Council	<p><i>Infrastructure</i> - waste and minerals</p> <p><i>Housing</i> - Burgess Hill strategic development</p> <p><i>Infrastructure</i> - transport</p> <p><i>Infrastructure</i> - education</p> <p><i>Infrastructure</i> - S106 and Community Infrastructure Levy</p>	<p>Member and officer meetings</p> <p>Involvement in the Burgess Hill Steering Group</p> <p>Have discussions through the Joint Planning Board</p> <p>Liaise at Member and officer level</p>	Input into Stage 3 Transport Study	West Sussex Waste Local Plan – allocation for commercial waste site at Goddards Green, nr Burgess Hill.
Joint Planning Board/Chief Planning Officers/Planning Policy Officers' Group	<p>Political forum to discuss and coordinate joint planning issues and working arrangements between local planning authorities in West Sussex</p> <p>Supported by Chief Planning Officers and Planning Policy Officers' Groups</p>	Participate in regular meetings	The groups will continue to meet on a regular basis.	<p>There are formal terms of reference for Joint Planning Board</p> <p>Involves: <i>Adur District Council, Arun District Council, Chichester District Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, West Sussex County Council, South Downs National Park Authority</i></p>

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
North West Sussex Authorities (HMA area)	<p><i>Housing</i> – housing need</p> <p><i>Economic growth</i> - employment</p> <p><i>Infrastructure</i> – strategic infrastructure</p>	<p>Production of joint evidence base</p> <p>Agree common methodology for Strategic Housing Land Availability Assessment</p> <p>Joint consideration of strategic SHLAA sites</p> <p>Publish joint Economic Growth Assessment</p> <p>Draft terms of reference for joint working</p> <p>Production of joint position statement</p> <p>Senior Member and officer meetings</p>	Publication of an up to date joint position statement for examination	<p><i>Crawley Borough Council</i></p> <p><i>Horsham District Council</i></p> <p><i>Mid Sussex District Council</i></p>
Brighton and Hove City Council (shared boundary)	<p><i>Housing</i> – housing need</p> <p><i>Economic growth</i> – employment allocations</p> <p><i>Housing</i> – Gypsy and traveller accommodation</p>	<p>Hold Member and officer meetings</p> <p>Agree memorandum of understanding</p>		

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
	<i>Infrastructure - transport</i>			
Lewes District Council (shared boundary)	<p><i>Housing – housing need</i></p> <p><i>Housing – Gypsy and traveller accommodation</i></p> <p><i>Housing - Burgess Hill strategic development</i></p> <p><i>Infrastructure - transport</i></p> <p><i>Character and environment - impact on National Park</i></p> <p><i>Character and environment - Ashdown Forest Special Protection Area and Special Area of Conservation</i></p> <p><i>Housing – development at Burgess Hill (Lewes)</i></p> <p><i>Housing – development at Haywards Heath (MSDC)</i></p>	<p>Hold Member and officer meetings</p> <p>Consult on respective SHLAA methodologies</p> <p>Agree memorandum of understanding</p>		
Wealden District Council (shared boundary)	<i>Character and environment - Ashdown Forest Special Protection Area and Special Area of Conservation</i>	<p>Hold Member and officer meetings</p> <p>Agree memorandum of understanding</p>	Continuing work on a joint Strategic Access Management and Monitoring strategy	<i>Also involves Lewes District Council, Tunbridge Wells Borough Council, Natural England and the Conservators of Ashdown</i>

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
	<i>Housing</i> – housing need <i>Housing</i> – Gypsy and traveller accommodation	Contribute to and agree a SAMM strategy	Continuing work on other Habitat Regulations issues	<i>Forest</i>
East Sussex County Council (shared boundary)	<i>Infrastructure</i> - transport (Burgess Hill)	Hold Member and officer meetings		
Gatwick Diamond Initiative*	The Gatwick Diamond economy People, places and communities Transport and communications Countryside and landscape Low carbon economy	Regular Member meetings Regular project officer meetings	Continuing work on Gypsy and travellers Updates to work plan in LSS	*Crawley Borough Council, Epsom & Ewell Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead Borough Council, Surrey County Council, West Sussex County Council, (Tandridge District Council for MOU only)
Coastal Authorities*	<i>Housing</i> – housing need	Participate in officer meetings	Production of CWS & GB revised LSS	*Adur/Worthing Councils, Arun District Council, Brighton and Hove City Council, Chichester District Council, Lewes District Council
Coast to Capital Local	LEP Strategic Economic Plan	Participate in meetings		

Bodies or Organisations	Strategic Issues (and how they relate to the District Plan Strategy)	What MSDC will do	Outstanding Work	Notes
Economic Partnership		between MSDC and the LEP; will also engage through Gatwick Diamond Initiative and the West Sussex Rural Partnership		
Environment Agency	<i>Infrastructure</i> - waste water treatment works <i>Infrastructure</i> -flood risk <i>Housing</i> – neighbourhood plans	Hold officer meetings Hold joint meetings with Southern Water regarding waste water Agree statement of common ground	EA recommended wording changes to two policies in the proposed submission District Plan	
Highways England	Impact of development on the M23/A23 Trunk road	Meetings with officers Agree statement of common ground	Additional work as progress is made on the strategic allocation at Burgess Hill	
Natural England	Ashdown Forest Special Protection Area and Special Area of Conservation High Weald AONB	Emails and letters, meetings and advice Will arrange meetings on HRA, SANG, SAMM and other Habitat Regulations issues Agree statement of common	Agreement to continue working with MSDC and others on the development of the Strategic Access Management and Monitoring strategy for Ashdown Forest and the	Also need to liaise with High Weald AONB Unit

Bodies or Organisations	Strategic Issues <i>(and how they relate to the District Plan Strategy)</i>	What MSDC will do	Outstanding Work	Notes
		ground	provision of SANG in MSDC	

Appendix 2: Template for neighbouring/nearby authorities' duty to cooperate protocol/checklist

Duty to Co-operate Protocol & Checklist

Local Planning Authorities party to this agreement/understanding:
Mid Sussex District Council (MSDC)

Development Plan Documents covered by this agreement/understanding:
MSDC – Mid Sussex District Plan (Local Plan)

Stage in the process forming part of this agreement:

Checklist criteria	Full agreement	Areas for discussion

Log of meetings, reports and other records to substantiate the collaborative working:

We, the undersigned, agree that the above statements and information truly represent the joint working that has taken place under the duty to cooperate.

 Cabinet Member for Planning
 Mid Sussex District Council

Add appendices for notes of meeting/signed MOUs etc./correspondence (confirming that concerns have been met by new wording etc)
 Show how co-operation has changed Plan/policies.

Appendix 2.

Memorandums of Understanding between Mid Sussex District Council and neighbouring/ nearby local authorities

- (a) Adur & Worthing Councils MoU**
- (b) Arun District Council MoU**
- (c) Brighton & Hove City Council MoU**
- (d) Chichester District Council MoU**
- (e) Lewes District Council & South Downs National Park Authority MoU**
- (f) South Downs National Park Authority MoU**
- (g) Tandridge District Council MoU**
- (h) Wealden District Council MoU**
- (i) West Sussex County Council MoU**
- (j) Northern West Sussex Authorities Position Statement**

Duty to Cooperate

Memorandum of Understanding – January 2016

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Adur District Council
- Worthing Borough Council
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the Planning and Compulsory Purchase Act 2004 also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. In addition, local planning authorities are required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.”

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty.”

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the three local planning authorities – Adur, Worthing and Mid Sussex. Its overall aim is to ensure appropriate co-ordination and planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the three authorities.

Current Position

The current position is as follows:

Mid Sussex District Council

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan from November 2015 until January 2016.

Mid Sussex District Council is also preparing a Traveller Sites Document for the period to 2031. There was a public consultation on this draft document in August/September 2014 and it is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

Adur District Council

Adur District Council published the Proposed Submission Adur Local Plan 2014 under Regulation 19 in October 2014. Due to issues raised in relation to certain strategic sites, a brief regulation 18 exercise is being carried out from 9th December 2015 - 4th January 2016. This will be followed by proposed Amendments to the Proposed Submission Adur Local Plan 2014, which are likely to be published in early spring 2016 (Regulation 19) and submitted summer 2016.

That part of the district which is within the National Park (about half the district) is covered by the emerging local plan for the South Downs National Park and not by the Adur Local Plan. The new Adur Local Plan covers the period up to 2031.

The Council is also working with Brighton and Hove City Council, West Sussex County Council with the support of Shoreham Port Authority and other partners, on a joint Area Action Plan for Shoreham Harbour. This is a large strategic regeneration site identified in the Coast to Capital Local Enterprise Partnership's (LEP) Strategic Economic Plan as well as the Greater Brighton City Deal.

Worthing Borough Council

Worthing has an adopted Core Strategy to cover the period up to 2026. Significant changes to the planning system means that a review of the Core Strategy is now required. The Council has adopted a revised Local Development Scheme (April 2015) which sets out a timetable for the progression of a new Local Plan to be adopted in

2018. The Council's evidence base is currently being updated to inform the new Local Plan.

Strategic Planning Issues

The following have been identified as current cross-boundary strategic planning issues relevant to Adur, Worthing and Mid Sussex Councils:

- Housing provision
- Gypsy and Traveller accommodation
- Employment and jobs
- Transport

Whilst transport is identified as a strategic issue, this is being addressed as part of meeting the above housing, employment and Gypsy and Traveller development needs. The main issue is the capacity of the A27 and links across the South Downs National Park.

Liaison and working arrangements

Adur District Council, Worthing Borough Council and Mid Sussex District Council have been working together through the following mechanisms:

- all three authorities are partners in the Coastal West Sussex and Greater Brighton Strategic Planning Board and are members of the Greater Brighton Economic Board and parties to the City Deal
- formal consultation as the respective local plans have progressed
- all three authorities are partners in the Coast to Capital LEP, and their Leaders are members of the Joint Committee set up to agree and implement the Strategic Economic Plan for the LEP

The following meetings were held just between the three authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- Regeneration/Planning Portfolio Holders' meeting (21/11/13). At this meeting the strategic issues for our LPAs were agreed as was the need to explore solutions to housing needs as the respective local plans are progressed.
- Duty to Cooperate officers' meetings (1st July 2014, 4th December 2014, 2nd February 2015, 5th June 2015)
- Regeneration/Planning Portfolio Holders' meeting (27th August 2014)

Outcomes

Mid Sussex

Housing

Consultants commissioned by MSDC have undertaken a sustainability assessment of cross boundary options for the Mid Sussex District Plan and, as part of this process, MSDC wrote on the 5th August 2014 to neighbouring local planning authorities, including Adur & Worthing Councils, to establish whether they have unmet needs that they are seeking assistance with, and the detailed nature of any such needs. Adur & Worthing Councils responded on 20th August 2014 to say that both Councils had housing needs which were not capable of being met internally within each District/Borough.

The results of the sustainability assessment were shared with the neighbouring authorities including Adur & Worthing Councils. MSDC has also shared the results of its updated work on housing need and supply. This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031 and a potential supply of 800 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need (currently 105 homes per year) is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex.

Gypsy and Traveller Accommodation

The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show People accommodation. The quantum of sites proposed in the Traveller Sites Document is considered sufficient to meet this need without there being any dependency on other authorities.

Employment

The Mid Sussex District Plan includes provision for a 30 hectare business park and additionally supports in principle a science park. There may be scope for these proposals to serve wider than local needs.

Adur

Housing

The Objectively Assessed Housing Need for Adur Study was updated in 2015. This assessed Adur's need for housing as 291 dwellings per annum, which equates to 5820 dwellings over the plan period (2011-2031). (Previous work had indicated a requirement of 180-240 dwellings per annum, or 3,600-4,800 over the plan period.) In setting a delivery figure for the emerging Adur Local Plan, a number of housing sources have been carefully considered which maximise development on brownfield land and total 2531 dwellings. In addition, two sustainable greenfield urban extensions have been identified which will deliver a further 1080 dwellings. In total 3611 dwellings can be delivered over the Plan period which equates to an annual average of 181 dwellings. Consequently, a shortfall of approximately 2200 dwellings remains against the full objectively assessed need figure over the Plan period. (These figures will form part of the proposed Amendments to the Proposed Submission Adur Local Plan 2014 which will be taken to Council in March 2016, and subsequently tested at Examination later that same year.) The details of this shortfall have been provided to Mid Sussex District Council.

Gypsy and Traveller Accommodation

The need in Adur is for 4 public pitches for Gypsy and Traveller accommodation (1 during the period 2012-17; 1 between 2018-22; and 2 between 2023-27). The Council is investigating the potential to address these needs but this is dependent on the delivery of a new roundabout to serve an adjacent strategic allocation, as well as land raising to bring it out of flood zone 3. Until further work is undertaken to assess the exact capacity of an expanded Withy Patch site, the unmet remaining need is difficult to quantify. A separate Development Plan Document is timetabled after the adoption of the Adur Local Plan in early 2017 to progress this site.

In addition, one Travelling Showperson's plot is required in the period up to 2027.

Employment

The 2014 Adur Employment Land Review indicates that the Adur Local Plan should make provision for between 15,000 to 20,000 sq m net for offices and R&D, and between 35,000 and 40,000 sq. m for warehousing over the 2011 and 2031 period. This includes 18,750 sq m to be relocated from Shoreham Harbour and expected to be provided within Adur. However, due to capacity constraints, the Local Plan can only provide for 41,000 sq m for employment generating uses (not specifically B class uses). As such, co-operation with neighbouring local planning authorities is required.

Worthing

Housing

The Core Strategy seeks to deliver a total of 4,000 dwellings to 2026 (200 dwellings/year) which was the requirement set for the Borough within the South East Plan. However, the significant changes made to the planning system, in particular, how each authority must now assess its housing needs, means that a full review of the local policy position is required.

The Worthing Housing Study (June 2015) indicates that the Objectively Assessed Housing Need for Worthing (2013-2033) is 636 dwellings per annum. This is significantly higher than the level of housing currently planned for. As such, the Council now needs to assess all options to meet that need as part of the review of the Core Strategy. A timetable for the preparation of a new Local Plan for the Borough has been set within a revised Local Development Scheme (April 2015).

A full and positive review of the SHLAA has been undertaken and careful consideration will be given to the potential allocation of additional sites (including greenfield opportunities) to help meet development needs.

Although the SHLAA review has yet to be finalised, it is clearly apparent that opportunities to deliver new housing are extremely limited. Even though the development potential of every opportunity in and around Worthing will be tested, there is still no realistic or sustainable prospect of ever being able to identify sufficient housing sites to completely meet objectively assessed housing need. Even if every realistic opportunity were to be developed, the lack of available land and other constraints will mean that there would still be a significant shortfall. Details of this shortfall have been provided to Mid Sussex District Council.

Gypsy and Traveller Accommodation

Evidence indicates that there is no need in Worthing for Gypsy and Traveller accommodation.

Employment

With regard to employment, the Worthing Core Strategy indicated a need to provide 780,000 sq ft of industrial and warehousing floorspace and 240,000 sq ft of office space up to 2026. The Worthing Employment Land Review Update (December 2013) concluded that the Council's protectionist policy towards the retention of employment land is still valid and that there will be a need to deliver additional employment land to help achieve economic growth. Due to the scarcity of available sites to deliver new employment needs, co-operation with neighbouring local planning authorities will be required.

As part of the full review of the Council's Core Strategy, a new Employment Land Review has been commissioned in July 2015. This will provide more robust and up-to-date information on the type, scale and tenure of employment needs. This in turn will help to inform consideration of the location of this employment land within Worthing and within the context of the Duty to Co-operate.

Ongoing Cooperation

It is agreed that the three authorities will continue to cooperate actively and diligently on all cross-boundary planning matters with a view to achieving the proper planning of the wider area.

<p>Signed:</p>  <p>Pat Beresford Cabinet Member for Regeneration, Adur DC Dated: January 2016</p>	<p>Signed:</p>  <p>Bryan Turner Cabinet Member for Regeneration, Worthing BC Dated: January 2016</p>	<p>Signed:</p>  <p>Andrew MacNaughton Cabinet Member for Planning Mid Sussex DC Dated: 19th January 2016</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Duty to Cooperate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Arun District Council
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the Planning and Compulsory Purchase Act 2004 also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.”

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty.”

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – Arun District Council and Mid Sussex District Council. Its overall aim is to ensure appropriate planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two authorities.

Current Position

The current position is as follows:

Mid Sussex is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It will be published in June 2015 and submitted to the Secretary of State in August/September 2015.

Mid Sussex is also preparing a Traveller Sites Document for the period to 2031. There was public consultation on this draft Plan in August/September 2014 and it is anticipated that it will be published in June/July 2015 and submitted to the Secretary of State in November 2015.

Arun is well advanced in the preparation of its Local Plan which was submitted to the Secretary of State on 30th January 2015. The Examination Hearings are scheduled to take place from 2nd June 2015.

Arun will also be preparing a Traveller Sites Document and an Area Action Plan for the Littlehampton Economic Growth Area as well as Site Specific Development Plan Documents for Ford and Fontwell. The draft timetable for these is available in Arun's Local Development Scheme.

Strategic Planning Issues

The following have been identified as strategic planning issues:

- Housing need
- Gypsies and Traveller accommodation.

These are indirect rather than direct strategic issues because they cross housing market area boundaries rather than the respective district boundaries.

Liaison and working arrangements

Arun District Council and Mid Sussex District Council have been working together through the following mechanisms:

- both authorities are partners in the Coastal West Sussex and Greater Brighton Strategic Planning Board
- formal consultation as the respective local plans have progressed

- both authorities are partners in the Coast to Capital Local Enterprise Partnership (LEP), and their Leaders are members of the Joint Committee set up to agree and implement the Strategic Economic Plan for the LEP
- Through Arun's Local Plan Advisory Group; a group which advises Arun on the development and drafting of its plans.

The following exclusive meetings were held between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- Duty to Cooperate meeting 19th June 2014 (officers)
- Arun and Mid Sussex Planning Portfolio Holders Duty to Cooperate meeting (1st September 2014).

Outcomes

Mid Sussex

Consultants commissioned by Mid Sussex District Council have undertaken a sustainability assessment of cross-boundary options for the Mid Sussex District Plan and, as part of this process, Mid Sussex District Council wrote on 5th August 2014 to neighbouring local planning authorities to establish whether they had unmet needs that they are seeking assistance with, and the detailed nature of any such needs.

The results of the sustainability assessment were shared with the neighbouring authorities. Mid Sussex District Council has also shared the results of its updated work on housing need and supply. This evidence indicated an objectively assessed housing need of 627 homes per annum for the period 2014-2031 and a potential supply of 650 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex. Arun District Council notes the conclusions of the work and confirms that it is content with the technical robustness of this work.

Since the publication of the above sustainability assessment, in February 2015 the Department for Communities and Local Government released new 2012-based household projections for the period until 2037. These indicate a revised Objectively Assessed Need figure for Mid Sussex of 656 homes per year. The consequence of this is that Mid Sussex is not able to contribute towards meeting neighbouring authorities' housing needs.

The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show Person accommodation. The quantum of sites proposed in the draft Traveller Sites Document is considered sufficient to meet this need without there being any dependency on other authorities.

Arun District Council

The Objectively Assessed Housing Need for Arun is assessed as 580 homes per annum (2011-2031). Arun has not been requested to accommodate any unmet needs from its

directly adjacent authorities but has accommodated the needs of Arun's part of the South Downs National Park within the Arun Local Planning Authority area.

Arun recently commissioned GL Hearn to undertake an update to its most recent housing study (April 2014) to take into account the latest demographic evidence in the form of the 2012-based Household Projections, in line with the Government's Planning Policy Guidance that assessments of need should take account of the latest demographic evidence. This study indicates that the Council's updated OAN is 758 homes per annum. In light of this, the Council recommended to the Inspector that it was minded to amend the Local Plan to deliver at least 641 homes per annum and commit to review its Local Plan within two years of adoption to reflect the updated OAN.

The Local Plan Inspector held a Procedural Meeting on 16th July 2015 to discuss the options for the Local Plan. These options included suspension of the Examination process to amend the Local Plan as per the Council's recommendation and withdrawal of the Local Plan from the Examination process. The Inspector's Conclusions following the Procedural Meeting have now been received and the Inspector has invited the Council to consider suspension of the Examination process for 12-18 months to undertake further work to work towards meeting the identified higher OAN of 758 homes per annum. It was recommended at Local Plan Sub Committee on 30th July 2015 that the Council agrees to the principle of the suspension at the meeting of Full Council on 9th September 2015.

With regard to Gypsy and Traveller Accommodation, an update to the Coastal West Sussex GTAA (2013) was undertaken in 2014. The final version of the updated document was presented to the Local Plan Sub-Committee on 19th February 2015 and is now available on the Arun District Council website. The update amends a number of errors relating to the location of existing sites and also includes an update to the methodology originally used to calculate need.

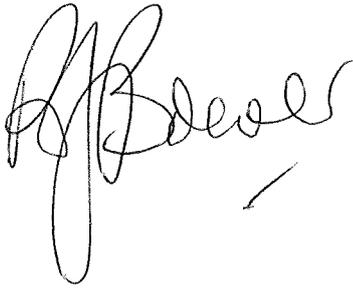
The update only relates to Gypsy and Traveller accommodation needs, therefore the Travelling Showpeople element of the GTAA (2013) remains as the most up to date evidence of the needs of Travelling Showpeople. Furthermore, the update does not take into account any planning permissions or refusals since the original primary research was undertaken for the GTAA 2013.

The results of the Addendum report has an impact upon the needs figures reported for Gypsies and Travellers in the emerging Arun Local Plan (ALP). In particular, the need for private pitch provision has reduced by 1 pitch to a total of 5. The need for public pitch provision has reduced by 3 pitches, taking the need down to 5 pitches up to 2017. The needs figures for Travelling Showpeople stay the same as presented in Table 12.3 of the ALP.

Ongoing Cooperation

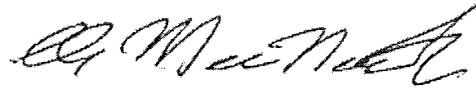
It is agreed that the two authorities will continue to actively and diligently cooperate on all cross-boundary planning matters with a view to achieving the proper planning of the wider area. This will include participating in the review of the Local Strategic Statement for the Coastal West Sussex and Greater Brighton Strategic Planning Board. They will also share their respective local plan timetables with each other as these are updated.

Signed:



Cabinet Member for Planning and Infrastructure
Arun District Council

Dated: 20/10/2015



Cllr Andrew MacNaughton
Cabinet Member for Planning
Mid Sussex District Council

Dated: 19th October 2015

Duty to Cooperate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Brighton & Hove City Council
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the Planning and Compulsory Purchase Act 2004 also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. In addition, local planning authorities are required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function and in particular state that:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.”

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if local plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty.”

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – Brighton & Hove City Council and Mid Sussex District Council. Its overall aim is to ensure appropriate co-ordination and planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two authorities.

Current Position

The current position is as follows:

Mid Sussex District Council

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in spring 2016 following public consultation on a schedule of 'focused amendments' to the Plan from November 2015 until January 2016.

Mid Sussex District Council is also preparing a Traveller Sites Allocations Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

Brighton & Hove City Council

Brighton & Hove City Council is at a late stage of preparation with the City Plan Part One that is in examination stage (since June 2013). Proposed modifications (as required by the examination inspector's initial conclusions Dec 2013) to the City Plan were agreed by the city council on 16 October 2014. The modifications principally concerned a numerical allowance for residential development on the urban fringe with a consequent increase in the planned housing target from 11,300 to 13,200. Public consultation closed on 16 December 2014. The results of the consultation along with the supporting evidence were sent to the Inspector in February 2015. In April 2015 the Inspector asked whether further modifications to the City Plan would be required primarily to address changes in national planning policy introduced over the preceding year and also whether the Plan's objectively assessed housing need required further updating to reflect the release of DCLG 2012 Household Projections published in February 2015.

Consultation on the further proposed modifications to the City Plan Part One ended on 10 August 2015. The further proposed modifications included a revised objectively assessed housing need (OAN) figure of 30,120 (to 2030) which represents a significant increase on the 2014 OAN of 18,000-24,000. The Planning Inspector's Report is expected in mid-February 2016 and the city council aims to adopt the City Plan in March 2016

Work has commenced on Part Two of the City Plan (site allocations and development management policies) and a scoping document will be the subject of consultation in summer 2016.

In addition two Neighbourhood Plans are being progressed in Brighton & Hove.

Strategic Planning Issues

The following have been identified as the current cross-boundary strategic planning issues relevant to Brighton & Hove City and Mid Sussex District Councils:

- Housing provision
- Jobs and employment
- Gypsy and Traveller accommodation
- Transport

Liaison and working arrangements

Brighton & Hove City Council and Mid Sussex District Council have been working together through the following mechanisms:

- both authorities are partners in the Coastal West Sussex and Greater Brighton Strategic Planning Board which has commissioned work to update the Local Strategic Statement for the area. This was completed in January 2016 and will be agreed by the individual authorities. The LSS update is an interim position and a full review of the LSS will be undertaken in the medium term;

- both authorities are members of the Greater Brighton Economic Board and parties to the City Deal
- both authorities are partners in the Coast to Capital Local Enterprise Partnership (LEP), and their Leaders are members of the Joint Committee set up to agree and implement the Strategic Economic Plan for the LEP
- formal consultation as the respective local plans have progressed
- Joint studies relating to Housing, Employment and Transport matters have been completed. These cover the GBEB and CWS and GB areas.

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- Duty to Cooperate officers' meetings 12th August, 12th December 2014, 6th February and 3rd June 2015

Outcomes

Mid Sussex

Housing

Consultants commissioned by Mid Sussex District Council have undertaken a sustainability assessment of cross-boundary options for the Mid Sussex District Plan and, as part of this process, Mid Sussex District Council wrote on 5th August 2014 to neighbouring local planning authorities, including Brighton & Hove City Council, to establish whether they had unmet needs that they were seeking assistance with, and the detailed nature of any such needs. Brighton & Hove City Council responded on 10th September 2014 to say that there was a potential shortfall of about 11,800 dwellings (and 50,000 – 55,000m² of employment floorspace) over the plan period.

The results of the sustainability assessment were shared with the neighbouring authorities including Brighton & Hove City Council. Mid Sussex District Council has also shared the results of its updated work on housing need and supply. This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031 and a potential supply of 800 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need (currently 105 homes per year) is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex, and modifications to the District Plan reflect this.

Jobs and Employment

The Mid Sussex District Plan includes provision for a 30-hectare business park and additionally supports in principle a science park. There may be scope for these proposals to serve wider than local needs.

Gypsy and Traveller Accommodation

The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show People accommodation. The quantum of sites proposed in the Traveller Sites Document is considered sufficient to meet this need without there being any dependency on other authorities.

Brighton & Hove

Housing

Brighton & Hove is very constrained with the sea to the south and the South Downs National Park to the north. Proposed modifications to the City Plan, made in response to the Planning Inspector's initial conclusions, have led to an increase in the housing target for the city from

11,300 to 13,200 additional homes by 2030. This was following an Urban Fringe Assessment to explore housing potential on urban fringe sites. This equates to 660 per annum.

As a consequence of the publication of new household projections by DCLG in February 2015, the city council commissioned an update to the Housing OAN Report. This indicated that housing requirements for the city have increased from 18,000-24,000 to 30,120 new homes by 2030 (1500 pa). This represents a significant increase resulting in a shortfall of 16,920 (56 per cent) new homes over the plan period.

Jobs and Employment

Reflecting the city's role as a regional employment centre, the objectively assessed needs for employment floorspace indicate a positive requirement for 112,240 sq m of office (B1a B1b) floorspace and 43,430 sq m of industrial floorspace over the plan period. Due to the significant land constraints facing the city and need to address other objectively assessed needs it has not been possible to address all the forecast employment floorspace requirements through the City Plan Part 1. It is likely that a coordinated approach through the greater Brighton City Region will be required to address this shortfall.

Gypsy and Traveller Accommodation

The need for permanent Gypsy and Traveller accommodation in the administrative area of Brighton & Hove is assessed to be an additional 32 pitches (2014 – 2028). No need exists for Travelling Showpeople accommodation. The additional permanent pitch requirements are split between the two local planning authorities (LPA) of Brighton & Hove City Council (19 pitches within the Brighton & Hove LPA) and the South Downs National Park Authority (13 pitches within the Brighton & Hove part of the South Downs National Park). The two local planning authorities are planning to undertake a joint site search to investigate to what extent the assessed need can be met within their local planning authority area. Given the significant constraints facing both LPAs it is likely that Gypsy and Traveller Accommodation will be a Duty to Co-Operate issue.

Ongoing Cooperation

It is agreed that the two authorities will continue to cooperate actively and diligently on all cross-boundary planning matters with a view to achieving the proper planning of the wider area through joint working to address key cross boundary issues. They will also share their respective local plan timetables with each other as these are updated.

<p>Signed:</p>  <p>Councillor Gill Mitchell Chair of Environment, Transport & Sustainability Committee Brighton & Hove City Council</p> <p>Dated: 17 February 2016</p>	<p>Signed:</p>  <p>Cllr Andrew MacNaughton Cabinet Member for Planning Mid Sussex District Council</p> <p>Dated: 22 February 2016</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Duty to Co Operate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following Local Planning Authorities:

- Chichester District Council
- Mid Sussex District Council

Introduction

Local Planning Authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area. Section 33A(6) of the 2004 Act also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF details how it is expected that the Duty to Cooperate will function, and in particular states that

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position”.

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Co-operate. This includes the advice that one way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty”.

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – Chichester and Mid Sussex. Its overall aim is to ensure appropriate planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two Councils.

Current Position

The current position is as follows:

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. It is anticipated that there will be public consultation on this draft Plan in October/November 2014 and that it will be published in February 2015 and submitted to the Secretary of State in April 2015.

Mid Sussex District Council is also preparing a Traveller Sites Document for the period to 2031. It is anticipated that there will be public consultation on this draft Plan in August/September 2013 and that it will be published in December/January and submitted to the Secretary of State in March 2015.

Chichester District Council has submitted a plan for examination and the hearings are expected to take place in September/October 2014.

Strategic Planning Issues

The following have been identified as Strategic Planning Issues:

- Housing
- Gypsies and Travellers

These are indirect rather than direct strategic issues because they cross housing market area boundaries rather than the respective district boundaries.

Liaison and working arrangements

Chichester District Council and Mid Sussex District Council have been working together through the following mechanisms:

- Liaison between Coastal West Sussex and Greater Brighton Strategic Planning Board and the North West Sussex Districts

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- 2nd July 2014 (officers)
- 29th July 2014 (Cabinet Members)

Outcomes

Mid Sussex

The Objectively Assessed Housing Need for Mid Sussex is assessed as 516 homes per annum (2014-2031). The proposed housing provision in the District Plan is X homes per annum.

The need for permanent gypsy and traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show Person accommodation. The quantum of sites proposed in the Traveller Sites Document is 36.

Chichester District Council

The Objectively Assessed Housing Need for Chichester District is assessed as 530 – 650 homes per annum (2012 – 2029). The proposed housing provision in the plan area (excluding the part of the district within the South Downs National Park) is 410 homes per annum.

Assuming the continued delivery of some 70 homes per annum within the National Park part of the district, this will leave a shortfall of some 50 homes per annum. The District Council believes there are environmental, infrastructure and delivery constraints that mean an appropriate balance has been struck for the amount of new housing proposed in the plan area.

The need for permanent gypsy and traveller accommodation in Chichester is assessed to be 59 pitches (2012 – 29). There is the need for 1 additional travelling show person's pitch. The District Council is aiming to make full provision to meet these needs in its Gypsy and Traveller Site Allocations document, due for the first round of consultation in autumn 2014.

Both authorities agree that given the relative distance between the respective local authority areas, it would not be a sustainable approach to attempt to meet general housing or permanent Gypsy and traveller accommodation needs within each other's districts.

Both authorities are partners in a county-wide project to provide a new Gypsy and Traveller Transit Site within Chichester District which will assist with preventing and managing unauthorised encampments.

Ongoing Cooperation

It is agreed that the two authorities will continue to actively and diligently cooperate on all cross-boundary planning matters with a view to achieving the proper planning of the wider area, particularly through liaison between sub-regional groups of authorities.

Signed:



Heather Caird, Leader
Chichester District Council

Dated: 29.7.14.

Signed:



Norman Webster, Portfolio Holder
Mid Sussex District Council

Dated: 29.7.14.

Duty to Cooperate

Memorandum of Understanding January 2016

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Lewes District Council
- South Downs National Park Authority
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the 2004 Act also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.”

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if local plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty.”

Objectives

This Memorandum of Understanding relates to the preparation of the Local Plans of Lewes District, Mid Sussex District and the South Downs National Park boundary. Its overall aim is to ensure appropriate co-ordination and planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two district councils and the South Downs National Park Authority. The SDNPA is jointly producing a Core Strategy (Local Plan Part 1) for Lewes District¹ as well as its own Local Plan. Strategic cross-boundary planning issues relating more specifically to Mid Sussex and the South Downs National Park Authority are dealt with through a separate MoU albeit that there is clearly some overlap between the two agreements.

Current Position

The current position is as follows:

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan in November/December.

Mid Sussex District Council is also preparing a Traveller Sites Allocations Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

Lewes District Council and the South Downs National Park Authority are working in partnership to prepare a Joint Core Strategy for Lewes District. This will form Part 1 of the Local Plan for the district. The Joint Core Strategy was submitted in September 2014 and examination hearings took place in January 2015. Proposed Modifications have been prepared in response to the Inspector's Initial Findings, including that the district's housing target should be increased to 6,900 in the period 2010-2030 and that the Joint Core Strategy should include some additional strategic housing allocations. Public consultation on the Proposed Modifications ran from 7 August to 2 October 2015 and resumed hearings to examine the Main Modifications took place on the 16 and 17 December 2015. The Inspector is provisionally satisfied that all other elements of the JCS are 'essentially sound'. The Inspector's Final Report is expected in early 2016 with adoption anticipated shortly thereafter.

Concurrently, Lewes District Council is preparing a Site Allocations and Development Management Policies DPD, which will form Part 2 of the Local Plan. Part 2 will only apply to the areas of the district for which Lewes District Council is the local planning authority. The proposed pre-submission version of this DPD is due to be published for representations in mid-2016.

¹ 56% of Lewes district falls within the national park boundary for which South Downs National Park Authority is the local planning authority.

Site allocations and development management policies for the remainder of Lewes district, within the National Park, will be determined in the emerging National Park Local Plan and Lewes Neighbourhood Development Plan. The SDNP is also preparing a Local Plan to cover the entire National Park. A preferred options consultation concluded in October 2015 and will be followed by a submission publication in the autumn of 2016 and estimated adoption in 2017.

In addition, a number of neighbourhood plans are being progressed across all Authority areas.

Strategic Planning Issues

The following have been identified as current cross-boundary strategic planning issues relevant to Mid Sussex and Lewes / South Downs National Park Authorities:

- Housing provision – how unmet needs in Lewes / SDNP might be accommodated elsewhere.
- Cross-boundary infrastructure, particularly relating to transport².
- Gypsies and Travellers (both permanent pitches and transit sites).
- Ashdown Forest Special Protection Area and Special Area of Conservation
- Impacts of housing development proposed in towns within Mid Sussex on neighbouring communities in Lewes and vice versa.
- Impacts of Burgess Hill strategic allocation.
- Impact of the Mid Sussex Local Plan on the Purposes and Duty of the South Downs National Park.
- The need to have regard to the setting of the National Park for development proposals close to the park boundary, in particular recognition of the emerging National Park Local Plan policies in relation to conserving and enhancing the natural beauty of the landscape, cultural heritage and the region's biodiversity.

Liaison and working arrangements

Lewes District Council, South Downs National Park Authority and Mid Sussex District Council have been working together through the following mechanisms:

- developing a monitoring framework and mitigation options for the Ashdown Forest through joint work also involving Natural England, Wealden District Council and the Conservators of Ashdown Forest.
- formal consultation as the respective local plans have progressed.
- meetings were held between the Authorities to discuss their emerging plans (particularly planning for housing and the respective Strategic Housing Land Availability Assessments, including assessments of sites near the administrative boundary). Such meetings have been held on a regular basis since 2010. Between June and August 2014, three meetings were held between officers and the respective Cabinet Members to continue these discussions and agree the first iteration of this Memorandum of Understanding.

² Whereby strategic infrastructure solutions should be acceptable to the relevant responsible authority, such as both East and West Sussex County Councils as local highway authorities for relevant cross-boundary transport infrastructure.

- three meetings were held between December 2014 and June 2015 between Mid Sussex and Lewes District, principally to discuss Mid Sussex's emerging housing land supply situation.
- four meetings were held between the National Park Authority and Mid Sussex in July and September 2014 and March and June 2015 principally in relation to the preparation of a number of Memorandums of Understanding.

Outcomes

Mid Sussex

Consultants commissioned by Mid Sussex District Council have undertaken a sustainability assessment of cross-boundary options for the Mid Sussex District Plan and, as part of this process, Mid Sussex District Council wrote on 5th August 2014 to neighbouring local planning authorities, including Lewes District Council and the National Park Authority, to establish whether they had unmet needs that they are seeking assistance with, and the detailed nature of any such needs. Lewes District Council responded on 19th August 2014 to say that there was a potential shortfall of between 3,600 and 4,800 dwellings over the plan period 2011- 2030 for the full extent of Lewes District (this shortfall is now likely to be around 3,500 taking into account the Inspector's Initial Findings into the Core Strategy). The SDNPA responded on the 14th August 2014 to explain that it was not yet in a position to determine whether the National Park is able to meet its objectively assessed needs. The emphasis in a National Park with regard to housing is meeting affordable housing need for local people as set out in the DEFRA 2010 Circular & Vision.

The results of the sustainability assessment were shared with the neighbouring authorities including Lewes District Council and the National Park Authority. Mid Sussex District Council has also shared the results of its updated work on housing need and supply. This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031 and a potential supply of 800 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex.

The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show People accommodation. The quantum of sites proposed in the Traveller Sites Document is considered sufficient to meet this need without there being any dependency on other authorities.

Lewes / South Downs National Park

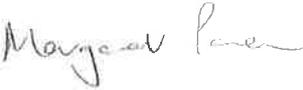
The Objectively Assessed housing Need for Lewes District has been agreed by Lewes District Council and South Downs National Park Authority to be in the range of 460 to 520 homes per annum (2011-2031). The Joint Core Strategy Inspector has agreed in his Initial Findings that, at the top end of the range, this represents Lewes district's full, objectively assessed need for the plan period.

The quantum of housing proposed in the Submission Joint Core Strategy was a minimum of 280 homes per annum. Following the publication of the Proposed Submission Joint Core Strategy in January 2013 Lewes District Council and South Downs National Park Authority undertook a programme of additional work seeking to reduce the gap between the proposed housing target and the objectively assessed level of need as far as was considered sustainably deliverable. This resulted in some Focussed Amendments, including the raising of the housing target from 225 per annum to 280 per annum. The target was raised to 290 per annum in January 2015 in advance of the Examination hearings, reflecting updated completions and commitments data as at October 2014. The Inspector's Initial Findings recommended main modifications to the JCS to raise the housing target to minimum 345 per annum (6,900 over the plan period). Proposed Modifications to meet this recommendation have been subject to public consultation and submitted to the examination. Associated resumed hearings took place in December 2015.

The need for permanent Gypsy and Traveller accommodation in Lewes district is assessed in the 2014 East Sussex and South Downs National Park Gypsy, Traveller and Travelling Showpeople Accommodation Assessment to be 13 permanent pitches to 2030 (of which 5 will serve the area of the district outside the national park and 8 will serve the area within the national park). No Gypsy and Traveller sites have been proposed for allocation in the Joint Core Strategy. Lewes District Council and South Downs National Park Authority propose to subsequently allocate specific deliverable sites in their respective Site Allocations/Local Plans, unless they are allocated in neighbourhood plans. At present, no need has been identified in the district for Travelling Show People's accommodation.

Ongoing Cooperation

It is agreed that the three authorities will continue to actively and diligently cooperate on all cross-boundary planning matters with a view to achieving the proper planning of the wider area. This will include working in partnership/collaboration with each other and other nearby authorities on the appropriate consideration of longer-term options for strategic housing delivery to narrow the gap between the planned housing provision and objectively assessed needs of the wider area, including Local Plan reviews where necessary, to help address sub-regional undersupply.

<p>Signed:</p>  <p>Tom Jones Cabinet Member for Planning Lewes District Council Dated: 3rd March 2016</p>	<p>Signed:</p>  <p>Andrew MacNaughton Cabinet Member for Planning Mid Sussex District Council Dated: 13th January 2016</p>	<p>Signed:</p>  <p>Margaret Paren Chair South Downs National Park Authority Dated: 9th February 2016</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Duty to Cooperate

Memorandum of Understanding January 2016

Parties to the Agreement

The Agreement involves the following Local Planning Authorities:

- South Downs National Park Authority
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the 2004 Act also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

"Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position."

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Co-operate. This includes the advice that one way to demonstrate effective cooperation, particularly if local plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross boundary matters. The NPPG states that:

"Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty."

Objectives

This Memorandum of Understanding relates to the preparation of Local Plans in the two local planning authority areas – South Downs National Park (SDNP) and the area of Mid

Sussex District Council (MSDC) outside the National Park boundary. Its overall aim is to ensure appropriate planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two authorities.

Current Position

The current policy position is as follows:

MSDC is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan in November/December 2015.

MSDC is also preparing a Traveller Sites Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

SDNPA and Lewes District Council are working in partnership to prepare a Joint Core Strategy for Lewes District, including the National Park part. Please see the MoU between MSDC, Lewes District and the National Park Authority for further information.

The SDNPA is preparing a Local Plan for the period to 2032. The Preferred Options consultation concluded in October 2015; followed by proposed submission publication in the autumn of 2016 and estimated adoption in 2017.

A Strategic Housing Market Assessment (SHMA) was prepared in support of the recent consultation and calculates the objectively assessed housing need for the National Park taking into account SHMAs that have been carried out for different parts of the National Park. The South Downs Local Plan consulted on proposals to make provision for approximately 4,596 net additional homes between 2014 and 2032. The delivery of these homes will be strongly influenced by the need to conserve and enhance the natural beauty, wildlife and cultural heritage of the area in accordance with the first purpose of a National Park. Pyecombe was the only community within the National Park part of Mid Sussex District that was proposed to accommodate any housing allocations (in the region of 8 homes). As the Local Plan emerges the National Park will continue to discuss with Mid Sussex the issues it raises and the implications for both Authorities.

Work is also underway on assessing the need for Gypsy and Traveller accommodation in different parts of the National Park. The South Downs National Park Local Plan will set out a requirement for pitches informed by the assessments and other evidence based studies.

A number of neighbourhood plans are being progressed across both Mid Sussex district and the National Park. Some of these neighbourhood plans (Hassocks, Hurstpierpoint and Sayers Common and Albourne) fall within both local planning authority areas, and arrangements are in place to clarify the roles of each authority in the process of progressing these plans. In summary, the majority of the support and advice provided to communities in the preparation of these plans falls on Mid Sussex District Council since most of the existing population and built-up areas within these parishes are within the Mid Sussex planning authority boundary. However, the National Park Authority provides

advice and support in relation to development and policies relevant to its area. Formal notifications and procedures are made to both local planning authorities, but Mid Sussex District Council leads on examination arrangements and conducts the referenda. If successful through these processes, both local planning authorities must 'make' the neighbourhood plan part of their development plan.

The two local planning authorities currently work closely together on development management matters. Since the formation of the National Park in April 2011, the determination of planning applications within the National Park area of Mid Sussex has been delegated to Mid Sussex District Council. The current Agency Agreement under Section 101 of the Local Government Act 1972 was signed in March 2014 and lasts for three years.

To support the above Agency Agreement, and similar arrangements with some other authorities in the National Park area, a framework of meetings has been set up to discuss common issues, both at operational and Head of Service level, this can include planning policy issues.

Strategic Planning Issues

It should be noted that the National Park covers the southern-most part of Mid Sussex District and includes the small communities of Poynings, Fulking and Pycombe. It borders the village of Albourne and the larger communities of Hassocks and Hurstpierpoint.

The following have been identified as Strategic Planning Issues shared by SDNPA and MSDC:

- The SDNPA and all relevant authorities including MSDC are required to have regard to the dual Purposes and Duties of the South Downs National Park as set out in the Environment Act 1995.
- Impact of development in Mid Sussex on the South Downs National Park, including development in and adjacent to settlements abutting the National Park boundary.
- The need to have regard to the setting of the National Park for development proposals close to the park boundary, in particular recognition of the emerging National Park Local Plan policies in relation to landscape quality, biodiversity, dark night skies, tranquillity and green infrastructure.
- Provision of sites for Gypsies and Travellers.
- Development of the **rural economy**.
- Improving the efficiency of **transport** networks by enhancing the proportion of travel by sustainable modes and promoting policies which reduce the need to travel.

In addition the SDNP identifies the promotion of sustainable tourism as an issue with potential cross boundary implications, but having considered the emerging policies in the Mid Sussex District Plan it is not felt that this is currently particularly relevant to the work between Mid Sussex and the SDNP.

Liaison and working arrangements

SDNPA and Mid Sussex District Council have been working together through the following mechanisms:

- MSDC has a councillor representative as a Member of the South Downs National Park Authority

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- Duty to Cooperate meeting 15th July 2014 (officers)
- MSDC Planning Portfolio Holder and SDNPA Planning Committee Chairman (2nd September 2014)
- Duty to Cooperate meetings 16th March and 10th June 2015 (officers)
- Additional meetings have been held in relation to the preparation of the Joint Core Strategy with Lewes District Council (see separate MoU).

In addition both Authorities respond as appropriate to formal consultations at each stage in the Local Plan preparation.

Outcomes

Housing

Consultants commissioned by MSDC have undertaken a sustainability assessment of cross boundary options for the Mid Sussex District Plan and, as part of this process, MSDC wrote on the 5th August 2014 to neighbouring local planning authorities, including the SDNPA, to establish whether they have unmet needs that they were seeking assistance with, and the detailed nature of any such needs. The SDNPA responded on the 14th August 2014 that it was not, at that time, in a position to determine whether the National Park was able to meet its objectively assessed needs. The emphasis in a National Park with regard to housing is meeting affordable housing need as set out in the DEFRA 2010 Circular & Vision. The National Park has now completed and published its first SHMA. This identifies an objectively assessed need for between 416 and 454 homes p.a. across the National Park. The South Downs Local Plan: Preferred Options recently consulted on achieving 255 homes p.a. This was accompanied by a Sustainability Appraisal and it was concluded that the National Park will not be able to meet its objectively assessed need for housing without significant harm to the special qualities of the National Park, especially its landscape. Within the North West Sussex HMA (which includes part of Horsham and Mid Sussex) the annual shortfall for the part which lies within the National Park is in the region of 12-13 homes p.a.

The results of the sustainability assessment were shared with the neighbouring authorities including the SDNP. MSDC has also shared the results of its updated work on housing need and supply. This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031 and a potential supply of 800 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need (currently 105 homes per year) is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex.

It is confirmed that the figure for the objectively assessed housing need for Mid Sussex includes the communities within the National Park which fall within the District, and therefore it is assumed that their very low level of needs will be met alongside those of

the planning authority area of Mid Sussex. As a result the shortfall in delivery of housing within this small part of the National Park is being met within the remainder of Mid Sussex District.

Gypsy and Traveller Accommodation

A Gypsy and Traveller and Travelling Showpeople Accommodation Assessment was carried out in 2013, with a minor update in 2014. This assessment covered the whole administrative area of Mid Sussex including the part within the National Park. The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031), which includes one pitch within the National Park. No need exists for Travelling Show Person accommodation. The Mid Sussex Consultation Draft Traveller Sites Document published in August 2014 proposed the following:

- a) Land to the north and northwest of Burgess Hill (as part of the Northern Arc mixed use strategic allocation) (two sites of 12 pitches)
- b) Land at Imberhome Lane Nurseries, Imberhome Lane, East Grinstead (one site of 12 pitches).

The Mid Sussex District Plan includes policies on landscape character, protecting the setting of the National Park, transport, green infrastructure and light pollution etc that assist the two Authorities in ensuring that the Purposes and Duties of the National Park are supported. The National Park Authority has contributed to the various iterations of the Mid Sussex District Plan and its comments and suggestions have been taken on board in the pre-submission and focused amendments versions.

Development sites in Hassocks and Albourne will be determined through neighbourhood plans, which will need to be jointly submitted to Mid Sussex District Council and the National Park Authority, as the plan areas cross both local planning authority areas. The Albourne Neighbourhood Plan was submitted to both Authorities on 26th November 2015. The Hurstpierpoint and Sayers Common Neighbourhood Plan was submitted to both local planning authorities, has passed its examination and referendum stages and is now part of the Development Plan.

The impact of the traffic generated from the development levels proposed in the Mid Sussex District Plan, including the strategic allocation at Burgess Hill, has been considered as part of the plan preparation process and will also be considered at the planning application stage. The focused amendments to the pre-submission plan now make reference to the need to ensure that increases in traffic do not harm the special qualities of the National Park.

Ongoing Cooperation

It is agreed that the two authorities will continue to actively and diligently cooperate on all cross-boundary planning matters with a view to achieving the proper planning of the wider area. This will include the sharing of their respective local plan timetables and relevant evidence bases with each other as these are updated.

Signed: 	Signed: 
---------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------

**Margaret Paren
Chair
South Downs National Park
Authority**

Dated: 9.2.2016

**Cllr Andrew MacNaughton
Cabinet Member for Planning
Mid Sussex District Council**

Dated: 7.3.2016

Duty to Cooperate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Tandridge District Council
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the Planning and Compulsory Purchase Act 2004 also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. In addition, local planning authorities are required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function and in particular state that:

"Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position."

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if local plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

"Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty."

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – Tandridge District Council and Mid Sussex District Council. Its overall aim is to ensure appropriate co-ordination and planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two authorities.

Current Position

The current position is as follows:

Mid Sussex District Council

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan in November/December 2015.

Mid Sussex District Council is also preparing a Traveller Sites Allocations Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

Tandridge District Council

Tandridge District Council has resolved to review its 2008 Core Strategy and has published its Local Plan – Issues and Approaches (Regulation 18) consultation document for consultation for ten weeks from Friday 18th December – Friday 26th February. The intention is that a new Local Plan– Strategic Policies will be completed in 2017.

With regard to Gypsies and Travellers, Tandridge completed its Traveller Accommodation assessment in 2013. In early 2014 a 'call for sites' was made; however, this produced very few sites. Following this, the Council are just about to embark on preparing a new Gypsy and Traveller Assessment with Reigate and Banstead, and Elmbridge Borough Councils. The results of which should be available later in 2016.

In addition, a number of neighbourhood plans are being progressed across Tandridge and Mid Sussex.

Strategic Planning Issues

The following have been identified as the current cross-boundary strategic planning issues relevant to Tandridge and Mid Sussex District Councils:

- Housing provision including the impacts of any housing developments at neighbouring settlements
- Gypsy and Traveller accommodation
- Ashdown Forest Special Protection Area and Special Area of Conservation
- High Weald Area of Outstanding Natural Beauty (AONB)
- The economy
- Retail provision
- Infrastructure

The schedule attached at Annex 1 provides greater detail on these issues.

Liaison and working arrangements

Tandridge District Council and Mid Sussex District Council have been working together through the following mechanisms:

- both authorities are partners in the Gatwick Diamond Initiative and are signatories to the Memorandum of Understanding which was prepared and endorsed by all of the local authorities within the Diamond
- both authorities are partners in the Coast to Capital LEP, and their Leaders are members of the Joint Committee set up to agree and implement the Strategic Economic Plan for the LEP
- formal consultation as the respective local plans have progressed

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- Duty to Cooperate officers' meetings 11th November 2014, 10th December 2014, 5th February 2015, 16th March 2015, 5th June 2015, 30th September 2015.

Ongoing Cooperation

It is agreed that the two authorities will continue to cooperate actively and diligently on all cross-boundary planning matters with a view to achieving the proper planning of the wider area. They will also share their respective local plan timetables with each other as these are updated.

<p>Signed: </p> <p>Piers Mason Chief Planning Officer Tandridge District Council</p> <p>Dated: 1st February 2016</p>	<p>Signed: </p> <p>Claire Tester Head of Economic Promotion and Planning Mid Sussex District Council</p> <p>Dated: 1st February 2016</p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Strategic Issues Table

Strategic Issue	Outcome
The Economy	<p>Both Local Planning Authorities will continue to work on the review of the Local Strategic Statement (LSS) for the Gatwick Diamond. The Gatwick Diamond LSS aims to establish development and infrastructure needs and plans to meet them.</p> <p>It is intended that all Councils sign up to the preparation of the LSS. The timetable and key milestones will be set once the review has been agreed in principle by the Chief Executives of each local authority.</p>
Housing	<p>Mid Sussex LPA has carried out a Sustainability Assessment of Cross-boundary Options which has considered the potential unmet needs of neighbouring authorities and the sustainability impacts of meeting or not meeting them. Information was sought from neighbouring authorities in August 2014 concerning any unmet needs, and TDC responded. The Assessment has been shared with neighbouring LPAs, including Tandridge. Neighbouring authorities were given the opportunity to make comments on the Assessment, and TDC responded by email on 17/12/14. These comments have been incorporated into the final version of the Assessment.</p> <p>Tandridge District Council is currently reviewing its Local Plan and has published its Regulation 18 consultation document. Neighbouring authorities were invited to carry out a Strategic Housing Market Assessment (SHMA) with Tandridge. However, Mid Sussex felt this would not be appropriate as a SHMA had already been prepared with the authorities in their primary Housing Market Area.</p> <p>A number of workshops / meetings were held to inform and update neighbouring authorities on the progress of the SHMA.</p> <p>A workshop to inform the Green Belt Assessment (GBA) methodology was held on the 8th June 2015. Mid Sussex attended the workshop and comments from the workshop have been incorporated into the final GBA</p>

	<p>Methodology.</p> <p>This MoU has been updated to reflect the current position for both authorities to address housing need, following the publication of TDC's Regulation 18 consultation and Mid Sussex's 'schedule of focused amendments'.</p>
<p>Gypsy and Traveller accommodation</p>	<p>In January 2014 MSDC consulted neighbouring authorities on its GTAA and TDC confirmed by letter on 05/02/14 that there are no cross-boundary issues arising from either the Tandridge TAA or the Mid-Sussex GTAA. In June 2014 TDC confirmed that it was happy with the GTAA methodology and did not identify any unmet needs. MSDC consulted TDC on its Regulation 18 consultation draft Traveller Sites DPD and TDC did not raise any concerns.</p> <p>TDC have prepared a GTAA in 2013 which complied with a methodology that had been agreed by Surrey and Sussex. TDC plan to review and update the GTAA, following some changes in national policy and emerging evidence on compound growth. TDC have carried out a traveller site availability assessment in 2015 prior to the Local Plan Regulation 18 consultation.</p> <p>Before Regulation 18, TDC held a Duty to Cooperate workshop where the spatial approaches and any unmet needs were discussed. The MoU has been updated to reflect this position.</p>
<p>Ashdown Forest</p>	<p>The joint working on mitigation strategies. Mid Sussex and TDC will continue to work together on mitigation strategies with other neighbouring authorities. This will be dependent on the impact to the Ashdown Forest that is relative to each local planning authority. The mitigation strategies are ongoing and likely to take many different forms. However, contributions to the ongoing monitoring of the Ashdown Forest have been agreed with all relevant local planning authorities.</p>
<p>High Weald</p>	<p>Both Councils are represented on the High Weald AONB Joint Advisory Committee and Officer Steering Group. This has involved joint working on the Management Plan, which has been signed off by both Councils. Both Councils are now joint working with the other authorities within the High Weald AONB with the AONB Unit to prepare planning policy guidance notes for development in the High Weald.</p>

Retail Issues	<p>This issue primarily relates to residents in the south of Tandridge who might rely on retail facilities in Mid Sussex, such as at East Grinstead. MSDC has updated its Retail Study and TDC has carried out a retail and leisure study which takes account of cross-boundary issues, including the relationship Tandridge residents have with East Grinstead. Planning applications proposing the major redevelopment of East Grinstead Town Centre will be covered under the Development Management consultation arrangements.</p>
Infrastructure	<p>Joint working to identify cross-boundary projects in IDPs and possibly Transport (although our joint working on this has been with Surrey CC). A22 and A264 improvements are likely to have cross-boundary implications and require cooperation between TDC, MSDC and the local highway authorities.</p> <p>TDC will be updating their IDP prior to Submission of the Local Plan.</p> <p>As part of the update, TDC has contacted infrastructure providers to update the baseline position with the infrastructure in the district, and will also consider infrastructure beyond the administrative boundaries. The Council has also discussed spatial approaches with infrastructure providers and the impact the different approaches will have on infrastructure. These documents are called Infrastructure Baseline Study Part 1 and Part 2 and form part of the Regulation 18 consultation.</p> <p>TDC held a Duty to Cooperate workshop where the spatial approaches were discussed and any infrastructure pressures across the boundaries should be identified and factored into the Plan. The MoU will be updated when appropriate to reflect where there may be infrastructure issues and how these issues will be considered in Plan making.</p> <p>MSDC is revising its IDP as part of the preparation of its District Plan. TDC was consulted on this along with other neighbouring authorities.</p>

Duty to Cooperate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following local planning authorities:

- Wealden District Council (WDC)
- Mid Sussex District Council (MSDC)

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the 'Duty to Cooperate', that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the 2004 Act also requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

"Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position."

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if local plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

"Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty."

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – Wealden and Mid Sussex. Its overall aim is to

ensure appropriate planning for the cross-boundary strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two Councils.

Current Position

The current position is as follows:

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014-2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan in November/December 2015.

Mid Sussex District Council is also preparing a Traveller Sites Allocations Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

Wealden District Council is at examination with its Affordable Housing Delivery Local Plan, which was submitted in March 2015. An additional examination date has been set for Monday 11th January 2015. The timescale for adoption is April 2016. A new Local Plan, which will encompass a review of the adopted Core Strategy, referred to as the Wealden Local Plan, is underway and anticipated to be adopted in 2018. Consultation on the Issues, Options and Recommendations for the Wealden Local Plan (incorporating the Hailsham Area Action Plan and Conservation Areas) is currently underway ending on 14th December 2015.

Strategic Planning Issues

The following have been identified as Strategic Planning Issues:

- Housing
- Gypsies and Travellers
- Ashdown Forest Special Protection Area and Special Area of Conservation

Liaison and working arrangements

Wealden District Council and Mid Sussex District Council have been working together through the following mechanisms:

- the High Weald Area of Outstanding Natural Beauty Management Board
- formal consultation as the respective local plans have progressed
- joint Strategic Access Management and Monitoring (SAMM) Strategy

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- 24th June 2014 (officers)
- 9th July 2014 (Cabinet Members)
- 3rd February 2015 (officers)
- 16th April 2015 (officers)

- 25th June 2015 (officers)

Outcomes

Mid Sussex

Housing

Consultants commissioned by MSDC have undertaken a sustainability assessment of cross-boundary options for the Mid Sussex District Plan and, as part of this process, MSDC wrote on the 5th August 2014 to neighbouring local planning authorities, including Wealden DC, to establish whether they have unmet needs that they are seeking assistance with, and the detailed nature of any such needs. WDC responded on the 22nd September 2014 to say that there was a potential shortfall of about 3,500 dwellings over the plan period of 2006-2027.

The results of the sustainability assessment were shared with the neighbouring authorities including WDC. MSDC has also shared the results of its updated work on housing need and supply. This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031 and a potential supply of 800 homes per annum over the same period. The sustainability assessment advises that any supply in excess of local need (currently 105 homes per year) is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex.

WDC confirms that the Sustainability Assessment of Cross-Boundary Options for the Mid Sussex District Plan (February 2015) is acceptable to the Council.

Gypsy and Traveller Accommodation

The need for permanent Gypsy and Traveller accommodation in Mid Sussex is assessed to be 34 pitches (2011-2031). No need exists for Travelling Show People accommodation. The quantum of sites proposed in the Traveller Sites Allocations Document is considered sufficient to meet this need without there being any dependency on other authorities.

Ashdown Forest Special Protection Area (SPA)

Both authorities are working towards agreeing a joint SAMM Strategy to help mitigate the effects of increased recreational pressure on the SPA from new housing and any other relevant development in the vicinity of Ashdown Forest.

Wealden District Council

Wealden District Council has commenced work on its new Local Plan incorporating the review of the adopted Core Strategy, referred to as the Wealden Local Plan. An Issues, Options and Recommendations document was published in October 2015.

As part of the evidence base for the Wealden Local Plan a Strategic Housing Market Assessment (SHMA) has been undertaken which identifies that Wealden shares a Housing Market Area with Eastbourne Borough, Tunbridge Wells Borough, Rother District, Lewes District and Mid Sussex District. The SHMA identifies an additional

number of houses required in the District to be between 13,200 and 14,700 between 2013 and 2033. The objectively assessed housing needs and current under supply of the identified Housing Market Area have also been assessed based on current plans and the most recent evidence. Not including Wealden District, the current undersupply is calculated to be approximately 12,000 dwellings. For the purposes of decision making the Objectively Assessed Housing Need for Wealden District is 735 dwellings per annum, but for plan making we are considering if it is possible to accommodate 832 dwellings per annum, in order to help meet a proportion of the undersupply within Eastbourne Borough.

Both authorities have reviewed each other's evidence bases and emerging Plans and are satisfied that each has considered all relevant opportunities to seek to meet the housing needs of its Housing Market Area.

Ongoing Cooperation

It is agreed that the two authorities will continue to actively and diligently cooperate on all cross-boundary planning matters with a view to achieving the proper planning of the wider area. They will also share their respective local plan timetables with each other as these are updated.

Signed:



Ann Newton
Cabinet Member for Planning and Development
Wealden District Council

Dated: 2nd February 2016



Andrew MacNaughton
Cabinet Member for Planning
Mid Sussex District Council

Dated: 15th February 2016

Duty to Cooperate

Memorandum of Understanding

Parties to the Agreement

The Agreement involves the following local authorities:

- West Sussex County Council
- Mid Sussex District Council

Introduction

Local planning authorities are required by the Localism Act 2011 to meet the ‘Duty to Cooperate’, that is to engage constructively and actively on an ongoing basis on planning matters that impact on more than one local planning area. Section 33A(6) of the Planning and Compulsory Purchase 2004 Act requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

The Duty to Cooperate is amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly (paragraph 156). Paragraphs 178-181 of the NPPF detail how it is expected that the Duty to Cooperate will function, and in particular state that:

“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.”

The National Planning Practice Guidance (NPPG) offers further advice on the implementation of the Duty to Cooperate. This includes the advice that one way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross-boundary matters. The NPPG states that:

“Such agreements should be as specific as possible, for example about the quantity, location and timing of unmet housing need that one authority is prepared to accept from another authority to help it deliver its planning strategy. This will be important to demonstrate the commitment between local planning authorities to produce effective strategic planning policies, and it will be helpful for Inspectors to see such agreements at the examination as part of the evidence to demonstrate compliance with the duty.”

Objectives

This Memorandum of Understanding relates to the preparation of local development plans in the two local planning authority areas – West Sussex County and Mid Sussex District. Its overall

aim is to ensure appropriate planning for the strategic planning issues that exist and/or are likely to arise in the foreseeable future between the two Councils.

Current position

The current position is as follows:

Mid Sussex District Council

Mid Sussex District Council is preparing a revised version of its District Plan for the period 2014 – 2031. There was public consultation on this draft Plan from November 2014 until January 2015. It was published in June 2015 and will be submitted to the Secretary of State in early 2016 following public consultation on a schedule of 'focused amendments' to the Plan in November/December. In relation to the new proposal for a strategic development site at Pease Pottage it is agreed that West Sussex County Council will be afforded opportunities, prior to the public examination of the District Plan, to contribute to and consider the results of further work aimed at demonstrating that satisfactory access arrangements and transport mitigation can be delivered.

Mid Sussex District Council is also preparing a Traveller Sites Allocations Document for the period to 2031. There was a public consultation on this draft Document in August/September 2014. It is anticipated that it will be published in 2016 following further appraisal of potential suitable sites.

West Sussex County Council

The West Sussex Waste Local Plan was adopted in April 2014 and a new Minerals Local Plan is in preparation. A public consultation upon a Draft Minerals Local Plan is planned for Spring 2016. It is anticipated that the Plan will be published in November 2016 and submitted to the Secretary of State in Spring 2017.

Strategic planning Issues

The following have been identified as the current strategic planning Issues relevant to both authorities:

- Waste & minerals
- Infrastructure (principally transport and education)
- Burgess Hill strategic allocation

Liaison and working arrangements

West Sussex County Council and Mid Sussex District Council have been working together through the following mechanisms:

- West Sussex County Council and Mid Sussex District Council have been working together through the Joint Chief Executives' and Leaders' Group comprising all of the West Sussex local authorities and the Chairman of the South Downs National Park Authority Planning Committee. This group has facilitated discussion between these local planning authorities on cross-boundary issues such as engagement with Water Authorities and the implementation of Community Infrastructure Levy.
- West Sussex County Council and Mid Sussex District Council are partners in the Coast to Capital Local Economic Partnership, and their Leaders are members of the Joint Committee set up to agree and implement the Strategic Economic Plan for the LEP.

- both authorities are partners in the Coastal West Sussex and Greater Brighton Strategic Planning Board.
- both authorities have set up, and are represented on, the Burgess Hill Development Board to secure the delivery of the strategic growth location at Burgess Hill, and the necessary associated infrastructure, in line with the Coast to Capital Strategic Economic Plan, the Greater Brighton City Deal, the Mid Sussex District Plan and the Burgess Hill Town Wide Strategy.
- Mid Sussex District have shared their Infrastructure Delivery Plan with West Sussex County Council so that any impacts on transport and education infrastructure can be suitably covered/updated.
- each authority has formally consulted the other at every stage of plan preparation.

The following meetings were held just between the two authorities to discuss their emerging plans and agree this Memorandum of Understanding:

- 25 July 2014 (officers)
- 15 August 2014 (Cabinet Members)

Outcomes

Mid Sussex

In response to a request from the County Council, the pre-submission draft Mid Sussex District Plan includes the following paragraph in the supporting text to Policy DP10: Protection and enhancement of the countryside:

“Minerals are a finite resource and can only be worked where they are found. Therefore it is important to use them in the most efficient manner to secure their long term conservation. Where a development is sited in a West Sussex Minerals Consultation Area, further work will be required in conjunction with West Sussex County Council as the Minerals Planning Authority to identify whether minerals are accessible in sufficient amounts to be economically viable to extract.”

The District Plan Policies Maps have been revised to include the adopted strategic minerals and waste site allocations in Mid Sussex.

The Mid Sussex Draft Infrastructure Delivery Plan (June 2015) has been updated to reflect the comments of West Sussex County Council on the education, transport, and public and community service infrastructure needed to support the District Plan.

West Sussex County Council

The County Council has assisted Mid Sussex District Council to produce transport evidence for its emerging District Plan, utilising the County Transport Model for scenario testing and providing advice on methodology and interpretation of the results of study work.

In November 2014 the County Council submitted a bid to the Coast to Capital LEP for funding to enable the A2300 Burgess Hill link road to be upgraded and thereby facilitate delivery of the primary strategic development allocation in the pre-submission draft District Plan. The Government has subsequently allocated funding towards the project through the Coast to

Capital Growth Deal, subject to confirmation of value for money and deliverability. The County Council is now developing the project through preparation of a Transport Business Case.

Ongoing Cooperation

It is agreed that the two authorities will continue to cooperate actively and diligently on all strategic planning matters with a view to achieving the proper planning of the wider area.

<p>Signed:</p>  <p>Councillor John O'Brien Cabinet Member for Highways & Transport West Sussex County Council</p> <p>Dated: 20th January 2016</p>	<p>Signed:</p>  <p>Cllr Andrew MacNaughton Cabinet Member for Planning Mid Sussex District Council</p> <p>Dated: 21st January 2016</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

NORTHERN WEST SUSSEX AUTHORITIES
POSITION STATEMENT (revised March 2016)

1. Purpose of this Position Statement

- 1.1 The purpose of this statement is to set out how the three authorities have worked together on strategic planning matters in relation to the identified Northern West Sussex housing market area. In doing so, it demonstrates how the three authorities have sought to and continue to address the legal Duty to Co-operate requirements (Localism Act 2011) and tests of the National Planning Policy Framework (NPPF) paragraphs 178-182 (Appendix A and Appendix B). It updates the Position Statement agreed by the three Northern West Sussex Authorities in September 2013 and revised in July 2014 and February 2015.

2. Background

- 2.1 Crawley Borough Council, Horsham District Council and Mid Sussex District Council (the Northern West Sussex Authorities) have a long history of working together on issues of mutual importance and across a wide range of services. For example, the councils have mature shared service arrangements and routinely work together on procurement of goods and services. The three authorities share planning and administrative boundaries. There is a particularly strong history of joint working and collaboration on planning policy matters.
- 2.2 Over the years a number of planning studies have been procured jointly and, when proposals at Crawley involved development beyond the borough boundary, a joint area action plan between Horsham and Crawley was produced. With the introduction of the Localism Act and the Duty to Cooperate, joint working has continued and strengthened with the three authorities collaborating together on a number of strategic issues.
- 2.3 The authorities also work with partners in the wider 'Gatwick Diamond'¹ area to address strategic planning issues. The aim of this work is to promote the continued prosperity of the Gatwick Diamond and plan for its future growth. As part of this wider area, the three authorities have worked on and signed up to the Gatwick Diamond Local Strategic Statement and the Memorandum of Understanding². This sets out a vision to help ensure that '*the Gatwick Diamond will be a world-class, internationally recognised business location achieving sustainable prosperity.*' In doing so, the statement recognises the strength of the Gatwick Diamond as a business location, and has regard to the strong demand to locate there. Both the Local Strategic Statement and the Memorandum of Understanding are in the process of being reviewed.
- 2.4 The three authorities are part of the 'Coast to Capital' Local Enterprise Partnership. This area stretches from Chichester in the south west, along the coast to Brighton and Newhaven and Seaford through Mid Sussex and Crawley to Croydon on the outskirts of London. The Coast to Capital Local Enterprise Partnership (LEP) has published its Strategic Economic Plan (2014) which aims to encourage growth across the Coast to Capital region as well as supporting its thriving business base. This

¹ Crawley Borough Council, Epsom and Ewell Borough Council, Horsham District Council, Mid Sussex District Council, Mole Valley District Council, Reigate and Banstead Borough Council, West Sussex County Council, Surrey County Council and Tandridge District Council

² Which can be accessed from each of the northern West Sussex authorities' websites:

Crawley -

http://www.crawley.gov.uk/pw/Planning_and_Development/Planning_Policy/GatwickDiamondLocalStrategicStatement/index.htm;

Horsham - <http://www.horsham.gov.uk/planningpolicy/planning-policy/gatwick-diamond>;

Mid Sussex - <http://www.midsussex.gov.uk/8573.htm>.

strategy has the potential to be a significant factor in the way in which resources are prioritised and directed to infrastructure projects. The three authorities are working together with other authorities in the Gatwick Diamond to continue effective input into the LEP. They will be urging the LEP to assist in unlocking stalled housing and employment sites within the LEP area, including within the Gatwick Diamond area and along the Sussex Coast, in order to achieve its aim to be one of the leading economic regions in the UK whilst maintaining its special/high environmental quality which attracts investment to the area.

- 2.5 A Strategic Housing Market Assessment has been produced for the three authority areas since 2009. The assessment initially identified, and subsequent reviews have confirmed, that the County had two separate Housing Market Areas. Crawley Borough Council, Horsham District Council and Mid Sussex District Council were identified as sharing a common Housing Market Area, the 'Northern West Sussex Housing Market Area' centred around Gatwick Airport. This area is distinct from that of the West Sussex Coastal Authorities (Adur District Council, Arun District Council, Chichester District Council and Worthing Borough Council together with the South Downs National Park Authority).
- 2.6 Whilst recognising that housing markets are not totally discrete, the three authorities continue to work and plan for this distinct Housing Market Area, and are building upon this evidence in the preparation of their respective Local Plans. The Northern West Sussex Authorities have engaged with the West Sussex Coastal Authorities, and additionally Brighton and Hove and Lewes, in a number of ways (at Member and Chief Executive officer level), whilst work on the delivery of housing continues to progress based on the separate housing market areas within the Sussex Coast and the Gatwick Diamond. Horsham and Mid Sussex have also joined the Coastal West Sussex and Greater Brighton Strategic Planning Board (the Local Strategic Statement for which is being refreshed), which includes Adur and Worthing Councils, Arun District Council, Chichester District Council, the South Downs National Park Authority, Brighton & Hove City Council, Lewes District Council. In a similar way, and with the agreement of the other authorities in the Gatwick Diamond area, the Northern West Sussex housing market area has been treated separately from the East Surrey housing market area. Where overlaps between these two housing market areas exist, these are being considered with the other authorities within the context of the Local Strategic Statement and the Memorandum of Understanding, and in Local Plan references, such as Reigate and Banstead.
- 2.7 The three local authorities have continued to commission joint evidence, including: the Employment Land Review started in 2009 (updated in 2010 and 2014), the Strategic Housing Market Assessment 2009 (updated in 2012 and 2014), the New Market Town Study (2009), the At Crawley Study (2010) and an update to the Employment Land Review, including an Economic Growth Assessment (2014). The authorities have also worked collaboratively on other studies relevant to the wider Gatwick Diamond area including the Gatwick Water Cycle Study 2011 and catchment based flood risk assessments. The authorities, as a matter of course, share methodologies and emerging evidence to ensure consistency and compatibility throughout the area, even if studies are being produced separately. These include Locally Generated Housing Needs Studies/Local Housing Assessments, Strategic Sites and Broad Locations across the Housing Market Area (SHLAA appendix) and Gypsy and Traveller Accommodation Needs Assessments. Further information on the work by the three authorities in relation to the housing evidence is set out in Section 6.

3. Principles of Joint Working

3.1 The Gatwick Diamond Local Authorities Memorandum of Understanding, to which the three authorities are party, established a broad framework for cooperation across the Gatwick Diamond Area. Within this context, the three authorities agreed the following additional principles to guide their joint working:

- To plan positively and achieve sustainable development in line with the National Planning Policy Framework requirements;
- To respect each other's right to develop their own plans that fit the specific circumstances of the District/Borough's communities;
- To work to produce a joint evidence base on relevant issues; and
- To meet regularly at Member and officer level to review the situation and respond to new issues and changing circumstances.

3.2 It has been agreed between the three authorities that:

- A joint Local Plan does not need to be produced at this time (although an adopted local Joint Area Action Plan exists between Crawley Borough and Horsham District Councils), but we will reconsider whether a joint plan would be appropriate when the HDPF review commences within three years;
- Each authority will determine its own employment and housing targets but in so doing will consider them in the context of the key strategic issues and the particular circumstances of the other authorities; and,
- They will continue to work with the other Gatwick Diamond authorities on housing, employment and other strategic issues affecting the Gatwick Diamond as a whole.

3.3 The specific strategic matters which the three authorities have determined are relevant across the boundaries of the authorities are:

- Employment and economic development.
- Housing need.
- Specific aspects of infrastructure development.

4. Limitations on Joint Working

4.1 The three authorities recognise that there are limits to joint working including:

- Each authority has different local circumstances;
- Each authority is at a different stage in the process of producing their plans; and,
- There are issues better addressed through bilateral or other arrangements, examples of these are described in Section 8 below.

Despite these limits, the three authorities are committed to working positively together and as part of the Gatwick Diamond, sharing information and best practice and continuing to procure evidence jointly, where relevant, throughout the plan preparation phase and beyond. This co-operation and collaboration takes place at senior Member, Chief Executive and senior officer, as well as at technical officer, level.

5. Employment and Economic Development

Aim

5.1 The aim agreed by the three authorities is to secure polices which support realistic and sustainable levels of economic growth in the area, tailored to the particular needs of the individual local authority areas.

Action Taken to Date

5.2 The Northern West Sussex Authorities are located within the wider economic areas of the Coast to Capital Local Enterprise Partnership and the Gatwick Diamond. Between 2009 and 2010, the three local authorities worked closely together to

commission a joint, PPS4 compliant, Employment Land Review (part 1 and part 2) to inform their respective plans. In 2012, the Authorities (along with Mole Valley District Council, Reigate & Banstead Borough Council, Surrey and West Sussex County Councils) endorsed the Gatwick Diamond Local Strategic Statement which included agreement to a broad approach designed to support the growth of the Gatwick Diamond economy. The three authorities through the LSS and their individual planning policies will seek to collectively promote sustainable economic growth across the wider economic areas of the Gatwick Diamond and the LEP.

- 5.3 Ongoing work has continued to ensure that the authorities are informed and can plan for and promote the economy of the area. The Northern West Sussex Authorities' Economic Growth Assessment, published in April 2014, provides an overview of the potential economic future growth of the Northern West Sussex economic area as well as necessary, specific information for each of the three authorities with information on the local economy and its potential for growth to contribute to the development of Local Plans and corporate economic development policies. Building on existing initiatives and policies, the three Local Plans, with a positive approach to sustainable economic growth will assist delivery of the ambitions of the LSS and the LEP Economic Plan.

Outcomes

- 5.4 *Crawley* – The adopted Crawley Borough Local Plan 2015-2030 (December 2015) focuses on the sub-regional employment function of Crawley as the main economic driver in the Gatwick Diamond. It encourages sustainable economic growth by directing employment uses to Crawley's existing main employment areas, whilst taking a more managed approach to its largest employment area - Manor Royal as the priority employment location for B-class uses. It is recognised within the Local Plan that a significant demand for employment floorspace, coupled with a limited supply of land available for economic development use, means that it may be necessary to assess opportunities for new economic development locations(s) at Crawley over the Plan period, potentially at a strategic site.
- 5.5 *Horsham* - The adopted Horsham District Planning Framework 2011-2031 recognises the wider context of the Gatwick Diamond, the role of Horsham town as the primary location and focus for employment in the District which is complemented by the surrounding rural hinterland with its vibrant rural economy. It builds upon the established transport connections and the niche market offer within the District. It supports growth in employment land and communications to provide a diverse, resilient and flexible range of business premises which will provide good quality jobs and the opportunity of living close to where people work. A significant amount of new floorspace is planned within a high value business park in a new strategic allocation north of and adjoining Horsham town. It also seeks to protect and enhance existing employment floorspace throughout the hierarchy of settlements as well as promoting starter units and move on accommodation to nurture and support growth of smaller businesses and attract inward investment.
- 5.6 *Mid Sussex* - The Mid Sussex District Plan seeks to support sustainable communities and a robust local economy by encouraging opportunities for residents to work within their towns and villages. It includes provision and promotion of new employment land to meet its needs without impinging upon its neighbours. Regulation 19 pre-submission consultation on the draft District Plan was carried out between June and July 2015. Consultation on 'focused amendments' to the pre-submission draft was undertaken from November 2015 until January 2016.

6. Housing Need

Aim

- 6.1 The aim agreed by the three authorities is to as far as possible, within constraints, meet housing need in the Housing Market area which plays a significant role in supporting the economy of the wider Gatwick Diamond.

Action Taken to Date

- 6.2 Within the Gatwick Diamond, the Local Strategic Statement indicates that the local authorities will seek to secure sufficient housing and infrastructure to meet the needs of those who live or work in the area, focusing on the needs arising from the Gatwick Diamond economy. Crawley, Horsham and Mid Sussex have continued to work with the other Gatwick Diamond authorities and the wider LEP area as Local Plans are being prepared. In accordance with the National Planning Policy Framework, the local authorities have a clear understanding of, and are planning for, the housing needs of their area.
- 6.3 A joint understanding of the constraints of the housing market area is also needed. Each authority has particular issues which can impact the delivery of housing whilst seeking to meet objectively assessed needs and to support the economy. The three authorities have set out the key constraints below.
- 6.4 Horsham and Mid Sussex share some environmental designations such as the High Weald Area of Outstanding Natural Beauty and both planning authorities are affected by the South Downs National Park.
- 6.5 In 2014 Mid Sussex District Council published a Capacity Study which demonstrates that 92% of the District is covered by primary constraints (such as AONB) or secondary constraints (such as low landscape capacity). A further 4% is already built upon. An important secondary constraint is the Ashdown Forest (Special Protection Area and Special Area of Conservation) where new housing development within 7km of the Forest has an impact on the protected bird populations. Although small-scale housing development (with mitigation) is likely to come forward within that 7km zone, it does limit the deliverability of large scale development, particularly at East Grinstead, which is also constrained by the A22/A264 acknowledged congestion problems.
- 6.6 Consultants commissioned by MSDC have undertaken a sustainability assessment of cross-boundary options for the Mid Sussex District Plan and, as part of this process, MSDC wrote on the 5th August 2014 to neighbouring local planning authorities, including Crawley Borough Council and Horsham District Council, to confirm formally whether they have unmet needs that they are seeking assistance with, and the detailed nature of any such needs. The results of the sustainability assessment were shared with the neighbouring authorities, including CBC and HDC. MSDC has also shared the results of its updated work on housing need and supply.
- 6.7 This evidence was revised in November 2015 and indicated an objectively assessed housing need of 695 homes per annum 2014-2031. A supply of 800 homes per annum is recommended in the proposed District Plan over the same period. The sustainability assessment advises that any supply in excess of local need (currently 105 homes per year) is most likely to be absorbed by Crawley and Brighton & Hove, which have the strongest economic and functional links with Mid Sussex.
- 6.8 Within Horsham, just over 14.3% lies within the South Downs National Park and there is also the High Weald AONB, covering around 7% of the District situated in the north-east of the District, adjacent to the main towns of Horsham and Crawley. Due to historic patterns of land use, much of the landscape of the District is still heavily wooded, a considerable amount of which, over 6% is classified as ancient woodland. Approximately 8% of the land is designated for its importance in nature conservation

terms, including the Arun Valley Special Protection Area and the Mens Woodland SAC, which are of international importance. The Mens Woodland SAC has a secondary area of constraint relating to the protection of bats which forage beyond the Internationally-designated site. Any new housing within secondary protection areas identified by the buffer zones around the SPAs has the potential to impact on protected species and the integrity of the protected habitat. The string of settlements located at the base of the South Downs scarp slope are bounded to the south by the South Downs National Park and flood plains of the river Arun or Adur to the north. These settlements are, therefore, particularly constrained. 6% of the district is located within functional floodplain, however, the majority of the district is very rural in character with its natural fluvial and surface water management role.

- 6.9 Infrastructure constraints are covered in more detail in Section 7, with waste water treatment works, including at Gatwick Waste Water Treatment Works and Goddards Green Waste Water Treatment Works (particularly the impact of the latter on the water quality of the River Adur) and transport (focusing on capacity on the A264/A22 and A23/M23) being the main issues within the area.
- 6.10 Crawley is the most constrained of the three authorities in terms of space in which to develop within the planning authority boundary. This affects the ability of the authority to deliver significant levels of housing. Crawley's boundaries are drawn tightly around the town. The M23 motorway forms the borough boundary to the east; to the west the urban boundary forms much of the borough boundary and to the south lies the High Weald Area of Outstanding Natural Beauty. Gatwick Airport is located within the borough to the north of the town. The land between the town and the airport is heavily constrained by noise and safeguarding including within Horsham District for the potential future development of the airport. Other land within the borough is highly valued for its ecology/biodiversity, open space, structural landscaping functions, important to the quality of life and amenity of residents within the town. Some areas of land are also constrained by flooding.
- 6.11 Each District and the Borough has undertaken an assessment of the amount of housing need with close working with each other as detailed above in paragraphs 2.5 – 2.7. For Crawley and Horsham the Objectively Assessed Need (OAN) has been tested through the examination of their local plans with the respective Inspectors reporting on the conclusions. These are the figures included in table 1 below. The three authorities are in agreement that the methodologies, assumptions and results of each of the three Needs Assessments are broadly comparable and compatible. The data, according to the stage each local authority has been at in plan preparation, has been updated to take account of more detailed Census information including the DCLG Household Projections released on 27 February 2015.

Outcomes

- 6.12 The technical work and through the Local Plan Examination process which compared the three authorities' needs assessments has led to a detailed understanding between the authorities on the factors that influence population growth in the Housing Market Area, and consequently the need for new homes looking forward 20 years including the critical areas to plan for to support economic growth. This has involved detailed discussions and understanding of natural change (i.e. the number of births and deaths) and migration (internal and international) in each authority area.
- 6.13 Crawley's growth is predominantly due to high levels of natural change (more births than deaths) which matches their lower age profile. Horsham and Mid Sussex experience lower levels of natural change, with migration more of a factor in increasing population numbers.

- 6.14 Work has also been undertaken to understand migration between the three authorities, this has been largely balanced in recent years which reinforces the strong relationship between the three authorities in the Housing Market Area.
- 6.15 Table 1 sets out the three authorities' respective objectively assessed housing need. These are: Crawley 675 homes per annum³, Horsham 650⁴ homes per annum and Mid Sussex 695⁵ homes per annum. Therefore, it is estimated that a total of 2,020 net dwellings per annum would be required to meet the objectively assessed needs across the Northern West Sussex Authorities. This is the need that arises naturally from increasing birth rates, decreasing death rates, historic levels of net migration, plus a market uplift and taking account of housing needs generated by economic growth.
- 6.16 Table 1 also details the total adopted provision of 340 dwellings per annum (dpa) for Crawley, 800 (dpa) for Horsham and⁶ 800dpa for Mid Sussex (based on the most up-to-date progress in the MSDC Local Plan). This would result in a total provision figure of 1,940 dpa for the Housing Market Area. Whilst this currently represents a shortfall of 80dpa in meeting the objectively assessed need in the Housing Market Area. All three authorities are doing all they can to maximise capacity for housing development within their boundaries and thereby reduce the shortfall across the Housing Market Area which reflects the ongoing work and indicates effective and constructive cooperation has taken place.

Table 1 – Objectively Assessed Housing Needs and proposed housing provision – Northern West Sussex Authorities

	Mid Sussex 2014-2031	Crawley 2015-2030	Horsham 2011-2031	TOTAL
CLG Household Projections (2012 based)	656	582	595	1,833 net dwellings per annum
Objectively Assessed Need	695	675	650	2,020 net dwellings per annum
Proposed Housing Provision	800	340	800	1,940 net dwellings per annum

- 6.17 Table 1 above shows that the starting point for Objectively Assessed Need, the most up-to-date CLG Housing Projections, is 1,833 dwellings per annum in the Housing Market Area. This would be met by the total housing provision. All three authorities are meeting their five year housing land supply requirements, this shortfall will only arise in the latter part of the Plan period. Appropriate solutions to meet this shortfall will continue to be sought as revisions to plans are progressed, infrastructure provision is addressed and major issues, such as the decision on a possible second runway at Gatwick Airport, are resolved which will have major implications for this area.
- 6.18 The three authorities have acknowledged each other's positions and have a clear understanding of the objectively housing requirements within the Northern West Sussex Housing Market Area. Due to the different stages of plan preparation across

³ Crawley OACHEN Updated Report (March 2015) Chilmark & Inspector's Report on the Examination into Crawley Borough Local Plan 2015-2030, paragraphs 20-30 (2 November 2015)

⁴ Horsham District Planning Framework Inspector's Report (October 2015)

⁵ Mid Sussex Pre-Submission District Plan HEDNA Update (November 2015)

⁶ Horsham District Planning Framework Inspector's Report (October 2015)

the area, the technical joint working on housing requirements and discussions on housing delivery will continue.

- 6.19 The three authorities recognise that, across the Northern West Sussex housing market area as a whole, the local plans they are producing will not fully meet objectively assessed housing needs, a shortfall generated primarily from within Crawley where a variety of constraints dictate a capacity-led approach to meeting housing needs. Each authority has assessed the ability of its area to accommodate further housing development in the light of this shortfall. They each consider that they are doing the maximum reasonable to meet the objectively assessed housing needs of the area as a whole, taking into account local constraints, and the need for sustainable development.
- 6.20 The Sussex Coastal Housing Market Area has identified a significant shortfall of housing provision, and the three Northern West Sussex authorities will continue to work with the Sussex Coastal authorities and within the Northern West Sussex Housing Market Area to understand how the projected housing shortfalls in both areas can be reduced. In particular, they will be working with the LEP to see how they can help remove barriers and constraints to development in the Gatwick Diamond and along the Sussex Coast. The three authorities, as part of the Gatwick Diamond, have also engaged with the Further Alterations to the London Plan. It is assumed by the Northern West Sussex authorities that, in those local planning authority areas which are proposing not to meet their needs, they will leave “no stone unturned” to ensure that as much housing as possible can be delivered in their boundaries.

7. Infrastructure

Aims

- 7.1 The aim agreed by the three authorities is to understand which cross boundary infrastructure issues, needs or projects should appropriately be addressed jointly by the Northern West Sussex Authorities in the context of their emerging plans to manage patterns of growth to maximise development in sustainable locations and to secure infrastructure to deliver planned growth. The three authorities also aim to ensure that the level of development is consistent with infrastructure required to deliver development in the Northern West Sussex area over the lifetime of the respective plans.

Action Taken to Date

- 7.2 An assessment of the capacity of the Waste Water Treatment Works at Crawley was undertaken in the ‘At Crawley Study’⁷ and subsequently reinforced by updated information sought from the infrastructure providers during August/September 2014. This has confirmed that there is only capacity prior to 2021 at the Crawley treatment works to accommodate two strategic sites. These are Kilnwood Vale and Forge Wood at Crawley, which are both now under construction. Beyond this, solutions to increasing treatment capacity or expansion of the site will be necessary. The Gatwick Water Cycle Study was also commissioned in 2011 to look at the issue of Waste Water Treatment Works and the implication of development on water quality in the area. The Gatwick Water Cycle Study indicates that the Environment Agency has a clear position on private sewage treatment works: they will not normally grant discharge consents for a private sewerage treatments system where it is more reasonable to connect to a public foul sewer.
- 7.3 The capacity of Goddards Green Wastewater Treatment Works near Burgess Hill in Mid Sussex has an enforced limit of the level of development acceptable within the

⁷ Crawley Borough Council, Horsham District Council & Mid Sussex District Council “At Crawley Study 2009” Final Report (October 2009) GL Hearn

catchment area of the treatment works which is imposed by a) the capacity of the works and b) the limit of the discharge license approved by the Environment Agency. This relates to the already poor water quality in the River Adur, into which this Waste Water Treatment Works discharges. Southern Water have confirmed that due to changes in discharge licences arrangements with the Environment Agency in 2013, capacity has increased slightly and the Treatment Works can accommodate the development proposed in the Mid Sussex District Plan.

- 7.4 An assessment of the transport requirements for strategic locations at Crawley was undertaken in the 'At Crawley Study'. This identified that significant investment would be needed in highway infrastructure including the need for a western relief road around Crawley in the event of significant further development west of Crawley. Further scrutiny of the capacity of the strategic highway network during the examination into the Crawley Borough Local Plan raised capacity issues at junctions 9, 10 and 11 on the M23 created by the cumulative level of housing being anticipated by the plans and requiring mitigation solutions to be put into place.
- 7.5 Each authority has undertaken individual Transport Studies, using a shared methodology and overseen by WSCC, as part of their evidence base. Horsham and Crawley have worked together over production of a joint evidence base for the Joint Area Action Plan and Mid Sussex and Crawley have liaised with each other to make sure that cross-boundary transport impacts are understood in relation to potential development sites close to the boundaries of the two authorities. Issues focus on the A264/A22 corridors which severely constrains development at East Grinstead and in Mid Sussex close to the boundary with Crawley, as well as the M23/A23 constrained junctions which impact on any potential development on the boundary between the three authorities. Although undertaking separate studies, Crawley and Mid Sussex commissioned the same transport consultant to undertake the work using the similar transport modelling data for both authorities.
- 7.6 Horsham undertook a Transport and Development Study to determine the cumulative impact on the highway network and public transport as a result of three main locations, future potential development in Horsham town centre and the planned strategic growth proposed by the Horsham District Planning Framework at land north of Horsham town, Southwater and Billingshurst.
- 7.7 Further assessments are ongoing to understand the combined models and ensure consistency of data/messages and cumulative impact of all three Plans, including as part of the joint work required across the three authorities for the early review of the HDPF.

Outcomes

- 7.8 The Northern West Sussex Authorities are in agreement that waste water capacity is a constraint to development in the area, over the lifetime of the respective plans. Additional work may need to be undertaken by the three authorities to look in detail at what long-term actions are necessary to inform the future business plans of the water companies that deliver waste water treatment within the area in conjunction with the Environment Agency and the water companies.
- 7.9 The Northern West Sussex Authorities are in agreement that transport infrastructure required to deliver development in the north of the area is a significant constraint over the lifetime of the respective plans. The three councils will continue to share information as transport studies are updated and will work together where necessary to resolve any cross-boundary issues alongside the LEP, West Sussex County Council or the Highways England.

8. Matters to be dealt with elsewhere

- 8.1 As indicated earlier in this statement the Northern West Sussex Authorities will continue to work on the full range of strategic issues with the other Gatwick Diamond authorities. Some issues between two authorities and those across the wider Gatwick Diamond will need to be dealt with separately from this statement as set out below.
- 8.2 Those matters that the Northern West Sussex Authorities have specifically agreed to exclude from this Statement are:
- a. Gatwick Airport and additional airport capacity will be covered primarily through joint working with the Gatwick Diamond Local Authorities and Gatwick Joint Local Authorities grouping: including the Airports Commission recommendation and the subsequent government decision;
 - b. Flood risk is a particular concern to Crawley Borough Council, but it does not have a similar impact on the other two authorities, (joint working has previously existed between the Environment Agency, Crawley Borough Council, Mid Sussex District Council, Mole Valley District Council and Reigate and Banstead Borough, Surrey County Council and Tandridge District Council in relation to the Upper River Mole catchment).
 - c. Alongside an agreement across the Gatwick Diamond, the local authorities will share information about the needs of the gypsy and travelling show people communities, and each authority will work towards accommodating the needs of the permanent Traveller population that have been identified within its own area. A Transit site has been granted planning permission in Chichester to serve the whole of the West Sussex County following a study, commissioned in July 2013 (by Mid Sussex on behalf of the West Sussex authorities), looking at the issue of unauthorised encampments;
 - d. The Gatwick Diamond Local Authorities have agreed to maintain a coordinated approach to the review of Town Centres and their roles and the Northern West Sussex Authorities will continue joint work within that framework. The potential growth of Crawley Town Centre has been accepted through the Gatwick Diamond Local Strategic Statement, but it is also accepted that the character and supporting roles of other town centres needs to be recognised with some regeneration to perform vital roles for their community; and,
 - e. The low carbon economy is to be dealt by the individual authorities working either on their own or, as appropriate, with others. They will maintain an awareness of initiatives which are coming forward so that joint working can be put in place if appropriate.
 - f. Development adjacent to the borough and district boundaries: for example detailed matters and cross-boundary issues relating to possible urban extensions and/or incremental, speculative development immediately adjacent to administrative boundaries within the NWS area. Such proposals will be jointly discussed at the earliest possible stage ahead of any allocation in Local Plans or at pre-application stage, in order that the strategic /cross boundary and cumulative infrastructure implications can be fully assessed, particularly with regard to transport and waste water (see paras 7.8 and 7.9 above).

9. Process for Review and Further Engagement

- 9.1 The three authorities will continue to collaborate extensively as the Northern West Sussex Authorities and through the Gatwick Diamond to ensure that the on-going requirements of the Duty to Co-operate are met. This includes continued engagement with adjacent housing market and economic areas such as the Coastal Authorities and London. All three authorities are working together on the housing and economic growth requirements. There is senior Member and officer commitment to

continue to collaborate and develop joint solutions to issues. The three authorities have developed a strong understanding of the housing market area and will continue to respond to new issues and changing circumstances together, as the three authorities' plans progress to submission, approval, monitoring and review.

Signatures

A handwritten signature in black ink, appearing to read 'Peter Smith', with a horizontal line underneath.

Crawley Borough Council
Councillor Peter Smith, Cabinet Member for Planning and Economic Development

A handwritten signature in black ink, appearing to read 'Claire Vickers', with a long horizontal line underneath.

Councillor Claire Vickers, Cabinet Member for Planning and Development
Horsham District Council

A handwritten signature in black ink, appearing to read 'Andrew MacNaughton', with a horizontal line underneath.

Mid Sussex District Council
Councillor Andrew MacNaughton, Cabinet Member for Planning

APPENDIX A Localism Act 2011 – Duty to Co-operate

110 Duty to co-operate in relation to planning of sustainable development

- (1) In Part 2 of the Planning and Compulsory Purchase Act 2004 (local development) after section 33 insert—

“33A Duty to co-operate in relation to planning of sustainable development

- (1) Each person who is—
- (a) a local planning authority,
 - (b) a county council in England that is not a local planning authority, or
 - (c) a body, or other person, that is prescribed or of a prescribed description,
- must co-operate with every other person who is within paragraph (a), (b) or (c) or subsection (9) in maximising the effectiveness with which activities within subsection (3) are undertaken.
- (2) In particular, the duty imposed on a person by subsection (1) requires the person—
- (a) to engage constructively, actively and on an ongoing basis in any process by means of which activities within subsection (3) are undertaken, and
 - (b) to have regard to activities of a person within subsection (9) so far as they are relevant to activities within subsection (3).
- (3) The activities within this subsection are—
- (a) the preparation of development plan documents,
 - (b) the preparation of other local development documents,
 - (c) the preparation of marine plans under the Marine and Coastal Access Act 2009 for the English inshore region, the English offshore region or any part of either of those regions,
 - (d) activities that can reasonably be considered to prepare the way for activities within any of paragraphs (a) to (c) that are, or could be, contemplated, and
 - (e) activities that support activities within any of paragraphs (a) to (c), so far as relating to a strategic matter.
- (4) For the purposes of subsection (3), each of the following is a “strategic matter”—
- (a) sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and
 - (b) sustainable development or use of land in a two-tier area if the development or use—
 - (i) is a county matter, or
 - (ii) has or would have a significant impact on a county matter.
- (5) In subsection (4)—
- “county matter” has the meaning given by paragraph 1 of Schedule 1 to the principal Act (ignoring sub-paragraph 1(1)(i)),
 - “planning area” means—

- (a) the area of—
 - (i) a district council (including a metropolitan district council),
 - (ii) a London borough council, or
 - (iii) a county council in England for an area for which there is no district council,
 - but only so far as that area is neither in a National Park nor in the Broads,
 - (b) a National Park,
 - (c) the Broads,
 - (d) the English inshore region, or
 - (e) the English offshore region, and
 - “two-tier area” means an area—
 - (a) for which there is a county council and a district council, but
 - (b) which is not in a National Park.
- (6) The engagement required of a person by subsection (2)(a) includes, in particular—
- (a) considering whether to consult on and prepare, and enter into and publish, agreements on joint approaches to the undertaking of activities within subsection (3), and
 - (b) if the person is a local planning authority, considering whether to agree under section 28 to prepare joint local development documents.
- (7) A person subject to the duty under subsection (1) must have regard to any guidance given by the Secretary of State about how the duty is to be complied with.
- (8) A person, or description of persons, may be prescribed for the purposes of subsection (1)(c) only if the person, or persons of that description, exercise functions for the purposes of an enactment.
- (9) A person is within this subsection if the person is a body, or other person, that is prescribed or of a prescribed description.
- (10) In this section—
- “the English inshore region” and “the English offshore region” have the same meaning as in the Marine and Coastal Access Act 2009, and
 - “land” includes the waters within those regions and the bed and subsoil of those waters.”
- (2) In section 16 of the Planning and Compulsory Purchase Act 2004 (applying Part 2 for purposes of a county council’s minerals and waste development scheme) after subsection (4) insert—
- “(5) Also, subsection (3)(b) does not apply to section 33A(1)(a) and (b).”
- (3) In section 20(5) of the Planning and Compulsory Purchase Act 2004 (development plan documents: purpose of independent examination) after paragraph (b) insert “; and
- (c) whether the local planning authority complied with any duty imposed on the authority by section 33A in relation to its preparation.”

APPENDIX B National Planning Policy Framework extract – Duty to Co-operate

Planning strategically across local boundaries

Include para 159 as this is quoted in the Position Statement.

‘178. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the **strategic priorities** set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.

179. Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.

180. Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.

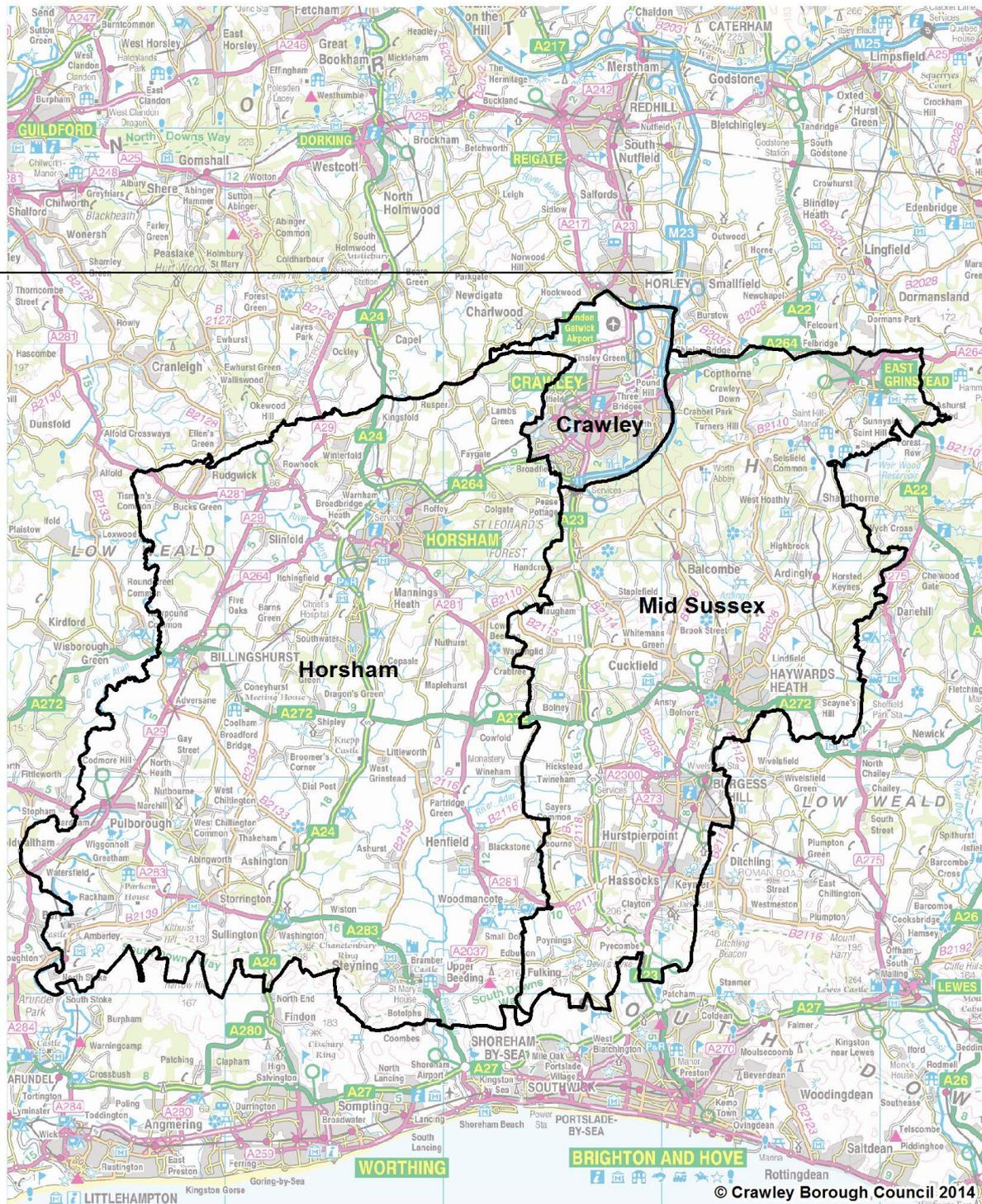
181. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

Examining Local Plans

182. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

●● **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;’

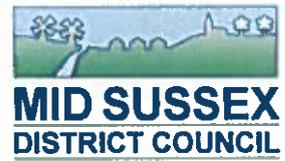
APPENDIX C – MAP OF THE NORTHERN WEST SUSSEX AUTHORITIES



Appendix 3.

Statements of Common Ground with Government agencies and public bodies

- (a) Environment Agency SoCG**
- (b) Highways England SoCG (to follow)**
- (c) Natural England SoCG**
- (d) South East Water Ltd SoCG**
- (e) Thames Water Utilities SoCG**
- (f) West Sussex County Council (Highways) (to follow)**



Statement of Common Ground

Mid Sussex District Council and the Environment Agency

28th July 2015

1. Introduction

- 1.1 This is a Statement of Common Ground (the 'Statement') between Mid Sussex District Council and the Environment Agency.
- 1.2 It is intended that this Statement supports the examination of the District Plan and provides the Inspector with an understanding of the current position of the Environment Agency with respect to the Mid Sussex District Plan 2014 -2031.

2. Background

- 2.1 Mid Sussex District Council has prepared a District Plan which will guide development to 2031. The District Plan sets out a vision for how Mid Sussex will evolve and a delivery strategy for how that will be achieved.
- 2.2 The Environment Agency (EA) have worked with Mid Sussex District Council during the preparation of the Plan. This has included support in the production of the Strategic Flood Risk Assessment and the Gatwick Diamond Water Cycle Study as well as more informal engagement by email on specific wording of relevant policies.
- 2.3 The EA have provided formal representations on the Plan at key stages. These are detailed below.

3. Mid Sussex District Plan – Consultation Draft 2014-2031

- 3.1 A Consultation Draft version of the District Plan was published for public consultation between 21st November 2014 and 16th January 2015.
- 3.2 The Environment Agency submitted a response to the District Plan on 13th January 2015 (reproduced at **Appendix 1**). In relation to Policy DP6 – General Principles for Strategic Development at Burgess Hill (renumbered DP7 in the Pre-Submission version), the representation letter noted that the Environment Agency were pleased to see that their previous comments had been taken on board.
- 3.3 With regard to Policy DP8 – Strategic Allocation to the north and north-west of Burgess Hill (DP9 in the Pre-Submission version), the Environment Agency recommended that a cross-reference be made to Policy DP42 – Water Infrastructure and the Water Environment. In addition, it was suggested that two bullet-points in the second part of the policy be re-worded and an additional bullet-point about water quality and historic land uses be included. Subject to some minor drafting changes, these suggestions are fully reflected in Policy DP9 in the Pre-Submission Draft District Plan.

3.4 In other respects, the Environment Agency provided support to the District Plan. Some additional advisory comments were made to improve the effectiveness of individual policies.

4. Mid Sussex District Plan – Pre-Submission Draft

4.1 Mid Sussex District Council published its Pre-Submission Draft District Plan for a final period of consultation on the Plan's soundness and legal compliance on 12th June 2015.

4.2 In response, the Environment Agency provided supporting representations for policies DP7, DP9, DP18, DP37, DP38, DP39, DP41 and DP42.

5. Other matters

5.1 It is agreed that Mid Sussex District Council and the Environment Agency will continue to work actively together and co-operate on matters pertaining to their shared interest and responsibilities.

6. Signatures

Signed:



Name: Claire Tester

Position: Head of Economic Promotion and Planning

Organisation: Mid Sussex District Council

Date: 3rd August 2015

Signed:



Name: Hannah Hyland

Position: Planning Specialist

Organisation: Environment Agency

Date: 3rd August 2015

APPENDIX 1

Environment Agency letter dated 13th January 2015 in response to the Consultation Draft District Plan:

Environment Agency, Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.

Customer services line: 03708 506 506

Mid Sussex District Council

Oaklands Road

Haywards Heath

West Sussex

RH16 1SS

Date: 13 January 2015

Dear Sir/Madam

Re: Mid Sussex District Plan 2014-2031 Consultation Draft

Thank you for consulting us on your Consultation Draft District Plan 2014-2031. As with the previous Plan we are pleased to see some strong policies in relation to your priority theme of protecting and enhancing the environment. Our response below provides you with updated comments in relation to key policies. As always we would welcome further discussion on any these issues.

Policy DP6 – General Principles for Strategic Development at Burgess Hill

We support the recognition of the need to ensure development is phased to ensure adequate wastewater infrastructure is in place.

We are also pleased to see our previous comments have been taken on board and we are supportive of the intention for development to deliver opportunities to enhance local biodiversity.

Policy DP8 – Strategic Allocation to the north and north-west of Burgess Hill

We are pleased to see the policy recognises the site constraints from flood risk. As we have previously stated this could be improved further through recognition that a sequential approach is taken on the site with development directed to Flood Zone 1 and then 2. Whilst the cross reference to Policy DP40 should achieve this an explicit reference in the allocation policy would strengthen its effectiveness.

Part of this site overlies a historic landfill site (Freaks Lane Landfill Site). This is a key constraint for the site. As there is no separate policy to promote the remediation of contaminated land we consider that an additional criteria point should be included in this policy regarding this.

We support cross-reference here to other policies. We also highlighted in our comments to the Draft Plan that the River Adour and Copyhold Stream run through this site. We therefore recommend that cross-reference is also made to DP42: Water Infrastructure and the Water Environment, to support delivery of Good Ecological Status of this Water body in accordance with the Water Framework Directive.

We recommend the following two bullet points in the second part of this policy are reworded and that an additional point is included:

- Identify and manage risks associated with environmental, landscape and ecological constraints and deliver opportunities as set out in Policy DP6 General Principles for Strategic Development at Burgess Hill, DP36 Biodiversity, DP37 Green Infrastructure and DP42 Water Infrastructure and the Water Environment;**
- Take account of on-site flood plains and avoid flood risk areas through a sequential approach to site layout to comply with the Flood Risk policy DP40 Flood Risk;**
- Identify and manage the risks posed to water quality associated with the historic land uses.**

We consider that the above changes would strengthen the effectiveness of this policy by ensuring implementation of the measures identified in the flood risk sequential test and addressing the issues associated with the historic landfill not covered by other policies in the Plan.

Policy DP17 – Securing Infrastructure

We support the inclusion of a full range of infrastructure in this policy, notably green infrastructure.

Policy DP36 - Biodiversity

We are supportive of this policy and are pleased to see that our previous recommendations have been incorporated. We are particularly pleased to see inclusion of the requirement for no net loss of biodiversity. We consider that this is a strong policy that will be effective in protecting and enhancing biodiversity.

Policy DP37 – Green Infrastructure

We support this policy and specific reference to the water environment.

Policy DP 38 – Sustainable Design and Construction

We support this policy and in particular specific reference to water efficiency and climate change resilience.

Policy DP 40 – Flood Risk and Drainage

We support the inclusion of this policy and are pleased to see that our previous comments have been taken on board.

Whilst we support the reference to a variety of sources of flood risk we recommend that you consider what the implications are for development proposals in these areas.

Would they need to be accompanied by a Flood Risk Assessment, and if so who would assess the information?

Policy DP41 – Water Infrastructure and the Water Environment

We are pleased to see a specific policy that relates to the water environment and makes specific reference to the Water Framework Directive. However, following this the main focus of the policy is related to water infrastructure. There may be opportunities for the policy to be more effective in protecting and enhancing water quality. We would be happy to work with you further and would be able recommend some policies from other Local Plans that address these issues.

As you have recognised the Government’s Housing Standards Review will change how water efficiency standards can be applied to new building. The current minimum water efficiency standard in the Building Regulations of 125 litres per person per day (led) will be retained (equivalent to CSH levels 1 / 2). A single tighter standard of 110 led (equivalent to the CSH levels 3 / 4) will be available for Local Authorities (LA’s) to choose to apply, but only where that local authority has a specific local need. We support your intention to require the tighter standard and are pleased to see reference to the Water Cycle Study to inform this. We are currently evaluating our evidence base to support LPAs in determining where the higher standard is needed. We would be happy to provide further evidence if required to supplement that within the Water Cycle Study.

I trust that you find these comments useful. Please do not hesitate to contact me should you have any queries or require any additional information.

Yours sincerely

Hannah Hyland

Planning Specialist – Sustainable Places

Environment Agency

Direct dial 01903 703952

Direct e-mail Hannah.hyland@environment-agency.gov.uk

APPENDIX 2

Environment Agency representations on the Pre-Submission Draft District Plan submitted online on 15th July 2015:

DP7: General Principles for Strategic Development at Burgess Hill

We support the recognition of the need to ensure development is phased with the provision of adequate wastewater infrastructure.

DP9: Strategic Allocation to the north and north west of Burgess Hill

We are pleased to see that the policy has incorporated our previous comments and suggested wording. We believe that as worded the policy will be effective to ensure that development will consider the constraints from flood risk; manage risks from contaminated land and seek to improve water quality.

DP18: Securing Infrastructure

We support the inclusion of a full range of infrastructure in this policy, notably green infrastructure.

DP37: Biodiversity

We are supportive of this policy and consider that it is a strong policy that should be effective in protecting and enhancing biodiversity.

DP38: Green Infrastructure

We are supportive of this policy and the specific reference to the water environment and its function as part of green infrastructure.

DP39: Sustainable Design and Construction

We support this policy and in particular the specific reference to water efficiency and climate change resilience.

DP41: Flood Risk and Drainage

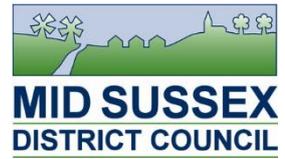
Overall we support this policy and are pleased to see specific requirements for SuDS to consider issues associated with the redevelopment of contaminated land.

As we have previously stated whilst we support the reference to a variety of sources of flood risk we recommend that you consider what the implications are for development proposals in these areas. For example would they need to be accompanied by a Flood Risk Assessment, and if so who would assess the information?

DP42: Water Infrastructure and the Water Environment

We are pleased to see a specific policy that relates to the water environment and make specific reference to the Water Framework Directive and the requirements for developments to be in accordance with its objectives and as such seek to improve water quality.

We also support the inclusion of the new tighter standard for water efficiency under the Building Regulations of 110 litres per person per day.



Statement of Common Ground

Mid Sussex District Council and Natural England

May 2016

1. Introduction

- 1.1 This is a Statement of Common Ground (the 'Statement') between Mid Sussex District Council and Natural England.
- 1.2 It is intended that this Statement supports the examination of the District Plan and provides the Inspector with an understanding of the current position of Natural England with respect to the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).

2. Legislative background and national planning context

Habitats Regulations

- 2.1 The European Union Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive') has particular requirements for plans and projects in order to help protect the Natura 2000 network of protected sites across Europe designated for their nature conservation importance. The Natura 2000 network is formed of Special Areas of Conservation for species, plants and habitats (designated under the Habitats Directive) and Special Protection Areas for bird species (classified under the European Union Council Directive 2009/147/EC on the conservation of wild birds; the 'Birds Directive').
- 2.2 The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations') transpose the Habitats Directive and Regulation 102 provides:
 - (1) Where a land use plan –
 - (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and
 - (b) is not directly connected with or necessary to the management of the site,the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site's conservation objectives.
- 2.3 This means that any proposed plan that may affect a European site (Special Area of Conservation or Special Protection Area) must first undergo an assessment to look at its potential impacts applying the precautionary principle. This is to determine if the plan will adversely affect the integrity of the European site(s) concerned. This process is known as a Habitats Regulations Assessment (HRA) and the first stage considers any likely significant effects (the screening stage). Straightforward mitigation measures can be applied at the screening stage which may mean that previous likely significant effects can be ruled out and the plan does not need to progress to the second stage. An appropriate assessment is the second stage of the

HRA process and a plan should undertake this where likely significant effects are identified at the screening stage and cannot be ruled out after applying straightforward mitigation measures. The appropriate assessment looks at the implications of a plan for a European site in view of the site's conservation objectives. Further more detailed mitigation measures may be introduced at the appropriate assessment stage to avoid or reduce the effects of a plan on the European site(s). Before a plan may be given effect, the plan-making authority as competent authority must ascertain that it would not adversely affect the integrity of the European site(s).

National Planning Policy Framework

- 2.4 The National Planning Policy Framework¹ (NPPF) published in March 2012 sets out the Government's planning policies and planning guidance for both plan-making and decision-taking.
- 2.5 The NPPF at paragraph 119 states that the presumption in favour of sustainable development (paragraph 14 of the NPPF) does not apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

3. Ashdown Forest

- 3.1 Ashdown Forest lies adjacent to the north-east boundary of Mid Sussex and within Wealden District.
- 3.2 The Ashdown Forest Special Protection Area (SPA) was classified in 1996. It is a 3,200Ha site comprising predominantly of lowland heathland and woodland. The Ashdown Forest SPA is an internationally important habitat classified because of the presence of breeding populations of Dartford warbler *Sylvia undata* and European nightjar *Caprimulgus europaeus*. Ashdown Forest is also notified as a Site of Special Scientific Interest (SSSI).
- 3.3 The Ashdown Forest Special Area of Conservation (SAC) was designated in 2005 and covers 2,700Ha. It has a different boundary to the SPA, but the two designations overlap. The qualifying features for the designation are the Annex I habitats: Northern Atlantic wet heaths with *Erica tetralix* and European dry heaths, and the Annex II species: Great crested newt *Triturus cristatus*. It is also part of the Ashdown Forest SSSI.

¹ National Planning Policy Framework (NPPF): <http://planningguidance.communities.gov.uk/>.

4. District Plan 2014-2031

4.1 Mid Sussex District Council has prepared a District Plan² which will guide development to 2031. The District Plan sets out a vision for how Mid Sussex wants to evolve and a delivery strategy for how that will be achieved.

4.2 District Plan Policy DP15 is concerned with Ashdown Forest:

DP15: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

Strategic Objectives: 3) To protect valued landscapes for their visual, historical and biodiversity qualities.

Evidence Base: Ashdown Forest Visitor Survey Data Analysis, Habitats Regulations Assessment for the Mid Sussex District Plan, Visitor Access Patterns on Ashdown Forest.

In order to prevent adverse effects on the Ashdown Forest SPA and SAC, new residential development likely to have a significant effect, either alone or in combination with other development, will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects.

Within a 400 metres buffer zone around Ashdown Forest, mitigation measures are unlikely to be capable of protecting the integrity of the SPA and, therefore, residential development will not be permitted.

Within a 7km zone of influence around the Ashdown Forest SPA, residential development leading to a net increase in dwellings will be required to contribute to mitigation through:

- 1) The provision of Suitable Alternative Natural Greenspace (SANG) to the minimum level of 8Ha per 1,000 net increase in population; or a financial contribution to SANGs elsewhere; or the provision of bespoke mitigation; and**
- 2) A financial contribution to the Ashdown Forest Strategic Access Management and Monitoring (SAMM) Strategy.**

Large schemes proposed adjacent or close to the boundary of the 7km zone of influence may require mitigation. Such proposals for development will be dealt with on a case-by-case basis.

Where bespoke mitigation is provided, these measures will need to be in place before occupation of development and must be managed and maintained in perpetuity. The effectiveness of such mitigation will need to be demonstrated

² Mid Sussex District Plan: www.midsussex.gov.uk/districtplan.

prior to approval of the development. Bespoke mitigation will need to be discussed and agreed by the District Council as the competent authority following advice from Natural England.

4.3 An assessment of reasonable alternatives to the proposed District Plan Policy DP15 has been made in the Sustainability Appraisal (Incorporating a Strategic Environmental Assessment) for the Mid Sussex District Plan. This work was undertaken in response to a Court of Appeal judgment regarding Wealden District Council's Core Strategy Local Plan Policy WCS12: Biodiversity, which related to Ashdown Forest matters. The assessment in the District Plan Sustainability Appraisal appraised different options for the zone of influence and mitigation measures.

4.4 **It is agreed that:**

- **Natural England supports the District Plan Policy DP15.**
- **Policy DP15 includes the ability for development to provide bespoke mitigation if appropriate and this bespoke mitigation will be agreed with the District Council following advice from Natural England.**
- **Natural England supports the approach taken in the District Plan Sustainability Appraisal (Incorporating Strategic Environmental Assessment). Natural England considers a robust appraisal of alternatives to approaches to mitigate for impacts on Ashdown Forest has been made and concurs with the conclusions of the District Council.**

5. Habitats Regulations Assessment for the Mid Sussex District Plan

5.1 The most recent version of the District Plan Habitats Regulations Assessment³ (HRA) is dated October 2015.

5.2 The potential effects of development on Ashdown Forest were assessed during the HRA process for the Mid Sussex District Plan.

5.3 Five European sites were identified through the HRA process that could be affected by a plan⁴, and of these five sites, the screening process undertaken in late 2007 and early 2008 identified likely significant effects on the Ashdown Forest SPA and SAC as a result of recreational disturbance and atmospheric pollution respectively.

5.4 **It is agreed that:**

- **Mid Sussex District Council has followed the advice of Natural England on the Habitats Regulations and in relation to Ashdown Forest.**

³ District Plan HRA: <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/local-development-framework/district-plan/habitats-regulations-assessment/>.

⁴ Ashdown Forest SPA, Ashdown Forest SAC, Castle Hill SAC, Lewes Downs SAC, and Mole Gap to Reigate Escarpment SAC.

- The HRA is an iterative process and so each revised report draws and builds on the work undertaken previously. The evidence base for the approach taken to Ashdown Forest is used in the HRA process, in particular the visitor survey work and subsequent data analysis. Some sections of the HRA are updated, for example, to identify progress in relation to the delivery of mitigation.
- It is intended to have a final version of the HRA for the examination of the District Plan, the content of which will have been agreed with Natural England.

6. Recreational disturbance

- 6.1 Increased recreational activity arising from new residential development and related population growth is likely to disturb the protected ground-nesting birds. Data analysis of a survey investigating visitor access patterns at Ashdown Forest found that the majority of regular visitors originated from within a 7km distance from Ashdown Forest⁵. Within this 7km ‘zone of influence’⁶, measures to reduce recreational pressure would be most effective, therefore, residential development leading to a net increase in dwellings will need to contribute to an appropriate level of mitigation.
- 6.2 The Sustainability Appraisal (Incorporating a Strategic Environmental Assessment) for the District Plan assessed reasonable alternatives to the 7km zone of influence. Natural England has reviewed this assessment and has advised that a 7km zone of influence is appropriate for the Ashdown Forest SPA. This is based on the evidence from the visitor survey and subsequent data analysis.
- 6.3 Two forms of mitigation were proposed in the District Plan HRA: Suitable Alternative Natural Greenspace (SANG) and Strategy Access Management and Monitoring (SAMM). The District Plan Sustainability Appraisal (Incorporating a Strategic Environmental Assessment) considered other mitigation measures as alternatives to SANG, SAMM and bespoke mitigation, however, some options are not considered to be reasonable as they are not possible to implement or enforce.

SANG

- 6.4 The purpose of SANGs is to provide alternative greenspace to attract visitors away from the Ashdown Forest SPA. It aims to reduce overall visitor and recreational pressure on Ashdown Forest, and to provide for the needs of dog walkers in particular.

⁵ Habitats Regulations Assessment for the Mid Sussex District Plan (UEEC, October 2015) – paragraph 6.4.7.

⁶ A map of the zone of influence can be found at: <http://www.midsussex.gov.uk/planning-licensing-building-control/planning/ashdown-forest/>.

- 6.5 Mid Sussex District Council has identified a strategic SANG at East Grinstead and the site has been secured in perpetuity for 125 years. The East Court & Ashplats Wood Suitable Alternative Natural Greenspace Strategy⁷ was agreed by Cabinet in October 2014. The Strategy and tariff took effect from the 1st January 2015 and is applied to relevant planning applications. Natural England confirmed its support for the East Court & Ashplats Wood SANG in a letter dated the 17th April 2015.
- 6.6 The SANG capacity has been calculated using a methodology developed by a local authority for SANG sites that provide mitigation for the Thames Basin Heaths. Natural England is satisfied with the approach taken in this methodology and considers that it can be applied to SANG sites that provide mitigation for Ashdown Forest. The calculations are based on the 8Ha per 1,000 net increase in population standard. The existing number of visitors using the site is deducted from the total capacity, which leaves a residual capacity for new users of the site, that is, those for which this site will act as mitigation.
- 6.7 A Management Plan will set out the management aims and proposed works for the East Court & Ashplats Wood Estate for the next ten years.
- 6.8 The circular path route around East Court & Ashplats Wood is already in place. Enhancement works have been undertaken by Mid Sussex District Council to upgrade the route, for example, to prevent waterlogging in the winter months. Future enhancement works will be phased to take account of protected species on the site. The route of the circular path is displayed on an interpretation board and identified by way-markers.
- 6.9 **It is agreed that:**
- **Land at East Court & Ashplats Wood is suitable to be a SANG.**
 - **The total site area is 40.8Ha less 4.2Ha for the formal sport area. A deduction of 3.45Ha from the total site area has been applied to take account of existing visitor use, and is based on the 8Ha per 1,000 net increase in population standard. This leaves 33.15Ha as the area available for SANG⁸.**
 - **The capacity of the SANG site is 1,507 dwellings based on the 8Ha per 1,000 net increase in population standard⁹.**
 - **The site is now operating as a SANG since it is an existing area of open space with existing public access.**
 - **Improvement works at this site will enhance the visitor experience and increase the site's attractiveness to visitors. The improvement works meet the Natural England SANG criteria.**
 - **Ongoing management and monitoring of this site will ensure this site continues to be effective mitigation for the effects of recreational disturbance on the Ashdown Forest SPA.**

⁷ East Court & Ashplats Wood SANG Strategy (October 2014):
<http://www.midsussex.gov.uk/planning-licensing-building-control/planning/ashdown-forest/>.

⁸ See the East Court & Ashplats Wood SANG Strategy (October 2014) – page 25.

⁹ See the East Court & Ashplats Wood SANG Strategy (October 2014) – page 26.

Interim SAMM Strategy

- 6.10 Following advice received from Natural England on the 15th April 2013, an interim SAMM Strategy¹⁰ was developed. This was agreed by the Mid Sussex District Council Cabinet Member for Planning on 22nd August 2013. Natural England also confirmed its support for the interim SAMM Strategy in a letter dated the 6th September 2013.
- 6.11 The aim of the interim SAMM Strategy is to protect the Ashdown Forest SPA from new recreational pressures arising from new residential development within a 7km zone around Ashdown Forest.
- 6.12 **It is agreed that:**
- **The interim SAMM Strategy and tariff can be applied to relevant planning applications until it is superseded by the Joint SAMM Strategy.**
 - **SAMM mitigation measures will be delivered by the Conservators of Ashdown Forest and mechanisms are in place to secure delivery.**

Joint SAMM Strategy

- 6.13 The Joint SAMM Strategy is a framework of measures that are focused on access management projects on Ashdown Forest and bird and visitor monitoring. It is being prepared by Wealden District Council in close association with the Conservators of Ashdown Forest and Natural England. Wealden District Council is preparing the Joint SAMM Strategy on behalf of Mid Sussex District Council, Lewes District Council, Tunbridge Wells Borough Council, and Tandridge District Council, however, all the affected local authorities are part of the development of the Joint SAMM Strategy and will need to agree the measures contained within it.
- 6.14 The Joint SAMM Strategy is currently work in progress and it is anticipated that it will be finalised by autumn 2016.
- 6.15 **It is agreed that:**
- **Mid Sussex District Council and Natural England will continue to work together on the Joint SAMM Strategy alongside the other affected local authorities (Wealden District Council, Lewes District Council, Tunbridge Wells Borough Council, and Tandridge District Council) and the Conservators of Ashdown Forest.**
 - **The Joint SAMM Strategy will supersede the interim SAMM Strategy and it is anticipated that it will be finalised by autumn 2016.**

¹⁰ SAMM Interim Mitigation Strategy (August 2013): <http://www.midsussex.gov.uk/planning-licensing-building-control/planning/ashdown-forest/>.

7. Atmospheric pollution

- 7.1 The qualifying habitats most sensitive to atmospheric pollution within the Ashdown Forest SAC are the North Atlantic wet heaths and European dry heaths. The main pollutant effects of interest are acid deposition and eutrophication by nitrogen deposition.
- 7.2 Following advice from Natural England, guidance in the Design Manual for Roads and Bridges¹¹ (DMRB) was used to determine if the proposals in the District Plan would be likely to contribute significant additional pollution deposition. This is a scoping assessment for local air quality to identify which roads are likely to be affected by the proposals. An affected road is one where daily traffic flows will change, as a result of the District Plan, by 1000 annual average daily traffic (AADT) or more. If none of the roads in the network (i.e. within and surrounding Ashdown Forest) meet this criteria, then the air pollution impacts of the District Plan are not considered to be significant and no further work is needed (i.e. the in combination impacts are not considered).
- 7.3 The impact pathway for atmospheric pollution on Ashdown Forest arises from increased traffic emissions as a consequence of new development. Roads that may be of concern comprise the A22, A26, A275, B2188, B2026, B2110 and Coleman's Hatch Road.
- 7.4 The Mid Sussex Transport Study¹² indicates that projected traffic increases are well below the threshold deemed as significant and, therefore, the Habitats Regulations Assessment (HRA) report concludes that significant effects are unlikely and no further measures are necessary. The findings of the Mid Sussex Transport Study Stage 3 Interim Summary Report are shown in the table below. Suggested transport interventions include measures such as new carriageway links, junction improvements, traffic calming, parking charge adjustments and new local bus routes. These transport interventions are included within the Infrastructure Delivery Plan¹³ and mean that there would not just be a low effect on AADT, but that there would be no perceptible effect.

¹¹ Design Manual for Roads and Bridges (DMRB) – Volume 11: Environmental Assessment, Section 3: Environmental Assessment Techniques, Part 1: Air Quality (HA 207/07).

¹² Mid Sussex Transport Study Stage 3 Interim Summary Report (November 2015): <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/local-development-framework/evidence-base/mid-sussex-transport-study/>.

¹³ Mid Sussex Infrastructure Delivery Plan: <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/local-development-framework/evidence-base/infrastructure-delivery-plan/>.

Road Link Section	Two-Way Annual Average Daily Traffic Flow (Vehicles)			
	Reference Case	MSTS Stage 3 Development Case Scenario	MSTS Stage 3 Alternative Development Case Scenario	Additional Development Case Scenario
Two-Way Annual Average Daily Traffic Flow (Vehicles)				
A275	6179	6194	6141	6210
A22	5594	5369	5170	5384
A26	4351	4311	4450	4305
B2110	2460	2339	2333	2340
Two-Way AADT Change from Reference Case (Vehicles)				
A275	-	15	-38	31
A22	-	-225	-423	-210
A26	-	-39	99	-46
B2110	-	-121	-126	-120

(Source: Mid Sussex Transport Study Stage 3 Interim Summary Report, November 2015)

7.5 On this basis, Natural England has advised that the proposals in the District Plan are assessed alone and there is no need to assess traffic flows and the AADT in combination with other affected plans and projects (including Wealden District Council and potentially others). An in combination assessment is not required as there are not likely to be any significant effects from the District Plan alone. This reasoning relates to the judgement in the scoping assessment, that is, if the predicted traffic is less than the threshold, then any effect is not considered to be significant even if the critical load for the habitat is exceeded.

7.6 **It is agreed that:**

- **The DMRB guidance is an appropriate method for a scoping assessment of potential atmospheric pollution impacts that may arise from the District Plan proposals.**
- **The AADT figures resulting from the Mid Sussex Transport Study work are considered to be well below the threshold for significance.**
- **A further more detailed assessment of the proposals in the District Plan is not required.**
- **As a result of this, the proposals in the District Plan are assessed alone and not in combination with other affected plans and projects.**

8. Neighbourhood plans

- 8.1 As part of the District Plan strategy, town and parish councils will be encouraged to produce neighbourhood plans¹⁴. The District Council's preference is that the location and nature of development is delivered through neighbourhood plans, however, a Site Allocations document will be produced to enable the District Plan's housing requirement (13,600 dwellings) to be delivered in full, without requiring neighbourhood plans to supply the whole residual amount of housing (2,262 dwellings).
- 8.2 Twenty Neighbourhood Plan Areas have been designated and ten neighbourhood plans have been made by the District Council: Ardingly, Ashurst Wood, Burgess Hill, Crawley Down, Cuckfield, Hurstpierpoint & Sayers Common, Lindfield and Lindfield Rural, Turners Hill, Twineham, and West Hoathly.
- 8.3 Mid Sussex District Council undertakes the HRA for neighbourhood plans on behalf of the town or parish council. It is an iterative process with an HRA completed for the Regulation 14 consultation, Regulation 16 publication and Regulation 19 stage when the neighbourhood plan is made by the District Council.
- 8.4 **It is agreed that:**
- **The District Plan HRA provides appropriate background evidence to support the conclusions of the neighbourhood plan HRAs.**
 - **A HRA screening is undertaken for all neighbourhood plans, both those outside and those within the 7km zone of influence. Those neighbourhood plans within the 7km zone of influence also undergo an appropriate assessment. Natural England will be consulted on the appropriate assessment stage of the HRA process where this is undertaken (for those neighbourhood plan areas within the 7km zone of influence).**
 - **Natural England will be consulted on the Strategic Environmental Assessment/ Sustainability Appraisal (SEA/ SA) for a neighbourhood plan where one is produced.**

9. Other matters

- 9.1 It is agreed that Mid Sussex District Council and Natural England will continue to work actively together and co-operate on matters pertaining to their shared interest and responsibilities.

¹⁴ Information on neighbourhood plans can be found at: <http://www.midsussex.gov.uk/planning-licensing-building-control/planning-policy/neighbourhood-plans/>.



Signed:

Name: Claire Tester
Position: Head of Economic Promotion and Planning
Organisation: Mid Sussex District Council
Date: 20th May 2016



Signed:

Name: James Seymour
Position: Area Manager
Organisation: Natural England
Date: 20th May 2016



Statement of Common Ground

Mid Sussex District Council and South East Water Ltd

30th July 2015

1. Introduction

- 1.1 This is a Statement of Common Ground (the 'Statement') between Mid Sussex District Council and South East Water Ltd.
- 1.2 It is intended that this Statement supports the examination of the District Plan and provides the Inspector with an understanding of the current position of South East Water in respect of the Mid Sussex District Plan 2014 -2031.

2. Mid Sussex District Plan – Consultation Draft 2014-2031

- 2.1 Mid Sussex District Council has prepared a District Plan which will guide development to 2031. The District Plan sets out a vision for how Mid Sussex will evolve and a delivery strategy for how that will be achieved.
- 2.2 A Consultation Draft version of the District Plan was published for public consultation between 21st November 2014 and 16th January 2015. South East Water elected not to submit any representations on the District Plan.

3. Mid Sussex District Plan – Pre-Submission Draft

- 3.1 Mid Sussex District Council published its Pre-Submission Draft District Plan for a final period of consultation on the Plan's soundness and legal compliance on 12th June 2015.
- 3.2 South East Water has reviewed the Pre-Submission Draft District Plan against its Water Resource Management Plan (WRMP), which was published in in June 2014. The WRMP sets out how South East Water intend to maintain the balance between demand for water and available supplies over the next 25 years, up until 2040. The plan takes into account many future assumptions including planned population and housing growth as well as the potential impact of climate change and reductions in supply.
- 3.3 Our WRMP assumes there will be around 14,678 new homes between 2012-2040 within our supply area across Mid Sussex and the growth estimate is summarised as follows:
 - 4,138 households over the period from 2012 to 2020,
 - 9,312 households over the period from 2012 to 2030, and
 - 14,678 households over the period from 2012 to 2040.
- 3.4 South East Water consider the forecasts to be satisfactory for the purpose of meeting the requirements of 11,050 new dwellings in Mid Sussex between 2014 – 2031 as proposed within the District Plan and, as such, South East Water have no overriding concerns with the Plan.

4. Other matters

- 4.1 It is agreed that Mid Sussex District Council and South East Water will continue to work pro-actively together and co-operate on matters pertaining to their shared interest and responsibilities.

5. Signatures

Signed:

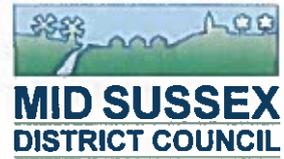


Name: Claire Tester
Position: Head of Economic Promotion and Planning
Organisation: Mid Sussex District Council
Date: August 2015

Signed:



Name: Helen Chapman
Position: Supply and Demand Manager
Organisation: South East Water Ltd
Date: July 2015



Statement of Common Ground

Mid Sussex District Council and Thames Water Utilities Ltd

19th August 2015

1. Introduction

- 1.1 This is a Statement of Common Ground (the 'Statement') between Mid Sussex District Council and Thames Water Utilities Ltd.
- 1.2 It is intended that this Statement supports the examination of the District Plan and provides the Inspector with an understanding of the current position of Thames Water Utilities Ltd in respect of the Mid Sussex District Plan 2014 -2031.
- 1.3 Thames Water are the statutory sewerage undertaker for the north-western part of Mid Sussex District and are hence a 'specific consultation body' in accordance with the Local Planning Regulations.

2. Mid Sussex District Plan – Consultation Draft 2014-2031

- 2.1 Mid Sussex District Council has prepared a District Plan which will guide development to 2031. The District Plan sets out a vision for how Mid Sussex will evolve and a delivery strategy for how that will be achieved.
- 2.2 A Consultation Draft version of the District Plan was published for public consultation between 21st November 2014 and 16th January 2015.
- 2.3 On behalf of Thames Water Utilities Ltd, Savills (UK) Limited submitted a response to the District Plan on 14th January 2015 (reproduced at **Appendix 1**). In relation to Policy DP41 – Water Infrastructure and the Water Environment (DP42 in the Pre-Submission version), the representation letter noted that Thames Water supported the policy in principle as it was largely in line with their previous representations.
- 2.4 With regard to Policy DP26 – Noise, Air and Light Pollution (DP27 in the Pre-Submission version), Thames Water considered that it could be improved in relation to odour issues in proximity to a sewage treatment works or pumping station. Policy DP27 in the Pre-Submission Draft District Plan has been amended to fully reflect this comment.
- 2.5 Thames Water also considered that an additional monitoring indicator should be included for Policy DP41 (DP42 in the Pre-Submission Draft) relating to the numbers of planning applications granted contrary to the advice of the statutory sewerage/water undertaker. An additional indicator has been included in the District Plan Monitoring Schedule in response to this suggestion.

3. Mid Sussex District Plan – Pre-Submission Draft

- 3.1 Mid Sussex District Council published its Pre-Submission Draft District Plan for a final period of consultation on the Plan's soundness and legal compliance on 12th June 2015.

3.2 On behalf of Thames Water Utilities Ltd, Savills (UK) Limited submitted a response to the District Plan on 14th July 2015 (reproduced at **Appendix 2**). The representation letter stated that Thames Water considered Policies DP18: Securing Infrastructure and DP42: Water Infrastructure and the Water Environment to be sound. However, Policy DP27: Noise, Air and Light Pollution was considered not to be sound as it was neither consistent with national policy nor effective. In particular, it was considered that the policy should be further improved by providing clarity on the extent and funding of any programme for odour improvements as a consequence of new residential development being proposed in proximity to a sewage treatment works or pumping station.

3.3 In response to this representation, the District Council proposes modifications to the supporting text to Policy DP27 as follows:

“Where development is being proposed within 800m of a sewage treatment works, the developer should liaise with the statutory sewerage/water undertaker to consider whether an odour impact assessment is required as part of the promotion of the site and potential planning application submission. The odour impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a sewage treatment works. Where any such assessment identifies that there is an odour impact for proposed development and no improvements are programmed by the water company, the developer should contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

“Where development is being proposed within 15m of a pumping station, the developer should liaise with the statutory sewerage/water undertaker to consider whether an odour and/or noise and/or vibration impact assessment is required as part of the promotion of the site and potential planning application submission. Any impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a pumping station. Where any such assessment identifies that there is an odour impact for proposed development and no improvements are programmed by the water company, the developer should contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.”

3.4 On the basis that these modifications are incorporated into the adopted Mid Sussex District Plan, Thames Water have conditionally withdrawn their objection on soundness grounds.

4. Other matters

- 4.1 It is agreed that Mid Sussex District Council and Thames Water Utilities Ltd will continue to work actively together and co-operate on matters pertaining to their shared interest and responsibilities.

5. Signatures

Signed:



Name: Claire Tester

Position: Head of Economic Promotion and Planning

Organisation: Mid Sussex District Council

Date: 20th August 2015



Signed:

Name: David Wilson

Position: Associate Director, Planning

Organisation: Savills (UK) Limited on behalf of Thames Water Utilities Ltd

Date: 19th August 2015

06th July 2015 v1

APPENDIX 1

Savills (UK) Limited letter dated 14th January 2015 in response to the Consultation Draft District Plan

14 January 2015
Guildford Call for sites

Planning Policy Project Manager

Sent by email to: ldfconsultation@midsussex.gov.uk



Dear Sir/Madam

MID SUSSEX DISTRICT PLAN 2014-2031 CONSULTATION DRAFT - COMMENTS ON BEHALF OF THAMES WATER

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

Thames Water are the statutory sewerage undertaker for the north western part of the Mid Sussex District and are hence a "specific consultation body" in accordance with the Town & Country Planning (Local Planning) Regulations 2012. Thames Water are not the water supply undertaker for any of the Mid Sussex District.

We have the following comments on the consultation document on behalf of Thames Water:

Policy DP41: Water Infrastructure and the Water Environment

Thames Water support Policy DP41 in principal as it is largely in line with their previous representations.

A key sustainability objective for the preparation of the Local Plan should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: "***Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....***"

Paragraph 162 of the NPPF relates to infrastructure and states: "***Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.***"

The new web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on 'water supply, wastewater and water quality' and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that ***"Adequate water and wastewater infrastructure is needed to support sustainable development"*** (Paragraph: 001, Reference ID: 34-001-20140306).

As mentioned above, Thames Water support Policy DP41 in principal as it is in accordance with previous representations. However, Thames Water consider that the Gatwick Sub Region Water Cycle Study requires a review to ensure that the housing numbers considered within it are still correct and therefore any conclusions are still accurate.

Policy DP26: Noise, Air and Light Pollution

Thames Water consider that Policy DP26 could be improved in relation to odour.

Crawley Sewage Treatment Works is located to the north east of Crawley close to the boundary with Mid Sussex. Where development is being proposed within 800m of a sewage treatment works, the developer or local authority should liaise with Thames Water to consider whether an odour impact assessment is required as part of the promotion of the site and potential planning application submission. The odour impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a sewage treatment works.

Where development is being proposed within 15m of a pumping station, the developer or local authority should liaise with Thames Water to consider whether an odour and / or noise and / or vibration impact assessment is required as part of the promotion of the site and potential planning application submission. Any impact assessment would determine whether the proposed development would result in adverse amenity impact for new occupiers, as those new occupiers would be located in closer proximity to a pumping station.

DP17: Securing Infrastructure

Regarding the funding of water and sewerage infrastructure, it is Thames Water's understanding that Section 106 Agreements can not be required to secure water and waste water infrastructure upgrades. However, it is essential to ensure that such infrastructure is in place to avoid unacceptable impacts on the environment such as sewage flooding of residential and commercial property, pollution of land and watercourses plus water shortages with associated low pressure water supply problems.

It is important that developers demonstrate that adequate capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development. Thames Water therefore support Policy DP41 in this respect.

Chapter 5: Monitoring Schedule

Thames Water consider that Policy DP41 should be amended to incorporate numbers of planning applications approved contrary to advice from the statutory sewerage/water undertaker.

06th July 2015 v1

I trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours faithfully

A handwritten signature in black ink, appearing to read 'David Wilson', with a stylized flourish at the end.

David Wilson BA (Hons), BTP, MRTPI
Associate Director Planning

06th July 2015 v1

APPENDIX 2

Savills (UK) Limited letter dated 14th July 2015 in response to the Pre-Submission Draft District Plan

14 July 2015

Planning Policy Project Manager

Sent by email to: ldfconsultation@midsussex.gov.uk



Dear Sir/Madam

MID SUSSEX DISTRICT PLAN 2014-2031 PRE SUBMISSION DRAFT - COMMENTS ON BEHALF OF THAMES WATER

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

Thames Water are the statutory sewerage undertaker for the north western part of the Mid Sussex District and are hence a "**specific consultation body**" in accordance with the Town & Country Planning (Local Planning) Regulations 2012. Thames Water are not the water supply undertaker for any of the Mid Sussex District.

We have the following comments on the consultation document on behalf of Thames Water:

Policy DP42: Water Infrastructure and the Water Environment

Question 1 – Sound – Yes

Reasons Why

As previously set out in relation to the Consultation Draft Local Plan (previously Policy DP41), Thames Water support Policy DP42 in principal as it is largely in line with their previous representations in relation to sewerage infrastructure.

A key sustainability objective for the preparation of the Local Plan should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: "**Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....**"

Paragraph 162 of the NPPF relates to infrastructure and states: "**Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.**"

The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on 'water supply, wastewater and water quality' and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with

development needs. The introduction to this section also sets out that ***“Adequate water and wastewater infrastructure is needed to support sustainable development”*** (Paragraph: 001, Reference ID: 34-001-20140306).

As mentioned above, Thames Water support Policy DP42 in principal as it is in accordance with previous representations. However, Thames Water consider that the Gatwick Sub Region Water Cycle Study requires a review to ensure that the housing numbers considered within it are still correct and therefore any conclusions are still accurate.

Policy DP27: Noise, Air and Light Pollution

Question 1 – Sound – No

Question 3 – Not effective & Not consistent with national/regional policy.

Reasons Why

Thames Water support the new requirements that development be assessed where it is located within 800m of a sewage treatment works or 15m of a sewage pumping station as this in line with their previous representations to the Consultation Draft.

Thames Water consider that this should be further improved by confirming that where any such study identifies there is an odour impact for proposed development and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Crawley Sewage Treatment Works is located to the north east of Crawley close to the boundary with Mid Sussex.

DP18: Securing Infrastructure

Question 1 – Sound – Yes

Reasons Why

Regarding the funding of water and sewerage infrastructure, it is Thames Water’s understanding that Section 106 Agreements can not be required to secure water and waste water infrastructure upgrades. However, it is essential to ensure that such infrastructure is in place to avoid unacceptable impacts on the environment such as sewage flooding of residential and commercial property, pollution of land and watercourses plus water shortages with associated low pressure water supply problems.

It is important that developers demonstrate that adequate capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development. Thames Water therefore support Policy DP42 in this respect.

I trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

06th July 2015 v1

Yours faithfully

A handwritten signature in black ink, appearing to read 'David Wilson', with a stylized flourish at the end.

David Wilson BA (Hons), BTP, MRTPI
Associate Director Planning

Appendix 4.

Coastal West Sussex & Greater Brighton Strategic Planning Board

- (a) Terms of Reference**
- (b) Memorandum of Understanding**

COASTAL WEST SUSSEX & GREATER BRIGHTON STRATEGIC PLANNING BOARD

Terms of Reference

April 2015

1. Aims and Objectives

(1) The Strategic Planning Board will identify and manage spatial planning issues that impact on more than one local planning area within Coastal West Sussex and the Greater Brighton area.¹

- 1.1 Local Planning Authorities are required by law through the Duty to Cooperate to *'engage constructively, actively and on an on-going basis'* on planning matters that impact on more than one local planning area ('strategic planning matters'). This duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key 'strategic priorities' that should be addressed jointly².
- 1.2 The Strategic Planning Board (SPB) is responsible, on behalf of the CWS and Greater Brighton Authorities, for identifying the sustainable development issues that impact on more than one local planning area and agreeing how these should be prioritised and managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring)
- 1.3 As part of this process, the SPB should review existing 'strategic priorities' being progressed through the current local plans and identify areas which are likely to be vulnerable in the legal tests applied under the Duty to Cooperate.

(2) The Strategic Planning Board will support better integration and alignment of strategic spatial and investment priorities in the Coastal West Sussex and Greater Brighton area, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.

- 1.4 In order to maximise development potential and investor confidence in the wider CWS and Greater Brighton area there should be a clear strategic planning vision which helps integrate spatial and infrastructure investment priorities. The SPB will be responsible for developing the vision and will work jointly on the economic regeneration with the Coastal West Sussex Partnership Board and Greater Brighton Economic Board to integrate with long term investment priorities and ensure that these are aligned with other public and private sector investment plans.

¹ The Coastal West Sussex and Greater Brighton area covers the local planning areas of Adur, Arun, Chichester, Worthing, the South Downs National Park Authority, West Sussex County Council, Brighton and Hove, Mid Sussex and Lewes.

² 'Strategic priorities' that Local Planning Authorities have a Duty to Cooperate on are defined in Paragraph 156 of the National Planning Policy Framework (NPPF).

- 1.5 The Board will also work closely with the CWS Partnership Board and the Greater Brighton Economic Board (GBEB) on any work that is already underway and is relevant to the Board's strategic planning role.

2. Membership and Accountabilities

- 2.1 The Strategic Planning Board provides a forum for Local Planning Authorities to manage issues that impact on more than one local planning area, developing the necessary evidence base and ensuring wider corporate and other relevant matters are fully taken into account. Although there is a clear emphasis on reaching a common approach on key strategic policies, the SPB is an advisory body, therefore any decisions on taking forward outputs from its work programme (e.g. shared evidence or research) will be the responsibility of individual Local Planning Authorities and the statutory planning process.
- 2.2 Core membership of the SPB will comprise representatives from Adur, Arun, Chichester, Worthing, Lewes, West Sussex County Council, Brighton & Hove City Council, Mid Sussex and the South Downs National Park Authority. Each authority will be invited to contribute to the work programme and to consider strategic planning issues that impact on the wider area. Others may be invited to attend on an occasional basis if an issue being considered is likely to have a significant impact on the authority's planning area. Each constituent authority will be represented on the SPB by the relevant holder of the planning portfolio to ensure confidence of authority and commitment to resources.
- 2.3 Regular feedback and briefings to the constituent members' political and corporate leadership should be used as a way of ensuring wider ownership and support for the Strategic Planning Board's work as it progresses. There should also be appropriate liaison between the Local Planning Authorities representatives of the SPB, the CWS Partnership Board and the GBEB.
- 2.4 The Chairman of the Board will be elected on an annual basis to ensure fair and equal opportunities amongst the constituent member authorities. The Chairman may stand for re-election but may only stand for a maximum of two years. Given the potential close working between the SPB and the CWS Partnership Board, the chairman should have a place on the CWS Partnership Board, should he or she desire, to provide a link between the two bodies.

3. Ways of Working

- 3.1 Refer to Diagram in Annex 1 for details of working arrangements. The SPB will agree a work programme, including steering and management arrangements for each project, on an annual basis. This could include setting up 'task and finish' groups for specific projects, either reporting directly to the SPB or on a shared basis with the CWS Partnership Board and GBEB. The SPB will meet four times a year at times to best suit the work programme. Additional meetings may be called if workload justifies. In the interests of transparency, notes of the Strategic Planning Board's meetings will be publically available.

- 3.2 The CWS & GB Planning Officer Group will work on behalf of the CWS & GB Strategic Planning Board, the CWS Partnership Board and the GBEB to provide either direct advice, support or to deliver agreed projects.
- 3.3 Good project management principles should be applied, such as risk management, particularly around political sensitivities and funding, and keeping the work programme under review to ensure that it is meeting the agreed objectives and the identified priorities remains relevant.

4. Key relationships

- 4.1 **CWS Partnership Board and Greater Brighton Economic Board:** The SPB will work closely with the CWS Partnership Board and the GBEB to ensure the long term integration of strategic planning and investment priorities. Local Planning Authority leaders and chief executives should be invited to attend periodically arranged meetings to ensure corporate buy-in for the priorities and work programme.
- 4.2 **Coast to Capital LEP:** The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams, such as the Local Growth Fund. It is also identified in Local Planning Regulations as a body that Local Planning Authorities need to take account of in meeting its 'Duty to Cooperate' obligations. Although the C2C LEP's role in strategic planning has yet to be determined, any support provided to the Local Planning Authorities is likely to use the existing local partnership areas, such as Coastal West Sussex. Through the CWS Partnership Board and the GBEB, the SPB should ensure regular liaison with the LEP Board and provide advice on strategic planning and investment priorities for the CWS & GB area, particularly through the preparation and delivery of a strategic planning and investment framework.
- 4.3 **West Sussex Joint Planning Board:** The JPB is an established forum for all West Sussex authorities to come together and discuss planning issues of common interest. This will provide a useful forum for the SPB to share and learn from good practice, to receive updates on common policy or legislative changes, and to contribute to the management of the wider strategic planning issues i.e. strategic infrastructure needs and priorities beyond the CWS area.
- 4.4 **Other Key Partners:** A number of key bodies and organisations will be necessary to support the work of the SPB either through direct support/advice or through joint projects. Most of these will be subject to the legal requirements of the 'Duty to Cooperate' and may well already be involved in the other partnerships mentioned above. Key bodies include the Environment Agency, Highways Agency, Homes and Communities Agency. Private sector infrastructure providers, particularly utility companies, will also be key partners particularly in terms of ensuring alignment between investment plans and priorities.

5 Technical Support

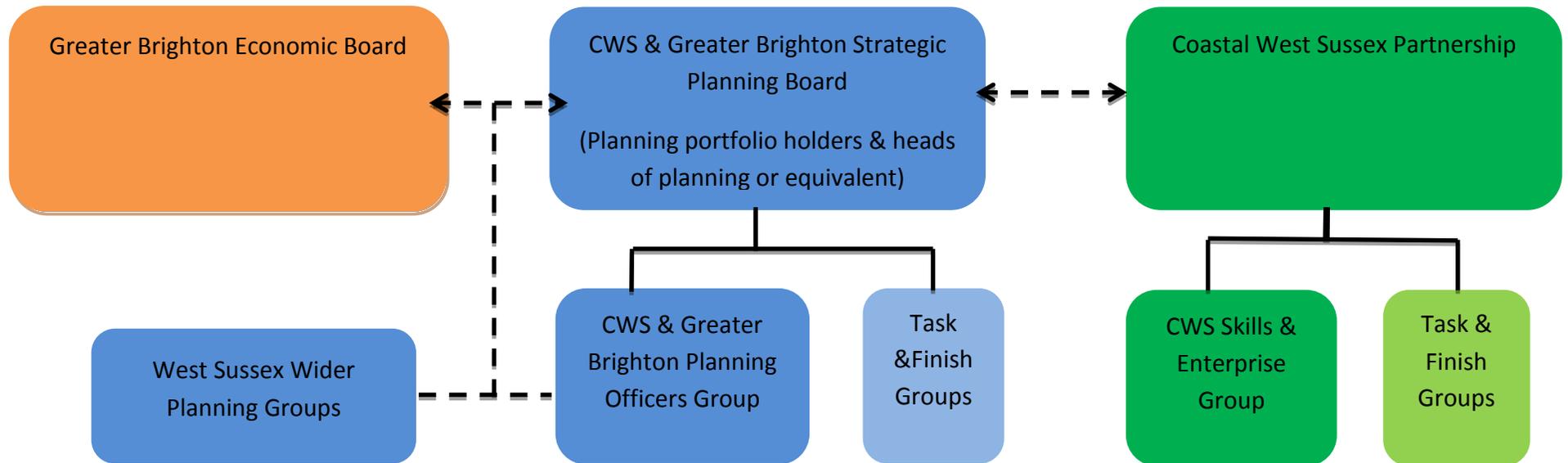
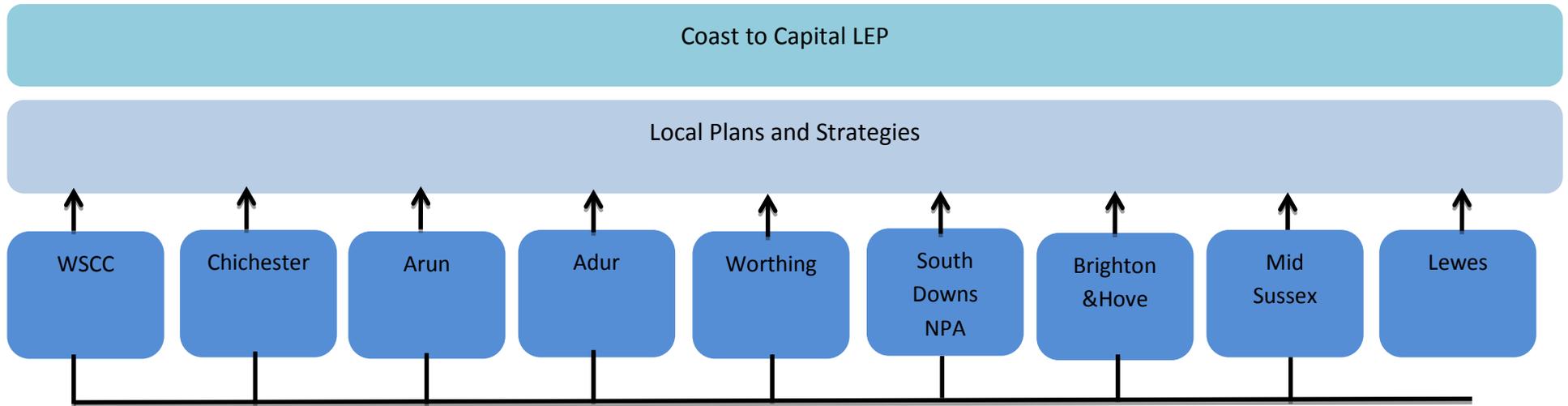
- 5.1 The SPB will be supported by an officer group with representatives from each of the constituent Local Planning Authorities. The group will act as a steering group for each identified project and will establish suitable technical support and project management

arrangements for each. This may involve the use of 'task and finish' groups and could include the use of external expertise e.g. from key statutory bodies identified in paragraph 3.6 above or the use of consultants. The group will therefore also be responsible for any necessary joint procurement arrangements. Where joint projects with the CWS Partnership Board and or GBEB are commissioned, appropriate joint steering and technical arrangements should be established with clear lines of responsibility and accountability.

- 5.2 A representative of the officer group will attend the Strategic Planning Board meetings and provide regular progress updates on the work programme to the Chairman. A representative(s) of the officer group will also be identified as the main liaison with key partners.
- 5.3 In establishing the new support arrangements, the opportunity should be taken to identify where key skills and expertise lie within the Local Planning Authorities and partners, and share these where it is practical to do so. The identification of 'lead' experts can be used to develop a relationship with other organisations on behalf of the partners.

6. Review

- 6.1 It is important to keep arrangements flexible to respond to changes in planning policy, changes in priorities and work programmes and to move forward from plan policy development stages to implementation which may require changes.



COASTALWEST SUSSEX & GREATER BRIGHTON¹ AUTHORITIES

MEMORANDUM OF UNDERSTANDING²

INTRODUCTION

This Memorandum of Understanding establishes a framework for co-operation between the nine Local Planning Authorities with respect to strategic planning and development issues.

Local Planning Authorities are required by law through the Duty to Cooperate to '*engage constructively, actively and on an on-going basis*' on planning matters that impact on more than one local planning area ('strategic planning matters'). The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key 'strategic priorities' that should be addressed jointly³.

PARTIES TO THE MEMORANDUM

The Memorandum is agreed by the following Local Planning Authorities:

- Arun District Council
- Adur District Council
- Brighton and Hove City Council
- Chichester District Council
- Mid Sussex District Council
- South Downs National Park Authority
- Lewes District Council
- West Sussex County Council
- Worthing Borough Council

LIMITATIONS

The Local Planning Authorities recognise that there will not always be full agreement with respect to all of the issues on which they have agreed to cooperate. For the avoidance of doubt, this Memorandum will not restrict the discretion of any of the Local Planning Authorities in the determination of any planning application, or in the exercise of any of its statutory powers and duties, or in its response to consultations, as this MoU is not intended to be legally binding.

¹ The Coastal West Sussex and Greater Brighton area covers the local planning areas of Adur, Arun, Chichester, Worthing and the South Downs National Park Authority with West Sussex County Council, Brighton and Hove, Mid Sussex and Lewes.

² This paper is based on work from the Gatwick Diamond

³ 'Strategic priorities' that Local Planning Authorities have a Duty to Cooperate on are defined in Paragraph 156 of the National Planning Policy Framework (NPPF).

OBJECTIVES

The Memorandum has the following broad objectives:

- To help secure a broad but consistent approach to strategic planning and development issues across the Coastal West Sussex and Greater Brighton area.
- To identify and manage spatial planning issues that impact on more than one local planning area within Coastal West Sussex and the Greater Brighton area.
- To ensure that the local planning and development policies prepared by each Local Planning Authority are where appropriate informed by the views of other Local Planning Authorities across the Coastal West Sussex and Greater Brighton area.
- To ensure that decisions on major applications, that are larger than local planning applications are informed by the views of other Local Planning Authorities across the Coastal West Sussex and Greater Brighton area.
- To support better integration and alignment of strategic spatial and investment priorities in the Coastal West Sussex and Greater Brighton area, ensuring that there is a clear and defined route, where necessary, through the statutory local planning process.

STRATEGIC PLANNING AND DEVELOPMENT ISSUES

The Local Planning Authorities will jointly:

- Prepare, maintain and update a Local Strategic Statement which provides a broad strategic direction for the Coastal West Sussex and Greater Brighton area and establishes areas for inter-authority cooperation on strategic issues.
- Develop and implement a programme for jointly addressing strategic planning and development issues.
- Maintain liaison with the Local Enterprise Partnership(s) on the work they are undertaking.

POLICY DOCUMENTS

Each Local Planning Authority will:

- ❖ Notify the Councils party to the MoU at each consultation stage in the preparation of its local development documents and in the case of a County Council, plans relevant to its statutory function; Waste and Minerals and local transport.
- ❖ Notify the Councils of consultation on any other policy document which, in its view, would have a significant impact on strategic planning or development within the Coastal West Sussex & Greater Brighton area.
- ❖ If requested, meet with and discuss any issues raised by one or more of the other Local Planning Authorities and take into account any views expressed on those issues.

Any response from the Coastal West Sussex Partnership Board or the Greater Brighton Economic Board will be made by the Chairman and is independent from the individual Local Planning Authorities.

DEVELOPMENT MANAGEMENT

Each Local Planning Authority will:

- ❖ Notify the Council's party to the MoU of any major planning applications, from within its area or on which it is consulted by a Local Planning Authority from outside its area, which

would, in its view, have a significant impact on the strategic planning and development of the Coastal West Sussex & Greater Brighton area, having particular regard to the Local Strategic Statement agreed by the Councils and take into account any views expressed in determining the application.

Any response from the Coastal West Sussex Partnership Board or the Greater Brighton Economic Board will be made by the Chairman and is independent from the individual Local Planning Authorities.

LIAISON

The Members of the CWS & Greater Brighton Strategic Planning Board will meet quarterly, or more frequently when appropriate, in order to;

- ❖ Maintain and update the Local Strategic Statement and the joint work programme.
- ❖ Monitor the preparation of policy documents across the Coastal West Sussex & Greater Brighton area and discuss strategic issues emerging from them.
- ❖ Review work undertaken jointly by the Coastal West Sussex & Greater Brighton Local Planning Authorities.

The CWS & Greater Brighton Planning Officer Group will work on behalf of the CWS & Greater Brighton Strategic Planning Board and the CWS Partnership Board to deliver the agreed work programme.

TIMESCALE

The Memorandum of Understanding was intended to run for a two year period from October 2013 and to be reviewed in October 2014 to establish how effective it has been. The SPB have reviewed the MoU and this revised document is intended to run for another one year period from October 2014 to be reviewed in October 2015.



Signed by the CWS & Greater Brighton Strategic Planning Board parties

Adur District Council	
Signed by	
Name Cllr	Date / / 2015
Arun District Council	
Signed by	
Name Cllr	Date / / 2015
Brighton and Hove City Council	
Signed by	
Name Cllr	Date / / 2015
Chichester District Council	
Signed by	
Name Cllr	Date / / 2015
Lewes District Council	
Signed by	
Name Cllr	Date / / 2015
Mid Sussex District Council	
Signed by	
Name Cllr	Date / / 2015
South Downs National Park Authority	
Signed by	
Name Cllr	Date / / 2015
West Sussex County Council	
Signed by	
Name Cllr	Date / / 2015
Worthing Borough Council	
Signed by	
Name Cllr	Date / / 2015

Appendix 5.

**Letter dated 12th August 2015 from Cllr Andrew MacNaughton,
Cabinet Member for Planning, Mid Sussex District Council in
response to the Crawley Borough Local Plan 2015 – 2030
Modifications Consultation**

Contact:

Ms Claire Tester 01444 477322, Fax: 01444 477507
E-Mail: Claire.Tester@midsussex.gov.uk

Your Ref:

Our Ref: CT/

Date: 12th August 2015

Forward Planning
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ

By email

Dear colleagues

Crawley Borough Local Plan 2015–2030 – Modifications Consultation

Thank you for the opportunity to comment on the proposed modifications to Crawley 2030: the Crawley Borough Local Plan.

Main modification 27 which is proposed to be made to Policy H1 states:

There will be a remaining unmet housing need, of approximately 5,000 dwellings, arising from Crawley over the Plan period. The council will continue to work closely with its neighbouring authorities, particularly those which form the Northern West Sussex Housing Market Area, in exploring opportunities and resolving infrastructure and environmental constraints in order to meet this need in sustainable locations. This will include continued assessment of potential urban extensions to Crawley.

As one of the local authorities which would be directly affected by this modification, in the spirit of our ongoing joint working and cooperation, we are happy to support it.

Yours sincerely



Councillor Andrew MacNaughton
Cabinet Member for Planning

Working together for a better Mid Sussex



Appendix 6.

Minutes of the Greater London Authority Wider South East Regional Summits and Roundtable meetings

Wider South East Roundtables

10 July 2015

Committee Room 2, City Hall, London

Notes

Emerging consensus from the first two Roundtables

Following a Wider South East Summit in March 2015, Roundtable discussions were set up to progress political discussion about future co-ordination/co-operation between the Mayor of London, the South East and East of England on strategic growth and infrastructure issues. Leaders from all councils and Local Enterprise Partnership (LEP) representatives in the South East and East were invited to attend small Roundtable meetings with the GLA, with the first two sessions held on 10 July and a further three in September. A second Wider South East Summit on 11 December 2015 will consider the Roundtable findings and the way forward.

Attendees at both Roundtable sessions supported the need for political engagement, with the following emerging consensus on four broad topics of discussion as identified by the independent facilitator.

1. Purpose/scope

There must be a recognition of the importance of the strong mutual relationship between London, East and the South East.

The focus must be on economic prosperity as well as housing and planning, and must address transport and other strategic infrastructure in the wider sense.

The purpose must relate to the strategic big picture, with mechanisms for more focused work on particular areas such as transport corridors.

There is a need before the September sessions to begin to refine the scope/scale of future political engagement.

2. Geography

The proposed mechanism should relate to the areas covered by London, East and South East of England. The focus should be on the area as a whole with mechanisms for more detailed work being done on specific localities. It would complement not duplicate cross-boundary relationships.

3. Political mechanisms

The mechanisms should be bureaucratically light. They should enable different voices to be heard and not be dominated by a particular place or type of council. The principles of the proposed arrangements should be:

- inclusive (possibly a summit at least once a year);
- workable (possibly a smaller steering group/executive);
- accountability of the smaller group to the wider membership (with a concerted effort on communications to enable the accountability to work);
- operates in an all-party fashion.

There is a need for a more detailed discussion on the design of these mechanisms at the September sessions.

4. Support and resources

Consideration must be given to developing a shared and consistent data base, building on existing work and information.

Any support mechanism must be light touch and build on existing arrangements.

More work is needed on this once the scope and scale of the future engagement have been refined.

South East England Roundtable (9.30 am)

Welcome

Sir Edward Lister (Deputy Mayor for Planning at the Greater London Authority) welcomed the significant interest by Council Members and LEPs within the wider South East in these Roundtable discussions. He reiterated that London could meet its own housing need but, as throughout the wider South East, delivery was not keeping up. He referred to the publication of the Government's Productivity Report and the need to consider its implications for planning. Heather Bolton (Director at South East England Councils) highlighted that the South East has a very successful economy in its own right and shared challenges with London on housing demand, overstretched infrastructure and balancing development needs with protected designations. It was important for London and South East politicians to work together to shape these strategic issues for the future.

Scene Setting

Stewart Murray, Assistant Director Planning, and Jorn Peters, Senior Strategic Planner, from the GLA gave a brief presentation (provided separately) setting the scene for the discussion.

Roundtable discussion

Phil Swann from Shared Intelligence independently facilitated the Roundtable discussion. The following key points were discussed by participants:

Purpose/Scope

- No one area (London, East or South East of England) or type of council should dominate another within the new arrangements. The new arrangements must be democratic and accountable.
- Key issues to consider include jobs growth, housing demand, protected land, and strategic infrastructure. Strategic infrastructure covers not only transport but also e.g. health, water, energy. Infrastructure and spatial planning regimes do not match, and despite the application of the Community Infrastructure Levy (CIL) there are significant funding gaps.

Geography

- Arrangements should look at the whole wider South East, complementing not replacing existing one-to-one relationships between councils in London, the East and South East of England. The focus of the new arrangements should be on issues relevant for the whole wider South East.

Political mechanisms

- SERPLAN worked for 30 years as a strategic planning mechanism. It was acknowledged that circumstances are different today, but one could learn from the past for new bottom-up arrangements.
- There should be a genuine commitment from all partners that the new structure does not become a 'talking shop'. In large groups (beyond the size of these Roundtables) it would be difficult to maintain discussion and interest. Therefore, the new mechanism should include a small overarching political steering group with the different tiers of local authorities involved, and any additional detailed work on specific strategic areas, such as corridors or

other geographies, could be undertaken by small specialised groups. Regular but infrequent plenary sessions would allow everybody to get involved directly. Regular communication is needed to ensure everybody remains engaged.

- The Local Enterprise Partnerships (LEPs) welcomed the invitation to participate at these Roundtable discussions. They could help in particular with the strategic delivery of growth.

Support and resources

- There are limited resources currently available in local authorities for this strategic engagement work. Work should be facilitated through existing bodies such as SEEC, EELGA and the GLA rather than creating a new organisation/secretariat. Some officer support was already in place through the Spatial Strategic Planning Officer Liaison Group (SSPOLG), which had already been established in 2013 during the preparation of the Further Alterations to the London Plan to address wider South East issues. Officers were asked to refine the purpose/scope of the future engagement, so that mechanisms and necessary technical support can be considered more fully at the September Roundtables.
- Robust, consistent and objective data/evidence is required to inform the issues the new arrangement will be dealing with. SSPOLG is already sharing data, e.g. on demography. Local authorities also hold valuable strategic evidence gained through the preparation of their Local Plans. However, the focus should remain on broad strategic issues without going towards the creation of a form of plan for the wider South East.

East of England Roundtable (2.30 pm)

Welcome

Fiona Fletcher Smith (Executive Director-Development, Enterprise & Environment at the GLA) reminded participants why better co-operation was so important referring in particular to the potential benefits in terms of economic development and infrastructure investment. Cllr Jason Ablewhite (Leader of Huntingdonshire District Council and new Chair of the East of England Local Government Association) reiterated the key principles that were set out by his predecessor at the Wider South East Summit in March including recognition of the variety of views within the wider South East and the challenges the places around London are facing as well as the importance of economic growth alongside housing growth.

Scene Setting

Jorn Peters, Senior Strategic Planner, at the GLA gave a brief presentation (provided separately) setting the scene for the discussion.

Roundtable discussion

Phil Swann from Shared Intelligence independently facilitated the Roundtable discussion. The following key points were discussed by participants:

Purpose/scope

- The new arrangements should focus on 'big picture' issues that go beyond local relevance.
- London already has a strong voice, but local authorities within the wider South East are not getting sufficient support for infrastructure required to accommodate their strategic growth

ambitions. LEPs can provide some support to speed up delivery and at a strategic level look e.g. into the forward funding of infrastructure.

Geography

- Strategic growth areas should be recognised, but where there are existing structures such as for the London Stansted Cambridge corridor; these should not be duplicated.

Political mechanisms

- There is a need for every authority to buy into the new emerging arrangement, and smart communication is required to keep the engagement going over time.
- Every authority should be involved at some level. Summits like the one in March may work well in this respect. However, a small workable executive structure that has the confidence of all authorities across all political parties is needed to get the engagement work done. Effective communication between all authorities and this small group is required.

Support and resources

- The significant variation in strategic geographies (e.g. Housing Market Areas) and data (e.g. Strategic Housing Market Assessments) needs to be addressed. The new arrangements should facilitate co-ordination and consider appropriate geographies and datasets for key strategic issues. There may also be benefits in jointly commissioning research work that produces consistent outputs/evidence across the wider South East.

Emerging consensus and next steps

At both sessions there was support for better engagement arrangements. The summary on page 1 of this note represents the emerging consensus as identified by the independent facilitator from the two first Roundtable sessions. These will inform the second set of Roundtable discussions in Sept 2015 as well as the Outer London Commission's consideration of the wider South East relations.

List of Attendees

See Annex 1

Annex 1 List of Attendees

South East of England Roundtable (9.30 am)

CLlr Richard Bower	Cabinet Member for Planning & Infrastructure, Arun DC
CLlr Neil Bell	Deputy Leader, Ashford BC
CLlr Martin Tett	Leader, Buckinghamshire CC
CLlr Isobel Darby	Leader, Chiltern DC
CLlr Keith House	Leader, Eastleigh BC
CLlr John Cubitt	Leader, Gravesham BC
CLlr Stephen Parker	Leader, Hart DC
CLlr Garry Wall	Leader, Mid Sussex DC
CLlr Sarah Seed	Executive Member for Planning, Mole Valley DC
CLlr Roland Dibbs	Cabinet Member for Environment & Service Delivery, Rushmoor BC
CLlr Robert Piper	Portfolio Holder for Planning, Sevenoaks DC
CLlr Howard Rogers	Cabinet Member Planning & Transportation, Tonbridge & Malling BC
CLlr Christine Field	Deputy Leader, West Sussex CC
Geoff French	Chairman, Enterprise M3 LEP
Graham Brown	Board Member, South East LEP
Sir Edward Lister	Deputy Mayor for Planning, Greater London Authority (GLA)

Supporting officers/observers:

Phil Swann	Facilitator, Shared Intelligence
Brian Horton	Adviser, South East LEP
Jack Straw	Planning Policy Manager, Mole Valley DC
Daniel Hawes	Planning Policy Manager, Hart DC
Heather Bolton	Director, South East England Councils (SEEC)
Nick Woolfenden	Head of Policy Co-ordination, SEEC
Fiona Fletcher Smith	Executive Director-Development, Enterprise & Environment, GLA
Stewart Murray	Assistant Director Planning, GLA
Richard Linton	Strategic Planning Manager, GLA
Jorn Peters	Senior Strategic Planner, GLA
Mike Keegan	Transport for London

East of England Roundtable (2.30 pm)

Cllr Dr Richard Moore	Cabinet Member for Regeneration and Planning, Basildon DC
Cllr Colleen Atkins	Portfolio Holder for Community Safety and Regulatory Services, Bedford BC
Cllr Bill Frame	Portfolio Holder for Economic Growth and Planning, Colchester BC
Cllr Roger Hirst	Cabinet Member for Customer Services, Libraries, Planning and the Environment, Essex CC
Cllr Derrick Ashley	Cabinet member for Environment, Transport and Planning, Hertfordshire CC
Cllr Harvey Cohen	Planning Portfolio Holder, Hertsmere BC
Cllr Jason Ablewhite	Leader, Huntingdonshire DC
Cllr Roy Davis	Elected Member, Luton BC
Cllr Derrick Haley	Leader, Mid Suffolk DC
Cllr Terry Cutmore	Leader, Rochford DC
Cllr John Fuller	Leader, South Norfolk Council
Cllr Ron Woodley	Leader, Southend-on-Sea BC
Cllr Julian Daly	Leader, St Albans DC
Cllr John Gardner	Deputy Leader - Environment and Economy, Stevenage BC
Cllr Mandy Perkins	Executive Member for Planning, Housing & Community, Welwyn Hatfield BC
Hilary Chipping	Head of Infrastructure, SEM LEP
Adrian Cannard	Strategy & Planning Director, GCGP LEP
Fiona Fletcher Smith	Executive Director-Development, Enterprise & Environment, GLA

Supporting officers/observers:

Phil Swann	Facilitator, Shared Intelligence
Brian Horton	Adviser, South East LEP
Richard Hatter	Strategic Planning Manager, Thurrock Council
Mark Silverman	Policy and Transport Manager, Hertsmere BC
Matthew Winslow	Strategic Planning & Housing Strategy, Basildon BC
Des Welton	Hertfordshire Planning Coordinator
John Williamson	Manager, Cambridgeshire and Peterborough Joint Planning Unit
Cecilia Tredget	Director, East of England Local Government Association
Çınar Altun	Policy and Secretariat Manager, East of England LGA
Richard Linton	Strategic Planning Manager, GLA
Jorn Peters	Senior Strategic Planner, GLA
Mike Keegan	Transport for London

Wider South East Roundtables

18 September 2015, City Hall, London

Combined Notes of 10 am and 1 pm meetings

Emerging consensus from all Roundtables

Following a Wider South East Summit in March 2015, Roundtable discussions were set up to progress political discussion about future co-ordination/co-operation between the Mayor of London, the South East and East of England on strategic growth and infrastructure issues. Leaders from all councils and Local Enterprise Partnership (LEP) representatives in the South East and East were invited to attend small Roundtable meetings with the GLA, with the first two sessions held on 10 July and a further three in September. This note summarises the final two South East sessions in September, held in London. A second Wider South East Summit on 11 December 2015 will consider the Roundtable findings and the way forward.

Attendees at all Roundtable sessions supported the need for political engagement, with the following emerging consensus on four broad topics of discussion as identified by the independent facilitator. Points shown in black below emerged from the first two July roundtables, and were endorsed by the September roundtables. Tracked changes refer to specific/additional points raised at the East of England session in Cambridge [on 4 Sept in red](#) and those at the [South East sessions on 18 Sept in green](#).

1. Purpose/scope

There must be a recognition of the importance of the strong mutual relationship between London, East and the South East. The focus must be on economic prosperity as well as housing, planning, [and environmental quality](#) and must address transport and other strategic infrastructure in the wider sense. The purpose must relate to the strategic big picture, with mechanisms for more focused work on particular areas such as transport corridors. [It will be important to prioritise, with an initial focus on housing and transport.](#)

2. Geography

The proposed mechanism should relate to the areas covered by London, East and South East of England. The focus should be on the area as a whole with mechanisms for more detailed work being done on specific localities as necessary. It would complement not duplicate cross-boundary relationships.

3. Political mechanisms

The mechanisms should be bureaucratically light [and remain flexible](#). They should enable different voices to be heard and not be dominated by a particular place or type of council. The principles of the proposed arrangements should be:

- there should be an inclusive annual summit, [with a clear task/purpose](#);
- the work between summits should be steered by a workable small executive. East of England, South East and London should be free to appoint their representatives in a way that suits their area, but the arrangements should be politically and geographically representative;
- there must be highly effective communication mechanisms between meetings to ensure accountability and progress;
- where appropriate steering mechanisms should be established for work on particular corridors or areas.

4. Support and resources

Consideration must be given to developing a shared and consistent data base, building on existing work and information. [It was agreed that a short note should be produced on the actions currently in hand to possibly establish a common data base and the likely timescales.](#) Any support mechanism must be light touch and build on existing arrangements. [More engagement from London beyond the Mayor is required. Opportunities to tap into resources such as those available to the Local Enterprise Partnerships outside London should be explored.](#)

NOTE OF ROUNDTABLES, MORNING AND AFTERNOON 18 SEPTEMBER

Welcome

At the 10 am morning session Sir Edward Lister (Deputy Mayor for Planning at the Greater London Authority) welcomed Roundtable participants. He reiterated London's strong population growth and the opportunities to address related challenges without impacting negatively on the wider South East (SE). Both he and Fiona Fletcher-Smith (Executive Director for Development, Enterprise & Environment at the GLA), who opened the afternoon session, also highlighted the opportunities for co-operation in particular on transport/infrastructure issues. Fiona made clear that the Mayor was keen on genuine co-operation and explained why this was important to address better the challenges the wider SE is facing.

At the morning session Cllr Paul Carter CBE (Leader of Kent County Council) joined the Deputy Mayor to welcome participants and confirmed that opportunities arising from co-operation should be embraced to address common challenges. He said that for example Kent's population was growing fast as was London's. He referred to new towns and to opportunities to unlock the development potential for example in the Thames Gateway at Ebbsfleet. However, he highlighted that the South East of England deserves a fairer share of infrastructure investment to support its growth. Joint lobbying for infrastructure would carry more weight. Cllr David Monk (Leader of Shepway District Council) joined Fiona to welcome participants in the afternoon, confirming that common challenges were arising from population and employment growth, barriers to housing delivery as well as the need to protect open space and improve infrastructure. He reiterated that South East council leaders welcomed the opportunity to discuss future collaboration.

Scene Setting

Jorn Peters, Senior Strategic Planner at the GLA, gave a brief presentation (provided separately) to both Roundtable sessions setting the scene for the discussion.

Outer London Commission

Will McKee, Chair of the independent Outer London Commission, explained that the Commission's investigation into wider SE relations represented the London perspective and not a separate process (for further details see the Commission's website: <http://www.london.gov.uk/mayor-assembly/mayor/outer-london-commission/full-review-of-the-london-plan>). The investigation seeks to advise the Mayor and, along with the Roundtables, inform the second wider SE Summit. He highlighted that the outcome of the Roundtable meetings would also be considered by the Commissioners as part of their investigation. He indicated that the responses received to the Commission's consultation were going in the same direction as the Roundtable discussions, and he was confident that the Commission's recommendations would integrate well with the emerging consensus from the Roundtables.

Key points made by consultees to the Commission included:

- There are significant interdependencies across London's administrative borders. London and its strategic issues cannot be seen in isolation;
- Mechanisms are needed to deal with the Duty to Co-operate better;
- Focus should be on existing arrangements and 'coalition of the willing' rather than imposed structural solutions;
- Agreement on process will provide some confidence to address sensitive issues, but new structures also need to be flexible to allow them to evolve;

- There is the need for a shared/common evidence base and tangible collaboration outcomes;
- Collaboration geographies may vary depending on the issue.

Roundtable discussion

Phil Swann from Shared Intelligence independently facilitated both Roundtable discussions. There was broad support for the emerging consensus from the previous Roundtables. Building on these the following key points were discussed by participants:

Purpose/Scope

- The significant interdependencies within the wider SE were reiterated.
- The GLA confirmed that it would be in the interest of any new Mayor to put robust engagement mechanisms in place.
- The need for a shared vision beyond the mechanisms and for a shared evidence base/shared data understanding with all partners contributing was raised. This would also inform the focus of future collaboration. Officers were already in the process of scoping work towards this, and it would be discussed further at the next wider SE officer group meeting on 2nd October and inform the Summit in December.
- In terms of housing, the 2015 London Plan confirmed that London could accommodate its growth within its boundaries, but housing delivery and also affordability would be key common concerns for the new collaboration mechanism to address. In South Hampshire for example penalties for developers are considered who are not realising their schemes.
- In terms of infrastructure, other types of infrastructure beyond transport should also be covered. Some counties are preparing plans to address strategic infrastructure requirements that extend beyond their boundaries.
- Additional issues of strategic importance could also include addressing skills shortages and social infrastructure such as hospitals as well as environmental designations. Some participants called for a strategic review of the Green Belt.

Geography

- Whilst the core geographic focus should be SE/East/London-wide, some flexibility in geographies would be required to allow collaboration to work effectively.
- Consideration should be given to how best to draw on existing structures e.g. Partnership for Urban South Hampshire (PUSH) or more generally on Housing Market Areas, Functional Economic Market Areas, etc.
- The importance of transport corridors was highlighted; however, not all of them would necessarily be radial, such as the Oxford-Cambridge Arc.

Political mechanisms

- The Summits would each need a clear purpose/task. The second Summit in December should not only agree the new arrangements but also start to consider substance and action e.g. on common issues/database.
- The Executive Steering Group should have equal representation from the East of England, South East and London. An early meeting with the new Mayor would be welcome.
- There should not only be geographical but potentially also thematic sub-groups with specific experts from relevant authorities to address e.g. urban/economic/environmental/etc. issues. Existing groupings should be used as much as possible, but they should not work in isolation.
- Effective communication between the Steering Group, any sub-groups and all authorities would be essential. The new arrangements should be flexible and not add a layer of bureaucracy to informal collaboration between individual authorities.

- Local Enterprise Partnerships (LEPs) were outside the statutory system and had limited capacity, but they could work in collaboration with the delivery bodies help to address infrastructure/connectivity deficits.
- Potential mechanisms for how to capture and express agreed collaboration actions, e.g. in the shape of memoranda of understanding or shared narratives, would require further consideration.

Support and resources

- It would be important to use existing bodies such as SEEC and EELGA as part of any new arrangements for better wider SE engagement. However given limited resources facing all organisations, it would be important to explore how best other existing groupings such as Planning Officer Groups and Duty to Co-operate Groups could also contribute.
- The officer arrangements currently supporting wider SE collaboration in the shape of the Strategic Spatial Officer Liaison Group (SSPOLG) will have to be reviewed to meet the needs of new political mechanisms. The Group's meeting papers are available on the GLA website: <http://www.london.gov.uk/priorities/planning/cross-boundary-strategic-planning-co-operation>
- More engagement from London beyond the Mayor is required, i.e. London Councils and the London boroughs.
- TfL's collaboration beyond London's boundaries is so far largely focused on transport corridors. Further engagement with the Highways Authorities, Highways England and Network Rail on wider SE issues would be valuable.
- There may be the opportunity to tap into LEP resources outside London to support collaboration. The GLA commissioned on behalf of SSPOLG an overview of the Strategic Economic Plans around London. It is available on the GLA website: <http://www.london.gov.uk/sites/default/files/Item%204%20-%20SEPs%20Overview%20-%20final%20-%20revised%20post%20meeting.pdf> .

Emerging consensus and next steps

At all Roundtable sessions there was support for better engagement arrangements. The summary on pages 1/2 of this note represents the emerging consensus as identified by the independent facilitator. This will inform the second wider SE Summit on 11 December 2015, where agreement on future co-operation arrangements will be sought. The Summit will also make a start considering substance such as common issues/database. A better understanding of the process engagement opportunities in developing the full review of the London Plan and in particular its spatial options would also be welcome.

Lists of Attendees

10 am Roundtable

Facilitator:

1. Phil Swann Independent Facilitator/Shared Intelligence

Attendees:

2. Sir Edward Lister Deputy Mayor of London for Planning, GLA
3. William McKee CBE Chair, Outer London Commission
4. Geoff Hobbs Transport for London
5. Cllr Kevin Davis Leader, RB Kingston upon Thames (London Councils)
6. Cllr Carole Paternoster Cabinet Member for Growth Strategy, Aylesbury Vale DC
7. Cllr Frederick Scales Planning Committee Chairman, Dover DC
8. Cllr Neil Dallen Leader, Epsom & Ewell BC
9. Cllr Matt Furniss Lead Councillor for Infrastructure and Environment, Guildford BC
10. Cllr Paul Carter CBE Leader, Kent CC
11. Cllr Tony Page Deputy Leader, Reading BC
12. Cllr Allen Kay Deputy Leader, Reigate & Banstead BC
13. Cllr Charlotte Morley Regulatory Portfolio Holder, Surrey Heath BC
14. Cllr Ann Newton Portfolio Holder for Planning & Development, Wealden DC

Supporting Officers/Observers:

15. John Lett Strategic Planning Manager, GLA
16. Jorn Peters Senior Strategic Planner, GLA
17. Nick Woolfenden Head of Policy Co-ordination, SEEC
18. Sarah Momber Admin & Policy Officer, SEEC/SESL
19. Mark Berry Head of Place Development, Epsom & Ewell BC
20. Luci Mould Policy & Regeneration Manager, Reigate & Banstead BC
21. Jenny Rickard Executive Head – Regulatory, Surrey Heath BC

1 pm Roundtable

Facilitator:

1. Phil Swann Independent Facilitator/Shared Intelligence

Attendees:

2. Fiona Fletcher-Smith Executive Director of Development, Enterprise & Environment, GLA
3. William McKee CBE Chair, Outer London Commission
4. Peter Wright Transport for London
5. Cllr Paul Bettison Leader, Bracknell Forest Council
6. Cllr Peter Lamb Leader, Crawley BC
7. Cllr Derek Hunnisett Dartford BC
8. Cllr Andrew Kelly Cabinet Member, Elmbridge BC
9. Cllr Keith Mans Deputy Leader, Hampshire CC
10. Cllr Peter Chowney Leader, Hastings BC
11. Cllr Gail Kingerley Chair of Planning, Runnymede BC
12. Cllr David Monk Leader, Shepway DC
13. Cllr Ralph Bagge Leader, South Bucks DC
14. Cllr Simon Letts Leader, Southampton City Council
15. Cllr John Furey Cabinet Member, Surrey CC
16. Cllr David Weightman Chairman of Planning Policy, Tandridge DC
17. Cllr Martin Hatley Deputy Leader, Test Valley BC
18. Nigel Tipple Chief Executive, Oxfordshire LEP
19. Richard Harrington Chief Executive, Thames Valley Buckinghamshire LEP

Supporting Officers/Observers:

20. John Lett Strategic Planning Manager, GLA
21. Jorn Peters Senior Strategic Planner, GLA
22. Nick Woolfenden Head of Policy Co-ordination, SEEC
23. Sarah Momber Admin & Policy Officer, SEEC/SESL
24. Mark Aplin Policy Planning Manager, Dartford BC
25. Mark Behrendt Planning Policy Manager, Elmbridge BC
26. Chris Murray Head of Strategic Planning, Hampshire CC
27. Richard Ford Policy and Strategy Manager, Runnymede BC
28. Sue Janota Spatial Planning and Policy Manager, Surrey CC
29. Gloria Ighodaro Executive Director, PUSH

Wider South East Summit

19 March 2015, 15:30

Committee Rooms 4+5, City Hall, London

Notes

List of Registered Delegates

See Annex 1

Welcome

Welcome by independent Summit Chair, Phil Swann, who reiterated focus on identifying a mechanism to take forward discussions between London and councils in the East and South East, but not to discuss the substance of the planning and growth issues involved.

View from the East

Cllr Tony Jackson (East of England LGA Chairman, East Herts DC) stressed the East of England LGA's role as facilitator in the process. He stated that any process must consider the challenges and needs of the East of England and the South East equally with those of London, and that a joined up approach to achieving sustainable economic growth across the Wider South East and London is needed. The agreed process should include a means by which different perspectives from across the East of England are listened to. Any future discussions on the issue of London's growth must be coupled with discussions about a more equitable distribution of jobs growth and infrastructure provision.

View from the South East

Cllr Gordon Keymer CBE (South East England Councils Chairman, Tandridge DC) shared Cllr Jackson's views. He reiterated the role of the East and South East as equal partners to London. He raised three key issues:

- The Green Belt – London should not rule out a Green Belt review and London boroughs should do more to address housing need within London
- Jobs/Economy – need to recognise the very strong economy of the South East in its own right. This must not be stifled by becoming just a dormitory for London's workers.
- Infrastructure – already at its limits. More investment is needed and should not only focus on London's needs but also on those of the South East and East

View from London

Sir Edward Lister (Deputy Mayor of London for Planning) stressed the role of the wider SE as the nation's economic powerhouse and key economic linkages reflected for example in the significant daily commuter flows into London. He referred to the significant growth in households across the wider SE and confirmed that in accordance with the 2015 London Plan London would seek to accommodate its housing need within its boundaries. He emphasised the need for higher densities as well as the importance of Opportunity Areas and Town Centres to achieve this. He mentioned the challenge to convert planning approvals into completions, and

he reiterated the importance of transport investment and London's commitment to deal with its waste within its boundaries.

Trends, issues and options

John Lett, Strategic Planning Manager at the GLA, gave a presentation (see Annex 2) based on the circulated Discussion Paper (see Annex 3).

Panel discussion

During the Panel discussion the following points were made. The majority of contributors expressed a preference for Option 2 (the Roundtable format).

- The opportunity for discussion at this Summit was welcomed and an interest in future cooperation was expressed by many participants.
- The process to explore cooperation arrangements should be robust, member driven and independently facilitated; the group that is being established should be small but accountable.
- Any arrangement should be output driven (not a talking shop) and needs to ensure that difficult issues can be addressed and are not 'kicked into the long grass'.
- Not all meetings should take place in London.
- It would be important to develop a positive relationship with the LEPs and involve them in this process.
- Better arrangements will support the application of the Duty to Cooperate across the wider SE.
- The authorities outside London have their own set of challenges and some consider that they are in a worse position than London in their ability to accommodate growth. This should be recognised in discussions with all needs considered jointly in an equal partnership. The aim of cooperation should be to achieve genuinely sustainable growth across the whole wider SE.
- There is also an opportunity to jointly address the barriers to housing delivery.
- Inadequate infrastructure provision and the costs to address it represent key concerns. In particular where growth is being embraced, the infrastructure to accommodate it should be provided.
- There are also significant concerns about the lack of education and skills for key services required within the wider SE.
- As the basis for further discussions it is essential to gain a better understanding of the data/evidence underlying the issues different parts of the wider SE are facing. London has already started to share some of its data on a consistent, regional basis.

Conclusion

Phil Swann summed up the discussion as follows:

The Summit supported the creation of a mechanism to take forward discussions between London, East and South East England on planning, housing, infrastructure and the economy based on Option 2 (Wider South East Roundtables).

It was agreed that the process should reflect the following principles:

- It must address the challenges facing the places around London as well as London itself;
- The focus must be on economic growth as well as housing growth and resulting infrastructure requirements;
- It must reflect the fact that there is a variety of views within the East and South East;
- It must be a robust and independently facilitated process.

It was also agreed that:

- A first step should be to pull together a shared data base to underpin the work;
- LEPs should be involved to support work on economic growth and skills;
- There should be a political steering arrangement to act as a clearing house for emerging issues, to ensure that the momentum is maintained with an output-driven process and that the difficult issues are not kicked into the long grass.

The Summit asked the elected members on the panel together with the deputy mayor to agree and circulate the meeting notes to all the councils involved, along with high level proposals for roundtables in summer/autumn 2015. A 2nd political wider SE summit will be held in December 2015 to consider/agree roundtable outcomes and the longer term way forward.

Annex 1

Wider South East Summit - 19 March 2015

List of Registered Delegates

Name	Organisation
Cllr David Robey	Ashford Borough Council
Simon Cole	Ashford Borough Council
Cllr Carole Paternoster	Aylesbury Vale District Council
Cllr Peter Jones	Babergh District Council
Matt Winslow	Basildon Borough Council
Cllr Richard Moore	Basildon Borough Council
Jill Fisher	Basingstoke and Deane Borough Council
Paul Rowland	Bedford Borough Council
Dave Hodgson	Bedford Borough Council
Andrew Hunter	Bracknell Forest Council
Cllr Paul Bettison	Bracknell Forest Council
Nick Hibberd	Brighton & Hove City Council
Sandra Rogers	Brighton & Hove City Council
Cllr Mark Mills-Bishop	Broxbourne Borough
Chris Williams	Buckinghamshire County Council
Cllr Lewis Herbert	Cambridge City Council
Cllr Kevin Price	Cambridge City Council
Alan Carter	Cambridge City Council
Cllr John Gilbey	Canterbury City Council
Ian Brown	Canterbury City Council
Cllr Bill Sharp	Castle Point Borough Council
Cllr Richard Stay	Central Bedfordshire Council
Cllr James Jamieson	Central Bedfordshire Council
Claire Stuckey	Chelmsford City Council
Cllr Nick Rose	Chiltern District Council
Cllr Graham Harris	Chiltern District Council
Laura Chase	Colchester Borough Council
Cllr Peter Smith	Crawley Borough Council
Cllr Stephen Joyce	Crawley Borough Council
Cllr Paul Watkins	Dover District Council
Mike Ebbs	Dover District Council
Cllr James Palmer	East Cambridgeshire District Council
Cllr Tony Jackson (Speaker)	East Herts District Council and Chairman of East of England Local Government Association

Cecillia Tredget	East of England Local Government Association
Cinar Altun	East of England Local Government Association
Hannah Shah	East of England Local Government Association
Deborah Sacks	East of England Waste Technical Advisory Body and the South East Waste Planning Advisory Group
Cllr Keith House	Eastleigh Borough Council
Mark Behrendt	Elmbridge Borough Council
Cllr Andrew Kelly	Elmbridge Borough Council
Cllr Richard Bassett	Epping Forest District Council
Cllr Neil Dallen	Epsom & Ewell Borough Council
Dominic Collins	Essex County Council
Cllr James Waters	Forest Heath District Council
Cllr John Burden	Gravesham Borough Council
Cllr Trevor Wainwright	Great Yarmouth Borough Council
Sir Edward Lister (Speaker)	Greater London Authority
John Lett (Speaker)	Greater London Authority
Richard Linton	Greater London Authority
Jorn Peters	Greater London Authority
Ben Corr	Greater London Authority
Jeremy Skinner	Greater London Authority
Cllr Stephen Mansbridge	Guildford Borough Council
Chris Murray	Hampshire County Council
Cllr Roy Perry	Hampshire County Council
Graeme Bloomer	Harlow Council
Cllr James Radley	Hart District Council
Cllr David Neighbour	Hart District Council
Cllr Richard Thake	Hertfordshire County Council
Paul Donovan	Hertfordshire County Council
Jane Custance	Herts Planning Group
Cllr Harvey Cohen	Hertsmere Borough Council
Julia Dawe	Horsham District Council
Cllr Ray Dawe	Horsham District Council
Cllr Claire Vickers	Horsham District Council
Cllr Jason Ablewhite	Huntingdonshire District Council
Russell Williams	Ipswich Borough Council
Cllr Paul Carter	Kent County Council
Barbara Cooper	Kent County Council
Stephen Wilkinson	Lee Valley Regional Park Authority
Cllr Cameron Geddes	London Borough of Barking and Dagenham
Cllr Teresa O'Neill	London Borough of Bexley
Cllr Doug Taylor	London Borough of Enfield

Cllr Claire Kober	London Borough of Haringey
Cllr Roger Ramsey	London Borough of Havering
John McGill	London. Stansted. Cambridge. Consortium
Cllr Roy Davis	Luton Borough Council
Keith Dove	Luton Borough Council
Cllr Annabelle Blackmore	Maidstone Borough Council
Simon Meecham	Maldon District Council
Catherine Smith	Medway Council
Cllr Garry Wall	Mid Sussex District Council
Bob Wilson	Milton Keynes Council.
Cllr Chris Townsend	Mole Valley District Council
Jack Straw	Mole Valley District Council
Cllr John Northcott	Mole Valley District Council
Phil Morris	Norfolk County Council
Cllr Lynda Needham	North Hertfordshire District Council
David Scholes	North Hertfordshire District Council
Cllr Tom FitzPatrick	North Norfolk District Council
Chris Kenneford	Oxfordshire County Council
Bev Hindle	Oxfordshire County Council
Cllr Marco Cereste (Panel)	Peterborough City Council and Deputy Chairman of East of England Local Government Association
Cllr Allen Kay	Reigate & Banstead Borough Council
Cllr Roland Dibbs	Rushmoor Borough Council
Cllr Robert Piper	Sevenoaks District Council
David Shore	Shepway District Council
Alison Bailey	South Bucks District Council
Nick Woolfenden	South East England Councils
Heather Bolton	South East England Councils
Sarah Momber	South East England Councils
Andrew Lewis	Southend-on-Sea Borough Council
Cllr Ron Woodley	Southend-on-Sea Borough Council
Cllr Vivienne Leighton	Spelthorne Borough Council
John Devonshire	Spelthorne Borough Council
Cllr David Yates	St Albans City and District Council
Cllr Sharon Taylor OBE	Stevenage Borough Council
James Cutting	Suffolk County Council
Cllr David Hodge (Panel)	Surrey County Council and and Deputy Chairman of South East England Councils
Sue Janota	Surrey County Council
Cllr Moira Gibson	Surrey Heath Borough Council
Cllr Andrew Bowles	Swale Borough Council

Sarah Thompson	Tandridge District Council
Cllr Gordon Keymer CBE (Speaker)	Tandridge District Council and Chairman of South East England Councils
Cllr Iris Johnston	Thanet District Council
Adrian Verrall	Thanet District Council
David Holmes	Three Rivers District Council
Andy Millard	Thurrock Council
Cllr Sue Murray	Tonbridge & Malling BC
Ian Bailey	Tonbridge & Malling BC
Chris Hyde	Transport for London
Ian Birch	Transport for London
Cllr Alan McDermott	Tunbridge Wells Borough Council
Andrew Taylor	Uttlesford District Council
Cllr Susan Barker	Uttlesford District Council
Cllr Ann Newton	Wealden District Council
Cllr Warwick Robinson	West Oxfordshire District Council
Giles Hughes	West Oxfordshire District Council
Steven Wood	West Suffolk (Forest Heath and St Edmundsbury Councils)
Geoff Mee	West Sussex County Council
Cllr John Kaiser	Wokingham Borough Council
John Spurling	Wokingham Borough Council
Cllr Neil Marshall	Wycombe District Council
Corinne Swain	Arup
Catriona Riddell	Catriona Riddell Associates
William McKee CBE	Chairman of Outer London Commission
Rachel Barker	Enterprise M3 Local Enterprise Partnership
Stephen Walker	Environment Agency
Lee Searles	Enzygo Ltd
Brian Horton	Horton Strategic Limited
Ian Gordon	London School of Economics
Adam Dodgshon	Planning Advisory Service
Phil Swann (Chair)	Shared Intelligence

Regional Summit 19th March 2015

**Towards more effective
arrangements for coordinating
strategic policy and investment
across the wider SE**



MAYOR OF LONDON



Regional issues: people and housing

CLG h.hld projections
2012-37:

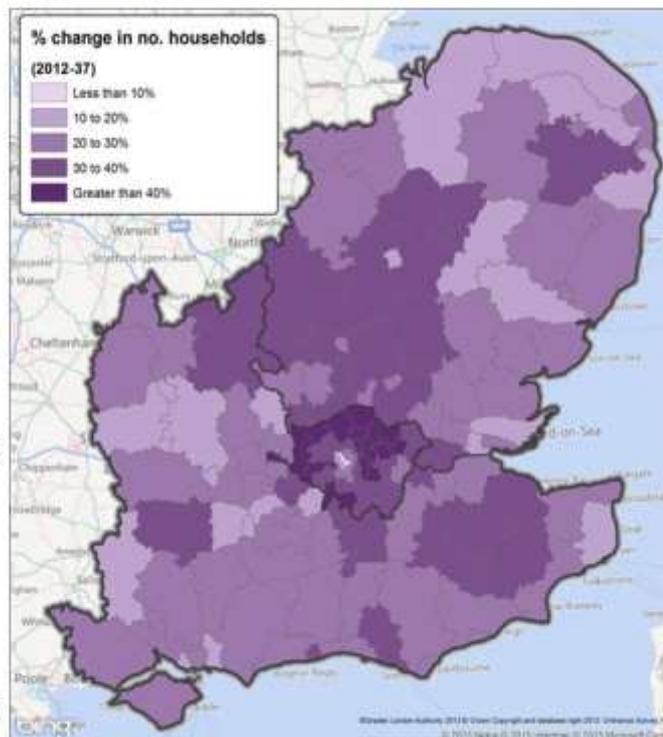
- East 26,000 pa
- South East 37,000 pa
- London 53,000 pa

New London Plan designed
to meet need:

- Realistic: 58,000 approvals pa

Common issues:

- translating approvals to completions
- long term population uncertain



Other regional issues include:

- Local & broader economies eg jobs 2009 - 14
- East 18,000pa
- South East 36,000 pa
- London 107,000 pa
- Together c50% national GDP
- How to realise local opportunities through strategic action?

PLUS

- Environment
- Transport
- Other Infrastructure



Towards a more effective regional coordination structure:

Objectives:

- Better understanding of common issues
- More effective engagement in strategic policy eg London Plan review
- More effective engagement on strategic infrastructure

Key considerations:

- What area should be covered?
- What should be the membership?
- How should contributions be made?
- How should it be administered?
- Building on existing arrangements?
- Short term and longer term structures?
- What should it be called?

How to identify the best coordination structure? eg through....

Wider SE Panel

- Events around the quadrants of the SE
- Panel of local members and independents

Wider SE 'Roundtables'

- Member based round tables
- Independent facilitators
- London based

Wider SE Officer group

- Officers develop 19.3.15 views/options
- Test through a member steering group

- Work through these arrangements to be overseen by regional political leadership
- Work to be coordinated/informed by that of the Outer London Commission
- Recommendations to be finalised by a further Regional Summit late this autumn

Annex 3

Strategic Spatial Planning Officer Liaison Group

Wider South East Engagement Final Discussion Paper for Wider South East Summit

Recommendation:

That the Summit considers and decides how to take forward joint discussions between London, East and South East England, to explore mechanisms to:

- i. Understand common issues underpinning the economic future of London and the wider South East
- ii. Seek more effective engagement in the London Plan review
- iii. Seek more effective engagement on strategic infrastructure provision.

It is proposed a 2nd wider South East Summit in November 2015 will aim to agree a way forward on future dialogue and cooperation.

1 Background

- 1.1 The localism agenda rightly emphasises the need to address local issues at the local level and it is widely recognised that this agenda can address many of those which, individually, face authorities in London, the South East and East of England – the wider South East (SE).
- 1.2 However, although a highly diverse area, there are strong strategic interdependencies between London and the wider South East that underpin their collective economic success – geographically and economically this is much bigger than any other city region in the country.
- 1.3 Supported by a small joint officer group (the Strategic Spatial Planning Officers Liaison Group – SSPOLG), the East of England Local Government Association (EELGA), South East England Councils (SEEC) and the Mayor currently discuss on an informal basis common strategic issues facing the area. Wider SE responses to the Further Alterations to the London Plan (FALP) and the Mayor’s 2050 Infrastructure Plan suggest that there is potential for developing more effective arrangements over time to:
 - identify the broad strategic challenges and opportunities facing the area;
 - represent them to relevant agencies, including government and the Mayor; and
 - develop policy options to address them.
- 1.4 This paper is intended to inform discussion on potential arrangements including:
 - the objectives of wider SE dialogue and cooperation;
 - how to best develop options to take these objectives forward in terms of the structure of the arrangements in the short/medium and longer terms; and
 - initial ideas on the issues which might be considered through these arrangements.
- 1.5 As a discussion document this paper has gone through several iterations. To initiate political dialogue and cooperation a ‘wider South East Summit’ is taking place on 19 March 2015. At the Summit, views will be canvassed on options to improve political

dialogue/cooperation and whether it would be useful to support one of the mechanisms proposed for taking wider soundings around the wider SE. The outcomes/recommendations emerging from this process would report to a second wider SE Summit in November 2015.

- 1.6 The work would complement that of the Mayor's established Outer London Commission (OLC)¹ which has been invited to explore, from a London perspective, more effective ways of coordinating approaches to common strategic planning issues facing London and the Wider South East. It is envisaged that both the next steps arising out of the Summit and the OLC will work collaboratively to enhance and strengthen future engagement between London and the Wider South East. The OLC will also report in late 2015.

2 Draft objectives: more effective arrangements for dialogue and cooperation across the wider South East

- 2.1 While not all stakeholders in the wider SE may agree with some of the detail of the National Planning Policy Framework (NPPF), it does provide a common policy benchmark for the area and it is suggested that most would support its central objective – to foster sustainable development. Given the significance of the interdependencies between London and East and South East England, and growth challenges and opportunities facing the areas, closer dialogue/engagement will be vital.
- 2.2 The statutory Duty to Cooperate (DTC) applies to all local authorities and the GLA in terms of Local Plans. In terms of the preparation of the London Plan, the Mayor is bound by his own Duties to Inform and Consult which effectively if not legally are similar to the DTC. His London Plan also gives strong policy support to cooperative working to address issues of concern in the wider SE. Irrespective of legal differences between London and the wider SE, it is suggested that all can rally round the need to engage constructively on common strategic issues and collaborate in addressing some of them, even if it may not be possible always to agree on a universal way forward.²
- 2.3 Three key objectives for wider SE dialogue and cooperation are proposed for consideration:
- i. **To better understand common issues:** currently there is a strong 'localist' focus in identifying and addressing planning issues within the wider SE. Could this usefully be complemented by developing consistent data collection/analytic capacity to identify strategic issues which affect the area more widely? An authoritative appreciation of the relationship between changing demographics and housing need is particularly important, backed by a similar understanding of the wider SE's changing economy and supporting infrastructure requirements under different future scenarios.

¹ Its role is to advise how Outer London can play its full part in the city's economic success. For further details see <http://www.london.gov.uk/olc/>

² See also:

- *National Planning Policy Guidance (NPPG) - Paragraph: 007 Reference ID: 9-007-20140306: 'Cooperation between the Mayor, boroughs and local planning authorities bordering London will be vital to ensure that important strategic issues, such as housing delivery and economic growth are planned effectively'.*
- *FALP Inspector's Report (Nov 2014) – paragraph 57: 'In my view, the Mayor needs to explore options beyond the existing philosophy of the London Plan. That may, in the absence of a wider regional strategy to assess the options for growth and to plan and co-ordinate that growth, include engaging local planning authorities beyond the GLA's boundaries in discussions regarding the evolution of our capital city.'*

- ii. **To seek more effective engagement in the London Plan review:** consultation on the draft Further Alterations to the London Plan (FALP) and the 2050 Infrastructure Plan elicited a wide range of responses from the wider SE, many with a common theme – the need for more effective political and technical engagement in preparation of the full review of the London Plan. Facilitating this could be a core objective for the new arrangements.
 - iii. **To seek more effective engagement on strategic infrastructure provision:** this has emerged from discussions with EELGA and SEEC as an area with particular potential, not just in terms in making common cause in bidding for investment but also in bringing forward sustainable development. It might apply to social and environmental as well as physical infrastructure.
- 2.4 To develop options for practical arrangements for cooperation and collaboration, different mechanisms are proposed below. Underlying principles are that options for future engagement should be transparent and open, and make best use of existing resources and structures.

3 Developing more effective arrangements for dialogue and cooperation across the wider South East

Key steps/timetable:

STEP 1. Discuss and test options for engagement

- Initial wider SE Summit to consider options for exploring future dialogue/cooperation arrangements (see grey box below) and agree a preferred way forward – 19 March 2015
- Establish small political steering group to oversee the process – May 2015 onwards
- Take forward preferred option to explore dialogue/cooperation arrangements – Spring-Winter 2015
- Second wider SE Summit, with the aim of agreeing a way forward on future dialogue/cooperation – November 2015

STEP 2. Implementation

- Implementing mechanisms for dialogue and cooperation – November 2015 onwards

- 3.1 The following includes different options as potential mechanisms to advise on these arrangements by late 2015. All options would be supported by a small political steering group comprising representatives from the South East, East of England and London and a second summit in November 2015 which will, based on emerging outcomes and draft recommendations, aim to agree next steps:

Option 1 Wider South East Commission/Panel

Establishment of formal Commission/Panel (e.g. with one unitary, one county and two district authority representatives, and perhaps independent advisors on planning and the economy and an independent chair). This could follow the already established Outer London Commission model (meetings in public; officer/invited presentations; background papers circulated beforehand; local publicity; followed by private meetings to finalise the recommendations) with four sub-regional roadshows/events spread around the wider South East to sound out views of future structures. It would offer the opportunity for councillors to set out local issues. This arrangement would operate collaboratively with the work by the Outer London Commission, which will be taking soundings on such structures from a London perspective.

Option 2 Wider South East Roundtables

Less formal roundtable meetings taking place in London with councillors from the wider South East and an independent 'facilitation panel'; structured/facilitated questions and discussions. This arrangement would operate collaboratively with the work by the Outer London Commission (see Option 1 above).

Option 3 Wider South East Officer Group

Building on councillor input at the 19 March summit, an already established officer group (SSPOLG) would work on developing and testing options iteratively which are then assessed by the small political steering group (see paragraphs 3.1). This arrangement would operate collaboratively with the work by the Outer London Commission (see Option 1 above).

- 3.2 For all options the following issues will have to be considered:
- **membership** – size, geography, political and other representatives, chair?
 - **venues** – where would the required meetings take place?
 - **written contributions** – (how) should short written contributions for those not able to take part in person be considered?
 - **reporting** – who should be responsible for the administrative arrangements and ensure outcomes and draft recommendations are captured?
- 3.3 Effective political engagement of Council Leaders from outside London is a key issue, and therefore views on the role that councillors may wish to have in steering the process or getting involved are crucial.
- 3.4 For all options it may be useful to refine this Discussion Paper in the light of the Summit as the basis for the further discussions and to establish a small political steering group to oversee the process.
- 3.5 Any mechanism would consider options for future cooperation arrangements including building on current arrangements (EELGA/SEEC/Mayor + SSPOLG), with additional informal/sub-regional groupings focused on particular challenging issues or opportunities eg early 'volunteers/partners for growth' which could carry out more detailed work.

- 3.6 It will also draw on the considerable body of thinking on how arrangements for wider SE cooperation/planning could be made more effective in the longer term (see Annex 1). Models range from loose voluntary associations to suggestions already made, eg a regional 'senate'; a regional equivalent to the London Planning Advisory Committee; lessons from other big city regions.
- 3.7 Would it be useful for these (see Annex 1) to be collated and summarised as a basis for discussion and to inform the meetings?

4 What are the issues to address via new arrangements for political and technical dialogue and cooperation across the wider South East

4.1 The abolished Regional Spatial Strategies identified what at the time were considered to be the strategic issues facing the East and South East, but that was under different administrative arrangements for addressing them and prior to the recent recession and substantial growth in London's population and employment. It is anticipated that authoritative identification of strategic issues currently facing the wider SE will require further analysis, developing understanding of the issues and mechanisms for political and technical dialogue and cooperation where appropriate. The headlines set out in the following paragraph are intended to inform initial discussions.

4.2 Key issues³ where London and the wider SE have strong inter-dependencies or face significant challenges:

- **Sustaining and growing economic success** – what are key economic links and dependencies across/beyond the wider SE? what's needed to underpin ongoing success?
- **Tackling economic under-performance and regeneration** – how can all areas benefit from the wider SE's economic potential?
- **Housing the growing population** – what demographic changes are expected and where will people live?
- **Balancing growth and environmental priorities, including open space and addressing climate change** – how will constraints and opportunities influence future development?
- **Delivering strategic transport infrastructure** – what are the priorities for investment to support economic success?
- **Providing services for communities, including education/skills, health, care, power, water, waste** – how to ensure all partners play their part meeting the needs of the growing population?

³ Also informed by FALP and London Infrastructure Plan consultation and discussions since then.

Annex 1 (of Annex 3) - Strategic Planning – Recent Publications⁴

English Regional Planning 2000 – 2010 Lessons for the Future (2013) – edited by Corinne Swain et al: Study contributes to understanding of how strategic planning can – based on past experience - provide a framework for guiding spatial change and allocating resources, looking to a long-term sustainable future. <http://www.routledge.com/books/details/9780415526081/>

Lyons Housing Review (Oct 2014): Housing funding streams should be consolidated as part of an economic development fund and devolved to city and county region authorities working across functional economic areas. http://www.yourbritain.org.uk/uploads/editor/files/The_Lyons_Housing_Review_2.pdf

Royal Town Planning Institute: Strategic Planning –

- Beyond ‘Co-operation’ (Sept 2014): Proposals draw on existing arrangements but require much stronger incentives to cooperation and making plans for the future. <http://rtpi.org.uk/media/1110489/Strategic%20Planning%20Beyond%20Cooperation.pdf>
- Effective Cooperation for Planning Across Boundaries (Jan 2015): Includes a range of case studies. For England the focus should be on incentives where the duty to cooperate has not been effective, and to build on the momentum to harness the potential of the city regions. <http://www.rtpi.org.uk/media/1230885/RTPI-Strategic%20Planning-Brochure%20FINAL%20web%20PDF.pdf>

Highbury Group on Housing Delivery: In response to the above RTPI paper, it calls for a new strategic planning for the London metropolitan preparing a Metropolitan regional plan. http://www.westminster.ac.uk/_data/assets/pdf_file/0006/338118/HIGHBURY-GROUP.-Response-to-RTPI-strategic-planning-paper.-FINAL.-3.10.14.pdf

Future of London: Working Beyond Boundaries (Oct 2014): Calls for the Mayor to take a broader perspective and relieve planning pressure on local elected officials. <http://www.futureoflondon.org.uk/futureoflondon/wp-content/uploads/downloads/2014/10/Working-Beyond-Boundaries-briefing-paper-web.pdf>

Andrew Boff GLA Conservatives: Southern Power House (Jan 2015): Promotes a comprehensive reform of London’s governance and tax powers and the establishment of a Thames City-Region to give the South East a say in London’s growth and prosperity. <http://glaconservatives.co.uk/wp-content/uploads/2015/01/southern-powerhouse.pdf>

Also relevant in this context:

Nathaniel Lichfield & Partners: London’s Unmet Housing Needs – Meeting London’s overspill across the wider South East (Apr 2014): Study shows how London’s unmet housing needs could be distributed using a ‘Gravity Model’ approach and calls for the GLA and the authorities within the wider London Housing Market Area to work together to address this unmet need effectively. <http://www.london.gov.uk/sites/default/files/285GladmanDevelopmentsLtdResponse.pdf>

Foresight, Government Office for Science: Investing in city regions – How does London interact with UK system of cities and what are the implications of this relationship? (Oct 2014): Study discusses whether stronger UK supply chains would enable faster growth for a number of cities and the UK as a whole. It concludes that a strong counterweight to London’s global role should not be its restriction and that local rivalries should be made a positive force for innovation. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/365099/london-and-UK-system-of-cities.pdf

DCLG: National Planning Policy Guidance: Duty to Cooperate, paragraph 7: Cooperation between the Mayor, boroughs and local planning authorities bordering London will be vital to ensure that important strategic issues, such as housing delivery and economic growth, are planned effectively. <http://planningguidance.planningportal.gov.uk/blog/guidance/duty-to-cooperate/what-is-the-duty-to-cooperate-and-what-does-it-require/>

Planning Advisory Service has developed a suite of practical guidance tools to facilitate compliance with the Duty to Cooperate. This includes a ‘Duty Statement template’, which addresses Governance and working arrangements and suggests for example memorandums of understanding to evidence agreements. http://www.pas.gov.uk/web/pas1/events-and-support2/-/journal_content/56/332612/6387362/ARTICLE

⁴ Only selection – not comprehensive.

Appendix 7.

Email correspondence with Crawley Borough Council and Brighton & Hove City Council re change in OAN.

From: Brigden, Elizabeth [<mailto:Elizabeth.Brigden@ Crawley.gov.uk>]
Sent: 11 August 2016 13:49
To: Chris Tunnell
Cc: Judy Holmes; Lappage, Sallie; Maughan, Diana
Subject: RE: MSDC Housing Provision

Dear Chris,

Many thanks for sending through the information below relating to the Mid Sussex district housing projections, as discussed at our meeting on 29 July. Crawley Borough Council (CBC) has the following thoughts:

Objectively Assessed Housing Need

Crawley Borough Council notes that the Objectively Assessed Housing Need (OAHN) for Mid Sussex has increased due to the changes in the nationally derived household projections and recognises that the Planning Practice Guidance requires the starting point for OAHN to be the most recent DCLG household projections. On this basis, CBC agree with MSDC that the appropriate approach is to reflect the most up-to-date position in the Submission District Plan.

Housing Provision and Crawley's Unmet Needs

Whilst the work MSDC has undertaken to identify its maximum delivery figure through the Sustainability Appraisal and current Strategic Housing Land Availability Assessment (SHLAA) is acknowledged, this increase in OAHN reduces the amount of planned housing provision potentially available for meeting unmet needs of adjoining authorities (primarily Crawley Borough, as part of the Northern West Sussex Housing Market Area, and Brighton). This is a matter of significant concern.

As you are aware, the Crawley Borough Local Plan (CBLP) identifies an unmet need arising in Crawley borough over the Plan period of 5,000 dwellings. The Inspector for the Horsham District Planning Framework (HDPF) committed Horsham District Council (HDC) to a housing figure which included an element to meet almost half of the unmet need in Crawley, and for the work relating to their early review to include a joint approach on a cooperative basis across the three authorities in the Northern West Sussex (NWS) to fully address the OAHNs of the Strategic Housing Market Area (SHMA).

The MSDC commitment to working with its neighbouring authorities to delivery sufficient levels of new housing is particularly welcomed, and mirrors the CBC commitment in Policy H1 of the Crawley Borough Local Plan and the work undertaken across the two authorities, to date, as part of the Gatwick Diamond and the NWS Authorities (reflected in the Gatwick Diamond Local Strategic Statement (LSS) and its imminent refresh, and the continually updating of the NWS Position Statement).

CBC particularly support the MSDC commitment to producing a further site allocation DPD, to identify additional sites which could come forward within the District Plan period, after 2021. CBC welcome being involved and supporting this, particularly through the continued work into understanding and unlocking infrastructure capacity and resolving environmental constraints across the housing market area, Gatwick Diamond and the Coast to Capital Local Enterprise Partnership area (C2C).

Continued and Effective Duty to Cooperate (DtC)

On the basis of the above, CBC wish to ensure the following two expectations are recognised and met in MSDC's approach to undertaking the Duty to Cooperate:

1. That the previous commitment from Mid Sussex District Council (MSDC) to accept some of Crawley's unmet housing needs, in accordance with a formal and jointly agreed basis, is explicit in the Mid Sussex District Plan (MSDP) and continued through the planning policy work in relation to the Site Allocations Development Plan Document (DPD).

2. That there is a clear commitment from MSDC to discuss any site allocation(s) on or close to Crawley's administrative boundaries with CBC as part of the full planning process and take forward any appropriate schemes jointly.

I anticipate that the ongoing DtC work can be reflected in the Plan wording, updating of the NWS Position Statement (to reflect the factual changes set out below in your email), the implementation of the emerging Statement of Common Ground and continued cross-boundary discussions at officer and member level, and the updating to the Gatwick Diamond Local Strategic Statement (LSS).

I look forward to hearing from you in due course in relation to the progression of your District Plan.

Kind Regards

Elizabeth

Elizabeth Brigden

Planning Policy Manager
Forward Planning
Development & Resources
Crawley Borough Council
01293 438624

Response to Email from Chris Tunnell Mid Sussex District dated 8 August 2016 from Liz Hobden, Brighton & Hove City Council (12 August 2016)

Thank you for the email you sent following our meeting on 27 July.

I note that, as a consequence of new household projections issued by DCLG in July, Mid Sussex's objectively assessed housing needs have increased from 695dpa to 754dpa. You have indicated that the proposed target in the District Plan will remain at 800 dpa (at this time) due to the lack of available and deliverable sites and that an increase could represent a 'tipping point' for sustainable development (at this stage). The implication is that the contribution that Mid Sussex can make towards meeting the unmet housing needs of adjacent authorities has fallen from 105 dpa to 46 dpa.

As you are aware, Brighton & Hove's unmet housing needs are significant at 56 per cent of objectively assessed housing needs (16,800 homes over the plan period). Therefore all opportunities that might help to address the city's unmet housing need to be thoroughly explored through the Duty to Cooperate and sub-regional working. It is also acknowledged that given the scale of the city's unmet housing need, coupled with that of other neighbouring authorities, it is likely the full extent of the housing shortfall within the sub-region may not be capable of being *fully* resolved within the area itself. Although the reduction by half in the amount of surplus housing available from Mid Sussex to assist with that shortfall is regrettable the reasons underpinning it are noted.

You indicate that there is 'no scope to increase the target at this stage' and that there may be scope in the future – 'In the medium term after plan adoption Mid Sussex intends to commence work on a further site allocations DPD. Through ongoing SHLAA work we are aware of additional sites that may become available for the period after 2021.' Based on this approach and twinned with our ongoing commitment to work together to address unmet housing need across the area, I would request that Mid Sussex consider clarifying within the District Plan that the proposed housing target is a minimum. This would also serve to demonstrate a commitment from Mid Sussex to seek additional housing sites through the proposed site allocations DPD.

On this basis, and alongside consideration of the previous response from the City Council, the approach of Mid Sussex would be considered acceptable. In the meantime the City Council looks forward to continuing to work with Mid Sussex now and in the future.

Best regards

Liz Hobden
Policy, Projects and Heritage Manager
Brighton & Hove City Council