

# Site Allocations DPD – Frequently Asked Questions

9<sup>th</sup> October 2019

## Why is the Council preparing a Site Allocations DPD?

The Council adopted the District Plan in March 2018, following extensive independent examination by the Planning Inspectorate. The District Plan sets out the spatial strategy for meeting the housing and employment needs of the District. It also sets out a number of planning policies that are used when determining planning applications.

District Plan Policy **DP4: Housing** committed the Council to preparing a Site Allocations DPD to meet the remaining ('residual') housing and employment needs that the adopted Plan did not fully meet up to 2031.

## How does the Site Allocations DPD relate to the adopted District Plan?

The District Plan is the over-arching planning strategy for the district for the period 2014-2031. The Site Allocations DPD must therefore be consistent with the strategy set out in the District Plan.

## What is contained within the Site Allocations DPD?

The District Plan identified a residual housing and employment need for the Site Allocations DPD to meet. The Site Allocations DPD proposes a number of new housing and employment sites for allocation in order to meet this need. It also includes an allocation for a Science and Technology Park, and a number of other strategic planning policies necessary to support delivery of sustainable development.

## What is the difference between an 'allocation' and planning permission?

An allocated site is one whereby the principle of development is agreed. Allocations are accompanied by specific policy requirements related to the allocation. An allocated site does not mean the site has planning permission – a planning application would need to be approved before development can begin. However, as the use on the site has been agreed 'in principle', the planning application would set out the details – including how the scheme would meet the policy requirements related to the allocation.

## Housing Requirement

### What is the housing requirement until 2031?

Policy **DP4: Housing** in the District Plan establishes a housing requirement of 16,390 dwellings for the period 2014-2031.

The District Plan housing requirement was calculated in accordance with National Planning Policy. The calculation was subject to significant scrutiny during the District Plan examination. It is predominantly based upon population projections, household projections, and an allowance for meeting unmet housing needs of neighbouring authorities.

### How much of the housing requirement is already planned for?

Policy **SA10: Housing** within the Site Allocations DPD sets out that, since 2014, of the 16,390 housing requirement:

- 3,914 dwellings have already been built ('completions')
- 7,094 dwellings already have planning permission or are allocated elsewhere ('commitments')

- 3,287 dwellings are allocated within the District Plan, and have not yet received planning permission
- 588 dwellings are expected as 'windfalls'

This totals 14,883 already planned for, or built since 2014.

### What is the 'residual' housing requirement?

As the District Plan housing requirement is 16,390, and 14,883 are already built or planned for, there is a remaining requirement of 1,507 dwellings. It is this 'residual' amount that needs to be delivered within the Site Allocations DPD.

### What are 'windfalls' and how are they calculated?

Windfall sites are those that are not identified in the development plan (i.e. the District Plan, Neighbourhood Plans or the Site Allocations DPD when adopted) but are approved because they are policy compliant. These are usually small sites (fewer than 9 dwellings). The Council are able to make an allowance for 'windfalls' as long as it is evidenced. This is done by assessing past rates of windfall and making assumptions about the amount that will likely take place in the future.

The Windfall Study Update is available to view online at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

### How have the housing requirements for each settlement been calculated?

Policy **DP4: Housing** sets out a Settlement Hierarchy which establishes where development should be focussed. The majority is based at the district's Towns, followed by Larger Villages, Medium Sized Villages, Smaller Villages, and Hamlets. The district's housing requirement was distributed to each level of the hierarchy based on a methodology established during the District Plan examination.

Policy **DP6: Settlement Hierarchy** sets out a guideline housing requirement for each settlement, based on the established hierarchy.

The Site Allocations DPD must select sites that are consistent with the settlement hierarchy.

### What is the '5 year supply' and why is it important?

A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years' worth of housing (and appropriate buffer) against a housing requirement set out in adopted strategic policies (i.e. the District Plan).

The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement for the next 5 years.

If an authority cannot demonstrate a 5 year housing land supply, the presumption in favour of sustainable development will apply, as set out in paragraph 11(d) of the National Planning Policy Framework. This means the District Plan is no longer the starting point for considering planning applications.

It is therefore vital that the authority can demonstrate and maintain a 5 year housing land supply. Whilst the Council can demonstrate a 5 year housing land supply at present, this needs to be maintained. This can be done by allocating sites within a Site Allocations DPD, whereby the authority has choice and control over the sites that it has assessed as suitable for development.

### What is an appropriate buffer?

The National Planning Policy Framework (NPPF, paragraph 73) states that Local Authorities must demonstrate a 5 year land supply plus a buffer of:

- 5% to ensure choice and competition in the market for land, or

- 10% where the authority wish to demonstrate a 5-year supply within an Annual Position Statement, or
- 20% where there has been significant under-delivery in the previous 3 years

The buffer is determined by the result of the Government’s Housing Delivery Test. At present, Mid Sussex needs to demonstrate a 5-year supply with a 5% buffer, based on the results of the Housing Delivery Test. The authority has submitted an Annual Position Statement to the Secretary of State- should this be confirmed, a 10% buffer will be applied for the next year.

### **Where can I view details of sites that have already been built (‘completions’), or sites that are allocated or have permission already (‘commitments’)?**

These are listed on the Council’s website at <https://www.midsussex.gov.uk/planning-building/consultation-monitoring/> Totals for each settlement are also listed within the Site Allocations DPD, in appendix B.

## **Employment Requirement**

### **How was the employment requirement calculated?**

District Plan policy **DP1: Sustainable Economic Development** identified an employment need of 25 hectares. The District Plan allocated sufficient land to meet this need. Since adoption, further work has been undertaken on employment need – this is documented in “Site Selection Paper 4: Employment” available to view at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

### **What is the ‘residual’ employment requirement?**

Site Selection Paper 4 estimates that an additional 10-15 hectares of employment land are required. The Site Allocations DPD proposes 7 new employment sites that would meet this need.

### **What is a Science and Technology Park?**

District Plan policy **DP1: Sustainable Economic Development** identified a broad location for a Science and Technology Park to the west of Burgess Hill on the A2300. The principle for this was accepted during the District Plan process, based on a range of evidence base studies.

A Science and Technology Park will provide high quality employment to the area – a minimum of 2,500 jobs in the innovation, high-growth, knowledge-based industries. This is a niche need, of regional significance, therefore is in addition to the 10-15 hectares employment requirement.

The District Plan only identified a broad location for the Science and Technology Park. The role of the Site Allocations DPD is to allocate the specific site, and set out the policy requirements that future planning applications must accord with.

Two specific site locations were considered – north of the A2300, and south of the A2300. The Site Allocations DPD sets out that the site north of the A2300 is the Council’s preferred option at this stage.

## **Site Selection**

### **How has the Council selected its preferred sites?**

The District Plan sets the strategy for determining the number of dwellings needed at each settlement. This strategy was agreed during the examination of the District Plan and sets the approach to be taken in the Site Allocations DPD.

The Council held a 'Call for Sites' in October 2017, requesting landowners/developers to submit their sites for assessment.

A total of 233 housing sites were assessed during this process; the list of sites and initial assessment are published on our website within the "Strategic Housing and Economic Land Availability Assessment" at <https://www.midsussex.gov.uk/planning-building/strategic-housing-and-economic-land-availability-assessment/>

Of the housing sites submitted, 91 were subsequently removed from consideration in September 2018 as they did not conform to the District Plan strategy. These are listed within Site Selection Paper 1 available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

The remaining 142 sites were assessed against 17 criteria, based on planning constraints, developability considerations and sustainability. The criteria for assessment of housing sites are set out in Site Selection Paper 2 available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

Of these, a total of 47 were assessed as having potential for development. Further detailed testing was undertaken, including transport modelling and Sustainability Appraisal. This led to a total of 22 sites being proposed as the Council's preferred sites. These are the sites within the Site Allocations DPD subject to consultation.

The full process for housing sites is set out within Site Selection Paper 3: Housing, available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

For employment sites, 20 were submitted for consideration. These were assessed against the Site Selection Paper 2 criteria, and subject to further testing. A total of 7 employment sites are proposed within the Site Allocations DPD subject to consultation. The full process for employment sites is set out within Site Selection Paper 4: Employment, available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

Two options for a Science and Technology Park were promoted to the Council. These were firstly assessed against the Site Selection Paper 2 criteria, then against a series of separate criteria following a request for further information from the two site promoters. The full process for the Science and Technology Park sites is set out within Site Selection Paper 4: Employment, available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

### **Why does the draft Sites DPD propose to allocate more housing sites in some towns/villages compared to others?**

The District Plan sets out the strategy for allocating sites. This includes a Settlement Hierarchy (policy DP4: Housing) which categorises each settlement based on a number of factors. This ranges from Category 1 - Town, Category 2 - Large Village, Category 3 - Medium Village, Category 4 - Small Village to Category 5 - Hamlet. The District Plan explains that the majority of development should be focused at the more sustainable settlements, i.e. those at the top of the hierarchy.

District Plan policy DP6: Settlement Hierarchy provides a guideline number of dwellings to be planned for in each settlement, based on the hierarchy. The Site Allocations DPD must be consistent with policies DP4/DP6, otherwise risks being found 'unsound' at examination by a planning inspector.

The sites within the draft Site Allocations DPD have been chosen because they perform well overall against the criteria for site assessment, but also collectively they are consistent with the strategy set out in policies DP4 and DP6 of the adopted District Plan.

The number of sites chosen in any particular town or village is also dependant on a) the number of sites that were promoted to the Council in that location, and b) how they performed against the site selection criteria.

## **Where can I view all the housing sites that were considered?**

All housing sites that were considered, their performance against the Site Selection criteria, and conclusions reached are all set out within Site Selection Paper 3: Housing available at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

## **Can sites that have not been included within the draft Sites DPD still be allocated?**

A large number of sites have been assessed during the process of preparing the Site Allocations DPD. They have been assessed against approved methodologies and tested in technical studies in order to ensure the final collection of sites is the most appropriate, given all alternatives. The process has been carefully undertaken in order to ensure it is robust and stands up to scrutiny during consultation and independent examination by the Planning Inspectorate.

The Council does not feel it is necessary to consider any of the sites that have been rejected, the reasons for their rejection are clearly set out in Site Selection Paper 3: Housing. However, conclusions on these sites may need to be revisited later in the process as a result of further evidence base work, issues with any of the sites proposed, or as a result of the consultation.

Similarly, those promoting sites that were not included may submit evidence during the consultation that demonstrates that the Council's preferred approach is not 'sound', and should be replaced by a different option.

The Planning Inspector during public examination of the Site Allocations DPD will also consider these matters. It may be that, in order for the Site Allocations DPD to be found 'sound', sites that have not been included at this stage may be required.

It is important to note that sites that were not included within the draft Site Allocations DPD may also be required in the future, for instance when the Council reviews its District Plan. This may be as a result of a necessary change in strategy or increased housing requirement for example.

## **If a site is identified within the draft Sites DPD, does that give it more chance of receiving planning permission?**

At this stage, the Site Allocations DPD is a consultation draft. The amount of weight that can be afforded to the DPD in making planning decisions is therefore limited.

Once the Site Allocations DPD is adopted (scheduled for summer 2021), it will carry full weight. The principle of development on each of the allocated sites will be accepted at that stage whilst the site would still need planning permission before it commences. Any planning application would need to demonstrate that the scheme is in accordance with the various policy requirements set out for each individual site within the DPD, as well as District Plan and National Planning Policy.

## **How have the number of dwellings on each site been calculated?**

The yield for each site has been based firstly on the number of units suggested when the site was submitted for assessment by the landowner/developer. Officers have then assessed the suitability of the suggested yield accounting for appropriate density, any landscape buffers required, constraints and mitigation of these, and layout. The number of houses on each site within the draft Site Allocations DPD is therefore based on planning judgement.

## **The site is constrained – how will this be dealt with?**

The Council originally assessed 233 sites. The Site Selection process (Site Selection Paper 2) set out how the Council considered constraints. The proposed 22 sites are either not constrained or the least constrained and most suitable for development.

Each site proposed for allocation within the Sites DPD is accompanied by a series of policy requirements that must be fulfilled when seeking planning permission. These include requirements such as including landscape buffers and carrying out further landscape assessments, provision of

infrastructure, conserving and enhancing areas of wildlife value, protecting ancient woodland, requirements to demonstrate safe and appropriate access, and design principles. These are site specific and are included to ensure that the site has minimal impact.

### **How have infrastructure considerations (e.g highways, access, school capacity, etc) been taken into account?**

The District Plan set the overall strategy for development within the district, including the overall housing requirement. The overall housing requirement was subject to consultation with infrastructure providers (highways, water, education, health, etc). This was examined in detail, alongside the evidence base that supported it, therefore the principle of delivering the district's housing requirement is accepted.

The evidence base accompanying the draft Site Allocations DPD includes strategic transport modelling, air quality assessments and sustainability assessments. This is all available to view at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD). This evidence base specifically looks at the locations of sites proposed for allocation in the draft Site Allocations DPD.

In assessing the sites, advice was sought from relevant consultees in order to inform decision making. This included advice from the highways and education authority (West Sussex County Council) and Clinical Commissioning Group (regarding health capacity).

The Infrastructure Delivery Plan (IDP) focuses on the sites that are proposed to be allocated through the draft Site Allocations Development Plan Document (DPD). The IDP forms a key part of the evidence and identifies the future infrastructure requirements (including cost and proposed funding mechanism) as a result of anticipated future growth.

The Council will continue to work with these relevant parties as the Site Allocations DPD progresses to ensure there is sufficient infrastructure to support the allocation of these sites. Where necessary, specific infrastructure is listed as a requirement within the individual site policies.

All sites will be required to contribute financially towards the provision of infrastructure necessary to mitigate the impacts of their development, through planning obligations (Section 106, or CIL when adopted).

## **Consultation**

### **When will the Site Allocations DPD be consulted upon?**

The consultation will run for 6-weeks between Wednesday 9th October and Wednesday 20th November 2019.

### **Who can comment during the consultation?**

Comments are welcomed from anyone – in particular local residents, Town and Parish Councils, landowners, site promoters, organisations, and infrastructure providers.

### **How will the consultation be advertised?**

Consultation details will be advertised on the Mid Sussex District Council website at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

Those on the Planning Policy Update email mailing list (see [www](http://www.midsussex.gov.uk).) will be notified of the consultation arrangements. This update list includes all statutory consultees (such as neighbouring authorities and government bodies such as Highways England, Natural England, Environment Agency, etc) as well as local residents and interested parties.

Details and documents will also be available in all Mid Sussex libraries and Help Points, as well as Town and Parish Councils.

The consultation will be advertised via a press release, and listed on the Council's social media outlets.

### **Where can I view the documents?**

All consultation documents and evidence base material is published on the Council's website at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

Hard copies of the consultation documents will be available to view in all Mid Sussex libraries and help points, and at the District Council offices. Town and Parish Councils will also be provided with a copy of the Site Allocations DPD.

### **What can I comment on?**

The Site Allocations DPD, Sustainability Appraisal and Habitats Regulations Assessment form the consultation documents at Regulation 18 stage. Comments can also be submitted in relation to the evidence base documents that support the DPD.

### **How can I comment during the consultation?**

Comments can be submitted online at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

They can also be sent to:

**Email:** [LDFconsultation@midsussex.gov.uk](mailto:LDFconsultation@midsussex.gov.uk)

**Post:** Planning Policy, Mid Sussex District Council, Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS.

### **What happens to the consultation responses?**

All comments submitted will be summarised and published on the Council's website following the close of the consultation period.

## **Next Steps**

### **What happens after the consultation?**

Consultation responses will be considered carefully by the Council ahead of the next stage in the DPD process. These comments may lead to changes to the draft Site Allocations DPD before submission to the Secretary of State.

### **Will I get a chance to comment again?**

Ahead of submission, there will be a further round of consultation. This is currently scheduled for Spring 2020. Following this, the document will be submitted to the Secretary of State for independent examination.

### **What happens when the document is submitted to the Secretary of State?**

The Secretary of State will appoint an independent Planning Inspector to examine the Site Allocations DPD. This will include hearing sessions (open to the public) for the Inspector to hear evidence, expected in Summer/Autumn 2020. The Inspector will provide the Council with a report into the soundness of the submitted Site Allocations DPD.

Following a report stating the DPD is 'sound', the Council will be able to adopt the Site Allocations DPD. It will then form part of the Development Plan for the district, and have full weight when determining planning applications.

### **When is the Site Allocations DPD due to be adopted?**

Adoption of the Site Allocations DPD is scheduled for Spring/Summer 2021.

The timetable for the preparation of the Site Allocations DPD is set out in the Council's adopted Local Development Scheme. This will be kept up-to-date and can be found on the Council's website at <https://www.midsussex.gov.uk/planning-building/consultation-monitoring>

### **How can I be kept informed about progress of the Site Allocations DPD?**

All updates will be published online at [www.midsussex.gov.uk/SitesDPD](http://www.midsussex.gov.uk/SitesDPD)

If you would like to join the Planning Policy Update email mailing list, details can be found at <https://www.midsussex.gov.uk/planning-building/consultation-monitoring>