

Appendix 1

Mid Sussex District Council's Comments on:

"Changes To The Current Planning System" Consultation

MHCLG, August 2020

The Standard method for assessing housing numbers in strategic plans

| MHCLG Consultation Question | MSDC Response |
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| <p>Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?</p> | <p>The Council considers that household projections should not be used at all in setting the baseline for the housing method and considers that a more reliable approach to establishing need is the use of a percentage increase of existing housing stock.</p> <p>The Council has previously raised concern with the use of Household Projections as a component of establishing housing numbers. In its response to the Government's "Planning for the Right Homes in the Right Places" consultation in November 2017, the Council urged caution with respect to the stability of the projections and the frequent updates.</p> <p>In terms of stability, the Projections are based on past trends in population (demographics) and household formation. For Mid Sussex, the migration element accounts for over 80% of the projected increase over the current plan period to 2031. However, migration assumptions are volatile and are more reflective of 'demand' for moving to an area as opposed to genuine 'need'.</p> <p>Mid Sussex is recognised (e.g. by the Halifax Quality of Life survey) as an attractive and desirable place to live, being an easily accessible natural/semi-rural setting. By using past trends to forecast the future, household projections will encapsulate past demand for moving to the area, which will inflate the figures moving forward. In addition, the adopted Mid Sussex District Plan sets out a housing requirement of 16,390 dwellings, of which 1,500 (just under 10%) is to meet the unmet need of neighbouring Crawley Borough. Over time, this will increase inward-migration further (i.e. be higher than trend), which will be 'locked in' to future figures. In other words, those authorities which have taken significant growth in the past will be expected to take further growth in the future, based on household projections. Authorities in the South East such as Mid Sussex are heavily constrained (e.g. 50% AONB, European designated sites on the</p> |

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| | <p>border) therefore suitable land is finite. What was achievable (in terms of meeting unmet needs) in the past may not be sustainable longer term.</p> <p>The frequent updates to the Household Projections, being every two years, is not helpful with respect to plan making. Using the current Standard Method formula, and assuming that the most up-to-date projections figures could be used, the baseline need for Mid Sussex has ranged from circa 750 to 1,200 dwellings per annum. This is far too volatile to form the basis of plan-making – as noted in our previous response, it is possible the plan requirement could change significantly at least 3 times over a two-year plan preparation period.</p> <p>The Council therefore proposes a simpler approach which is less susceptible to significant changes over a plan-period. It is noted that the revised Standard Method subject to this consultation proposes using current housing stock as the first step in the calculation. The Council proposes that this should fully replace any reliance on Household Projections for the reasons stated above. In other words, remove the “OR the latest household projections” element. This would better reflect sustainable growth of existing areas by proportioning future housing growth more equitably.</p> |
| <p>Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.</p> | <p>Further to the response to Q1, the Council do not have a particular view on the percentage of existing stock that would be appropriate. It does, however, note that an increase of 0.75% would be more consistent with the current household projection figure for Mid Sussex but provide significant stability in the base figure moving forward.</p> |
| <p>Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method’s baseline is appropriate? If not, please explain why.</p> | <p>Mid Sussex benefits from excellent commuter links to Brighton, Gatwick and London. As such, approximately 44% out-commute (Census 2011). There is a high level of out-commuting to London, the reasons for which are likely twofold. Firstly, recent inward-migration of residents from London seeking more affordable properties in an attractive place to live and retaining their London-based job; secondly, Mid Sussex residents seeking employment in London due to higher average wages and increased stature of role/opportunities.</p> <p>The Mid Sussex District Plan contains aspirations for reducing out-commuting, however this will only be possible when comparable jobs and wages are achievable within the district itself. The District Plan includes an allocation for a 50ha Science and Technology Park capable of providing for 2,500 jobs. This, alongside other Economic Growth ambitions, will help to raise average wages within the district and reduce affordability ratios.</p> |

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| | <p>At present, due to the relatively high level of out-commuting, the use of workplace-based house price to earnings ratio is not reflective of the situation on the ground in rural areas such as Mid Sussex. Workplace-based earnings will reflect only the average wage of those working in Mid Sussex. Using Residence-based earnings will reflect the earning potential of the '44% out-commuters' who on average earn more.</p> <p>The ONS agrees with this theory, stating in February 2020 "average residence based earnings are lower than workplace based earnings in major urban areas, whilst average residence based earnings in rural areas are higher than workplace earnings because people living in rural areas may work in urban areas in higher paid jobs." https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/868755/Earnings_February_2020.pdf</p> <p>The difference is significant: an average of £29,599 for workplace-based earnings, and £35,423 for residence-based using the latest 2019 figures.</p> <p>The Council recognises that in some areas where there is less out commuting, using residence-based earnings would not be reflective. Therefore, an alternative approach is suggested by the Council whereby, for the Standard Method formula, whichever is the lowest ratio of either workplace- or residence-based earnings should be used.</p> |
| <p>Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.</p> | <p>The Council recognises the Government's intention to improve affordability by increasing the rate of housebuilding, however would urge caution as to how effective this would be for authority areas such as Mid Sussex.</p> <p>The Mid Sussex District Plan examination discussed affordability at length. The Council's Objectively Assessed Need included a 20% uplift to 'assist with affordability' as per the previous Planning Practice Guidance related to Market Signals. This uplift figure was subject to significant evidence submissions from both the Council as well as the development industry.</p> <p>During the examination, the Council argued that there was little evidence to demonstrate that increased housebuilding would improve affordability. This was based on the fact that there will always be high demand (which is different to 'need') to live in an area such as Mid Sussex. House prices are cheaper by comparison to London and Brighton and it is an attractive and well-connected place to live. Therefore, demand will always outweigh supply, with basic economics suggesting prices are inelastic.</p> |

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| | <p>Evidence provided by the Council showed that there was no correlation over the past 10 years (i.e. one economic cycle) between rates of housebuilding and affordability ratio. Dwelling completion rates within the area have increased dramatically within the District Plan Pplan period. The average completion rate in the last 5 years is near 900 dwellings per annum, compared to 450 for the 5 years previous. Yet, despite this doubling in annual housing supply, the affordability ratio has worsened from 8.72 to 13.01. It is this figure that is proposed within the second step of the revised Standard Method formula.</p> <p>On the basis of extensive evidence, the District Plan examination concluded a 20% uplift to help improve affordability. By comparison, the figure now emerging through the revised Standard Method formula is equivalent to a 164% uplift.</p> |
| <p>Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.</p> | <p>Further to the response to Q4, the Council suggests that too high a reliance is placed on the affordability element of the calculation. The uplift (compared to base figure) is 164% which is significantly different to the 20% uplift agreed following examination of the evidence for the District Plan. Affordability accounts for two-thirds of the annual housing figure established by the revised Standard Method.</p> <p>The Council therefore suggests that there should be a cap on the amount that the affordability element can be used to influence the figure. It is not a reflection of need, and as described by the response to Q4, is not likely to be a successful mechanism for reducing house prices in a desirable location such as Mid Sussex.</p> <p>The Council therefore suggests that the maximum uplift for affordability should be no more than double the base figure.</p> |
| <p>Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:</p> <p>Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19),</p> | <p>The Council do not have a strong view on the transitional arrangements aside from making the point that a further housing requirement figure will be placed upon authorities should the content of the “Planning for the Future” White Paper be enacted. The transitional arrangements for those authorities in the middle of the plan-making process, or shortly embarking on Plan Reviews (such as Mid Sussex) need to ensure that there is some certainty for plan makers so as to avoid wasted work and expense.</p> <p>Under the current Standard Method, the Council’s housing requirement would be 1,114 dpa (once the current Local Plan is out-of-date, in 2023). The calculation subject to this consultation</p> |

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| <p>which should be given 6 months to submit their plan to the Planning Inspectorate for examination?</p> <p>Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?</p> <p>If not, please explain why. Are there particular circumstances which need to be catered for?</p> | <p>increases this to 1,305dpa. This is likely to decrease should the White Paper proposals come into force, accounting for the fact 50% of the district is within the High Weald AONB. This broad range of figures is difficult to plan for, and does not provide a settled starting point for the District Plan Review work which is commencing imminently.</p> <p>The Council would also like clarification regarding the use of the revised Standard Method in relation to the 5-year supply calculation once the Local Plan is out of date. The consultation material predominantly refers to plan-making.</p> |
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MSDC Other comments on the consultation on the standard method:

| Paragraph | Comment |
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| | <p>Government continues to refer to an aspiration of building 300,000 homes per year. This remains unevidenced (an aspiration/ ambition). The Council recognises that the figures set out by this revised Standard Method are 'policy off' therefore the application of constraints will likely reduce the actual amount planned for. Therefore, it recognises that the figures subject to the calculation will total beyond 300,000 to ensure there is a 'buffer' once constraints are accounted for, to ensure 300,000 are actually planned for. However, it is unclear what margin/buffer the Government is aiming for – a more sensible approach will be to complete the assessment of constraints (as per the White Paper proposals) rather than introduce this interim step which increases uncertainty for plan-making.</p> |
| | <p>Note: the implications of introducing the housing stock, residence-based ratios and affordability cap suggested in the response above would mean the MSDC figure reduces from 1,305 to 967dpa</p> |

Delivering First Homes

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| <p>Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of on-site affordable housing as First Homes, and a minimum of 25% of off-site contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):</p> <p>i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.</p> <p>ii) Negotiation between a local authority and developer.</p> <p>iii) Other (please specify)</p> | <p>The most appropriate option would be i) to replace existing home ownership products with First Homes in the ratio set out in local plan policy, up to a maximum of 25%. This would mean that tenure ratios would not be adversely affected and affordable rented homes would not be lost. It would also provide early clarity on policy compliant development and reduce the need for negotiation. Discounts on First Homes should vary between 30% and 60% and the level of discount should be set nationally for each Local Authority area. The discount set should be dependent on average house prices & average incomes locally, in order to allow access to the market and ensure the affordability of First Homes to those on lower incomes. For non-stock holding authorities, it is particularly important that each new development brings forward affordable rental units on site, rather than through financial contribution, in order to best serve the needs of the local community for affordable rented accommodation</p> |
| <p>With regards to current exemptions from delivery of affordable home ownership products:</p> <p>Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?</p> | <p>Yes - existing exemptions from the requirement for affordable home ownership products, for example in the case of Build to Rent schemes, should also apply to First Homes so that the provision of affordable rented housing is not affected.</p> |
| <p>Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.</p> | <p>No</p> |
| <p>Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views</p> | <p>No</p> |
| <p>Q12: Do you agree with the proposed approach to transitional arrangements set out above?</p> | <p>Yes – securing First Homes through s106 planning obligations, in place of the Shared Ownership / Shared Equity element of affordable housing provision, seems sensible. Provision should also be on site unless exceptional circumstances necessitate a financial contribution. It is also sensible that local and neighbourhood plans in the advanced stages of the plan making process should not need to reflect First Homes policy requirements and that First Homes policy requirements will not apply to current planning applications where significant agreement on the affordable housing mix has</p> |

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| | already been achieved. The new AHP provides approximately half of the overall funding for Home Ownership products not including First Homes |
| Q13: Do you agree with the proposed approach to different levels of discount? | Yes - Discounts on First Homes should vary between 30% and 60% and the level of discount should be set nationally for each Local Authority area. The discount set should be dependent on average house prices & average incomes locally, in order to allow access to the market and ensure affordability for those on lower incomes. |
| Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability | No – Like entry level sites First Homes exception sites should be 100% affordable and only contain First Homes and homes for Affordable Rent. This will enable the needs of the local community to be addressed, on sites which would not otherwise be developed, whilst ensuring that the value of such sites is not inflated which would affect viability. |
| Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework? | No – such exception sites should not be larger than 1 hectare in size or exceed 5% of the size of the existing settlement whichever is the smaller to limit their effect on local communities ie 5% but capped at 1 hectare |
| Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas? | Yes - Rural exception sites which meet a specific local need by restricting occupation to those with a local connection in perpetuity are most definitely still required. Indeed, they should be the only form of exception site in ALL rural areas with a population of 3000 or less, not just those which are listed as designated rural areas under the S157 regulations. Otherwise there will be competition for land between the two types and Landowners will choose to sell their land for First Homes Exception Sites, since by providing predominantly affordable housing for sale they are likely to command a higher land value than rural exception sites with their predominance of housing for affordable or social rent. This would seriously damage the supply of rural exception sites & the delivery of rural affordable housing because 70% of small rural communities are excluded from the chosen definition of "designated rural areas" |

Supporting SME Developers

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| <p>Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period?</p> | <p>No – many local authorities, particularly those in rural areas, rely on s106 delivery from smaller sites (less than 50 units) to provide essential affordable housing for their local communities. Even raising the affordable housing threshold for a limited time will have a detrimental effect on the ability of LA’s to provide affordable housing to those in need, a need which will only increase further due to the job losses & repossessions resulting from the pandemic. Since 2015/16, Mid Sussex District Council has itself obtained 146 affordable units from sites with less than 50 units. The government has also estimated that the raising of thresholds will result in a reduction in s106 affordable housing delivery of between 10% and 20%, a significant loss. Lower thresholds are also extremely valuable in achieving “buy in” from local residents who would otherwise object to the development of smaller sites.</p> |
| <p>Q18: What is the appropriate level of small sites threshold?</p> <p>i) Up to 40 homes ii) Up to 50 homes iii) Other (please specify)</p> | <p>iii it should be kept as it is at 10 units</p> |
| <p>Q19: Do you agree with the proposed approach to the site size threshold?</p> | <p>No – changing the site size threshold will also have a detrimental effect on the number of affordable homes which will be delivered, because at present low density schemes of over 0.5 hectares can also give rise to an affordable housing requirement even when the numbers threshold is not met.</p> |
| <p>Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?</p> | <p>No - Sales are currently booming on many development sites but even if they were not the purchase of s106 affordable housing units by housing associations provides a valuable source of income to developers to support their cashflow particularly in times of recession and enables construction to continue and jobs to be maintained. Raising the threshold even temporarily could actually be detrimental to SME builders because removing affordable housing requirements will lead to higher land values which will reduce their ability to compete when trying to acquire sites and thereby their opportunities to develop. There is also the fear that the raising of the threshold to 40 or 50 dwellings once introduced will become permanent.</p> |

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| <p>Q21: Do you agree with the proposed approach to minimising threshold effects?</p> | <p>The consultation is proposing that guidance will be introduced to prevent larger sites being artificially broken up to avoid the affordable housing threshold. Such guidance will be very welcome but will not prevent applications coming in for schemes just below the threshold as is frequently the case now. Indeed, developers of any size of site will always try to find ways around whatever is legislated.</p> |
| <p>Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?</p> | <p>No – In many rural areas residential developments tend to comprise 10 units or less and the consultation document proposes an exemption to the increasing of thresholds in “designated rural areas” with LPA’s still able to maintain a threshold of 5 units or less in such areas. However since these areas are based on the S157 1985 Housing Act definition of “designated rural areas” this means that this measure will be largely ineffective, because it will not apply to 70% of smaller rural communities. If thresholds are to be increased the exemption must therefore apply to all rural settlements with a population of 3000 or fewer, otherwise it will mean that in about 70% of parishes of less than 3000 no affordable housing contributions will be required on sites of fewer than 40 or 50 dwellings. This would drastically reduce the supply of affordable rural homes and would also be contradictory to the Government’s “levelling up” agenda</p> |
| <p>Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?</p> | <p>The role of SME’s in providing greater choice in the type and design of housing available is well recognised and SMEs are currently being supported to assist with the economic recovery of the country through the deferment of infrastructure and CIL payments and the provision of cheaper finance through the ENABLE build programme. Support could also be offered through the temporary lowering of tax liabilities. However the best way to “encourage” the delivery of new homes & the resulting economic growth is surely to introduce financial penalties for developers who “sit on sites with planning permission rather than building out the permissions granted ” Indeed there are currently more than one million homes which have been granted planning consent over the past decade and are yet to be built.</p> |

Extension of the PIP Consent Regime

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| <p>Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?</p> | <p>It is understood that this would be a temporary, interim measure whilst the new zoning policy advocated in the White Paper 'Planning for the Future' is brought into effect. This would be to support economic recovery. A PiP application should not be necessary when a zoning system is in place as the acceptability as to the principle of a particular development should be clear.</p> <p>Extending PIP applications to include 'major' development in the short term, would result in another application type and additional bureaucratic burden for the LPA to set up and implement. This is at a time when LPA's are getting to grips with the significant changes recently introduced to both permitted development rights and the Use Classes Order.</p> <p>There is likely to be a significant number of key issues that need to be carefully considered before 'major' development can be deemed to be acceptable, even in principle. The impacts of major development projects could be substantial. But in considering a PiP application, it is only possible to consider the location of the development, land use and the amount of the development. Means of access, the setting of designated Heritage Assets, ecology/bio-diversity, for example, cannot be considered at PiP stage but could have a fundamental impact on the acceptability of a major development.</p> <p>This is an extremely narrow set of criteria against which to assess major development proposals.</p> <p>It is entirely possible, therefore, that there could be several other planning matters which might make the development unacceptable. As such a PiP for 'major' development might raise false expectations that a Technical Details Consent (TDC) would be forthcoming, but that is clearly not a given. This could have implications and unintended consequences for landowners/developers who might sell/buy the land interest.</p> |

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| | <p>It is not agreed, therefore, that a PiP for ‘major’ development would afford developers and financiers the ‘certainty’ anticipated in paragraph 120 of the consultation document.</p> <p>It is thus not considered that a PiP for ‘major’ development proposals would be an appropriate application type.</p> |
| <p>Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views</p> | <p>As a PiP is for housing led development only, it follows that any commercial component should form a smaller, proportionate part of the development as a whole. Without a threshold limit or floor space ratio being imposed it will be difficult to assess whether a mixed proposal is housing led and meets this criterion.</p> <p>If there is no threshold it would be important that clear advice is provided as to how such an assessment is to be made.</p> <p>In common with the answer to Q24 however, it is not considered that a PiP would be an appropriate application type for such major development proposals. This is because major development could have significant implications that need to be properly assessed before a consent is forthcoming.</p> |
| <p>Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?</p> | <p>Please see answer to Q24. Major development proposals generate the need to assess a number of key issues before such development can be considered to be acceptable. In considering a PiP application, it is only possible to consider the location of the development, land use and the amount of the development.</p> <p>This is an extremely narrow set of criteria against which to assess major development proposals. There may well be other matters which generate problems which cannot be overcome at the TDC stage.</p> <p>It is thus not considered that a PiP for ‘major’ development proposals would be an appropriate application type.</p> |
| <p>Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views</p> | <p>If PiP is introduced for ‘major’ development, a height parameter would be necessary. It needs to be clear to a LPA what it is being asked to consider. The height of development is a key component of a development proposal because of the potential impacts on the townscape/landscape. It is also an important factor in the consideration</p> |

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| | <p>of amenity and heritage asset matters (although its appreciated that it would not be possible to consider such issues in a PiP application). This does highlight the point that a PiP application is not appropriate for major development projects.</p> |
| <p>Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:</p> <p>i) required to publish a notice in a local newspaper? ii) subject to a general requirement to publicise the application or iii) both? iv) disagree</p> <p>If you disagree, please state your reasons</p> | <p>The 5-week determination period is unreasonably short given the work that will need to be undertaken to assess a proposal and potentially report an application to a planning committee for a decision.</p> <p>Similarly, a 14-day consultation period for residents on major development proposals is unreasonably short. This is likely to result in criticisms regarding lack of local democracy and opportunity to comment on schemes which could have substantial impacts on residents. An interested resident might be on holiday when an application is submitted, for example, and because of the short time period may miss the opportunity to submit their views.</p> <p>Publicity should be as is currently undertaken but without the need for a notice to be published in a local newspaper. MSDC send letters to adjoining residents, which exceeds the current requirements for PiP applications. The publication of notices in local newspapers is not considered to be an efficient or effective way of publicising an application. It also results in an unnecessary cost to the LPA.</p> |
| <p>Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?</p> | <p>If PiP for major developments is implemented, it is considered that a banded fee structure would be appropriate. However, the consultation does not advise what the fee level might be or the cap, only that it would be 'lower'</p> |
| <p>Q30: What level of flat fee do you consider appropriate, and why?</p> | <p>The fee should be sufficient to cover the costs of the LPA in determining the application. It needs to be cost neutral otherwise it would result in an additional cost burden on the LPA.</p> <p>The LPA has only 5 weeks to determine the application and thus must prioritise and 'fast track' it. As such the fee should not be 'lower' but the same as for an outline planning application, particularly as it effectively becomes a 'premium' application which will result in slower decisions for other applications.</p> <p>The suggested fee is thus: £462 per 0.1ha up to 2.5ha, £11,432 +£138 for each 0.1 ha above 2.5ha to a max of £150,000.</p> |

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| <p>Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.</p> | <p>Yes, this seems reasonable.</p> |
| <p>Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders</p> | <p>If PiP were to be introduced for 'major' development, it is imperative that clear guidance is provided on the restriction which would apply within those areas subject to the Conservation of Species and Habitats Regulations 2017, where there is a probability or risk that the project is likely to have a significant effect on a European Site.</p> <p>The regulations define 'habitats development' as 'development which 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 is not directly connected with or necessary to the management of the site.'</p> <p>Mid-Sussex District is affected by the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) which lies within Wealden District. Currently planning applications submitted for development within a 7km 'Zone of Influence' around the forest are required to mitigate the potential impacts of projects to ensure the effects of increased visitors to the forest are addressed. This is achieved through financial contributions to Strategic Access Management Monitoring (SAMM) and Suitable Alternative Natural Greenspace (SANG) through a s106 legal obligation. Similarly, each planning application needs to be assessed for its potential traffic impacts on the Ashdown Forest SAC. This is because of concerns regarding air pollution and Nitrogen deposition on sensitive vegetation communities, leading to habitat deterioration. This can necessitate detailed traffic modelling information as part of an application.</p> <p>Neither planning conditions nor s106 obligations may be attached to a PiP and thus mitigation of impacts is not possible. In those circumstances the guidance is that PiP must not be granted. It is also noteworthy that para.104 of the consultation confirms that LPA's may not require the submission of any other information,</p> |

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| | <p>including that specified on its local list. It is apparent therefore that no PiP may be granted in Mid Sussex District.</p> <p>Guidance on how to assess the impacts of a PiP proposal on Heritage Assets is also crucial given the statutory requirements set out in the Act.</p> |
| <p>Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?</p> | <p>It is acknowledged that there is likely to be a benefit to developers in terms of the reduced upfront costs of submitting a PiP application, as opposed to an outline planning application because of the simplified documentation required. However, if a PiP is granted, the application for TDC will need to include the same documentation as a full planning application to properly deal with the detailed matters. A developer would also need to undertake work before submitting a PiP application to assess whether or not a development is feasible in any event. Overall, therefore, there would not be any real savings to a developer in achieving a 'full permission' in this respect.</p> <p>It is not considered that a PiP for 'major' development would provide developers and financiers the 'certainty' anticipated in paragraph 120 of the consultation document. This is because there can be no guarantee that a TDC would follow a PiP due to the detailed issues that would need to be considered for a major development at that stage. This might lead to a refusal of consent.</p> <p>There would also be significant 'start up' costs for LPA's in terms of the additional bureaucracy involved in setting up a new application type, training of staff and elected members etc. As the proposed PiP would be 'temporary' until the zoning system is in place, it does seem that the benefits would not outweigh the costs of implementation.</p> |
| <p>Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible</p> | <p>Mid Sussex has received just 3 applications for PiP since their introduction in 2017. It has clearly not been a popular application type and it is not expected that an extension to major development projects would be much different for the reasons outlined above.</p> |