

SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT – RESPONSE TO DRAFT SITE ALLOCATIONS DPD CONSULTATION (REGULATION 18)

REPORT OF: DIVISIONAL LEADER FOR PLANNING AND ECONOMY
Contact Officer: Andrew Marsh – Interim Business Unit Leader Planning Policy and Economy
Wards Affected: All
Key Decision: Yes
Report to: Scrutiny Committee for Housing, Planning and Economic Growth
Date of meeting: 22nd January 2020

Purpose of Report

1. The purpose of this report is to inform Members of the outcome of the draft Site Allocations Development Plan Document (DPD) (Regulation 18) consultation which took place from 9th October to 20th November 2019. It asks Members to consider the representations made and note the next steps.

Summary

2. This report:
 - a) Sets out the background to the Site Allocations DPD and the work to date;
 - b) Provides a summary of the representations which were received during the recent draft Site Allocations DPD (Regulation 18) public consultation; and
 - c) Sets out the next steps in the preparation of the Site Allocations DPD.

Recommendations

3. **That the Scrutiny Committee for Housing, Planning and Economic Growth:**
 - (i) **Considers the comments received during the public consultation on the Draft Site Allocations DPD and supporting documentation; and**
 - (ii) **Notes the additional work required and the next steps ahead of the Regulation 19 stage.**
-

Background

4. The District Plan 2014-2031, adopted in March 2018, sets out a commitment for the Council to prepare a Site Allocations Development Plan Document (the Sites DPD). The draft Sites DPD has four main aims, which are:
 - (i) to allocate sufficient housing sites to address the residual necessary to meet the identified housing requirement for the district up to 2031 in accordance with the Spatial Strategy set out in the District Plan – the residual is currently 1,507 dwellings;
 - (ii) to allocate sufficient employment land to meet the residual need and in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development – the residual is currently 10-15 hectares;

- (iii) to allocate a site for a Science and Technology Park west of Burgess Hill in line with policy requirements set out in District Plan Policy DP1: Sustainable Economic Development; and
- (iv) to identify and set out Strategic Policies necessary to complement or replace those set out in the District Plan to deliver sustainable development.

Site Selection

5. A robust methodology, consistent with national policy and guidance, was developed in order to select sites for inclusion in the draft Sites DPD. The development of the methodology and site selection process was overseen by a Members Site Allocations Working Group (SAWG) which met 16 times before the draft Sites DPD was approved for consultation. It was also shared with the Council's Developer Liaison Group and neighbouring authorities for their comments. The methodology and findings were considered by the Scrutiny Committee for Housing, Planning and Economic Growth at meetings in January 2017, July, September and November 2018.
6. The Site Selection process was carried out in five stages:

Stage	Description	No. of Sites	Sites that meet criteria
1: Call for Sites and SHELAA	Sites submitted by promoters during the Call for Sites. Sites assessed against the SHELAA methodology	241	233
2: High Level Assessment	91 sites removed that were not compliant with the District Plan strategy (based on distance from existing settlements and yield)	233	142
3: Detailed Assessment	142 sites assessed against detailed criteria – 17 criteria for housing, 19 for employment. Criteria approved by the working group and considered by Scrutiny Committee.	142	47
4: Detailed Evidence Testing	47 sites subject to additional refinement within the Sustainability Appraisal, consultation with stakeholders, consideration of technical evidence	47	23
5: Preferred Option	22 housing sites included within the Regulation 18 Sites DPD	22	

7. A total of 22 housing sites were included within the draft Sites DPD. The detailed process for selecting these sites is contained within Site Selection Paper 3: Housing, which was published alongside the draft Sites DPD. In total, the 22 housing sites yield **1,962** dwellings. This ensures the residual need is fully met and provides a reasonable over-allocation to provide flexibility. The sites chosen are across a wide geographical area and of a variety of sizes, which best delivers District Plan policies DP4 and DP6.
8. A similar process was followed for Employment sites. The pool of sites to select from was smaller, comprising 18. A total of 7 employment sites were included within the draft

Sites DPD; the process for selecting these sites was published in Site Selection Paper 4: Employment. In total, these sites yield **17.45** hectares of employment land, which is more than the residual need of 10-15ha. This too represents a reasonable over-allocation to provide flexibility.

9. Mid Sussex District Plan policy DP1: Sustainable Economic Growth allocated a broad location to the west of Burgess Hill for a Science and Technology Park. Following the site assessment process, the draft Sites DPD identifies a site to the north of the A2300 as the preferred location. The justification is contained within Site Selection Paper 4: Employment.

Consultation

10. The draft Sites DPD and supporting documentation was considered by this Committee on 11th September 2019. The Committee recommended to Council that the draft Sites DPD should be subject to a six-week public consultation. Council approved the draft Sites DPD for public consultation at its meeting on 25th September 2019.
11. The consultation commenced on 9th October and concluded on 20th November 2019. Just over 1,300 respondents made 2,124 individual comments on the document and supporting evidence (including the Sustainability Appraisal and Habitats Regulations Assessment).
12. Of the comments received:
 - **115** were in support
 - **90** were neutral
 - **1,919** were objections, predominantly from residents to the proposed sites
13. In terms of the respondents:
 - 19 were from Town and Parish Councils. Every Town and Parish Council within the district responded aside from Balcombe, Lindfield, Lindfield Rural and Twineham and those within the South Downs National Park. Additionally, comments were received from Ditchling and Wivelsfield Parish Councils within neighbouring Lewes District.
 - 8 responses were received from neighbouring authorities, including West Sussex and East Sussex County Councils, Horsham, Lewes, Tandridge and Wealden.
 - 12 responses were received from 'Specific Consultation Bodies', including Natural England, Historic England and infrastructure providers.
 - 88 responses were submitted by site promoters who have their sites allocated in the DPD, or those promoting alternative (omission) sites.
 - 30 were received from organisations, local interest groups, and developers.
 - Approximately 1,200 were from individuals.

Summary of Key Issues

14. Appendix 1 contains a summary of the broad themes and issues arising from the consultation responses, by site and policy within the draft Sites DPD. A more detailed schedule which includes each response received is available in the background paper "Draft Site Allocations DPD – Regulation 18 Consultation Report" published on the Council's website at www.midsussex.gov.uk/SitesDPD and available as a hard copy in the Member's Room.

Housing Sites

Site	Number of Dwellings	Comments Received				
		TOTAL	Sup	Obj	Neu	
SA12	96 Folders Lane, Burgess Hill	43	830	21	802	7
SA13	South Folders Lane, Burgess Hill	300				
SA14	Selby Close, Burgess Hill	12	12	0	8	4
SA15	Southway, Burgess Hill	30	69	2	65	2
SA16	The Brow/St.Wilfrids, Burgess Hill	200	18	2	12	4
SA17	Woodfield House, Burgess Hill	30	8	1	4	3
SA18	EG Police Station, East Grinstead	22	31	3	22	6
SA19	Crawley Down Road, East Grinstead	200	38	4	27	7
SA20	Imberhorne Lane, East Grinstead	550	69	6	50	13
SA21	Rogers Farm, Haywards Heath	25	16	1	14	1
SA22	Burleigh Lane, Crawley Down	50	21	1	17	3
SA23	Hanlye Lane, Cuckfield	55	16	1	11	4
SA24	Shepherd's Walk, Hassocks	130	76	2	71	3
SA25	Selsfield Road, Ardingly	100	120	2	111	7
SA26	Hammerwood Road, Ashurst Wood	12	24	2	20	2
SA27	St Martin Close, Handcross	65	10	3	5	2
SA28	Old Police House, Horsted Keynes	25	25	3	19	3
SA29	St Stephen's Church, Horsted Keynes	30	89	3	82	4
SA30	North of Lyndon, Sayers Common	35	13	1	10	2
SA31	Rear of Firlands, Scaynes Hill	20	29	4	23	2
SA32	Withypitts Farm, Turners Hill	16	30	2	24	4
SA33	Ansty Cross, Ansty	12	11	4	5	2

15. Seven sites received the vast majority of the response, mainly from residents.

- **SA12:** 96 Folders Lane, Burgess Hill
- **SA13:** South Folders Lane, Burgess Hill
- **SA15:** Southway, Burgess Hill
- **SA20:** Imberhorne Lane, East Grinstead
- **SA24:** Shepherd's Walk, Hassocks
- **SA25:** Selsfield Road, Ardingly
- **SA29:** St Stephen's Church, Horsted Keynes

16. By comparison, a lower response was received on the remaining housing sites.

17. Many of the issues raised will be addressed by the additional work that will need to be carried out before Regulation 19 consultation and examination. This includes further assessment and evidence base work as set out in the Next Steps section of this report.

Employment Sites

Site	Area (ha)	Comments Received				
		TOTAL	Sup	Obj	Neu	
SA2	Burnside Centre, Burgess Hill	0.96	3	0	2	1
SA3	Former KDG, Burgess Hill	1.1	2	0	2	0
SA4	North A264, Copthorne	2.7	19	1	17	1

SA5	Bolney Grange, Bolney	7	10	1	7	2
SA6	Marylands, Bolney	2.4	3	0	1	2
SA7	Cedars, Pease Pottage	2.3	6	0	4	2
SA8	Pease Pottage Nurseries, PP	1	6	0	4	2
SA9	Science and Technology Park	48.75	19	2	13	4

18. Whilst residents and statutory consultees raise site-specific issues for all of the proposed employment sites, these will be addressed by the additional work that will need to be carried out before Regulation 19 consultation and examination. This includes further assessment and evidence base work as set out in the Next Steps section of this report.
19. A total of 19 comments were received regarding the proposed Science and Technology Park north of the A2300; 2 in support, 13 objections and 4 neutral. The majority of comments received were from the promoters of the alternative site south of the A2300. The Council is working alongside West Sussex County Council (WSCC), Highways England and its transport consultants in order to assess the transport impact of the Science and Technology Park on the A23/A2300 junction.

Policies

Policy		Comments Received			
		TOTAL	Sup	Obj	Neu
SA34	Existing Employment	11	2	6	3
SA35	Safeguarding Highways	12	3	4	5
SA36	Wivelsfield Station	6	2	2	2
SA37	Burgess Hill/Haywards Heath Multifunctional Network	81	6	71	4
SA38	Air Quality	6	1	4	1

20. SA34: Existing Employment Sites seeks to retain existing employment sites and supports their expansion. This policy was largely supported; some amendments to site boundaries were suggested; and two additional sites were proposed to be defined under this policy. The proposed boundary amendments and additional sites will be assessed ahead of the next stage.
21. Support was received from West Sussex County Council and Gatwick Airport Limited on the two policies that relate to safeguarding land (SA35: Strategic Highway Improvements and SA36: Wivelsfield Railway Station) as they would support economic growth and assist in relieving traffic congestion – both by providing improved highways infrastructure but also supporting sustainable transport modes.
22. The highest level of responses was in relation to SA37: Burgess Hill to Haywards Heath Multifunctional Network. Support was received from West Sussex and East Sussex County Councils; however the majority were objections received from local residents and appear to be based on a misunderstanding of the proposal, particularly relating to the need to compulsory purchase land which is not the case. It is important to note that any areas proposed for safeguarding are indicative and subject to detailed design work. Work will continue, as part of the Council's Place and Connectivity Programme, to assess all route options to enable delivery of this policy.

General Comments

23. Whilst the majority of comments received were related to the proposed sites or policies, a number of respondents also raised other general issues:
- **Omission Sites:** of the 241 sites assessed in the Site Selection process (see above), a total of 58 site promoters objected to the draft Sites DPD as their site had not been included as a proposed allocation. Officers will re-assess these sites against the agreed criteria and set out the results of the assessment in a revised version of Site Selection Paper 3: Housing and Site Selection Paper 4: Employment ahead of the next stage.
 - **New Sites:** a total of 28 'new' housing or employment sites were submitted that were not in the Strategic Housing and Economic Land Availability Assessment (SHELAA) and therefore had not been assessed in the Site Selection process. Officers will assess these sites and set out the results in a revised version of Site Selection Paper 3: Housing and Site Selection Paper 4: Employment ahead of the next stage.
 - **Housing Requirement:** 71 comments were received objecting to the housing requirement – arguing it is not sufficiently high enough, the commitments/completions/residual figure is incorrect, or the District Plan spatial strategy (policies DP4: Housing and DP6: Settlement Hierarchy) had not been applied correctly. These were predominantly from promoters of sites that were not included within the DPD. Some respondents feel the housing requirement is too high because the completions or commitments figures are incorrect, and the Sites DPD should allocate fewer sites. Officers remain confident that the published information is correct.
 - **General Comments:** Objecting largely to the principle of housing development, the Sites DPD, site selection process, and evidence base/supporting documents. These are summarised in Appendix 1.

Comments from 'Specific Consultation Bodies' and Organisations

24. In accordance with the regulations, the Council consulted the 'Specific Consultation Bodies'. Comments were also received from a number of key respondents.
25. Their key comments are set out below:
- **Neighbouring Authorities:** No objections were received from neighbouring authorities. Wealden District Council indicated they are reserving their position regarding the suitability of the Habitats Regulations Assessment, as they are awaiting the results of their own examination on this issue before being able to comment. Other neighbours have requested more information regarding cross-border traffic impacts in order to be assured that there is no impact on their areas. This matter is addressed already within the Transport Study and no significant impacts are expected, however the next iteration of the Transport Study will address this issue more clearly.
 - **West Sussex County Council:** Suggest policy wording changes related to the Science and Technology Park, comments related to the Transport Study (related to what would be required in the next version at Regulation 19 stage) and County infrastructure (such as requirements for education/fire and rescue/library services/waste for the proposed sites).
 - **High Weald AONB Unit:** For sites within the High Weald Area of Outstanding Natural Beauty, the AONB unit have requested further information on Landscape and

Visual Impact (LVIA) and an assessment as to whether proposed sites within the AONB constitute 'major' development in National Planning Policy Framework (NPPF) terms (with reference to footnote 55). This work is in progress and will be complete ahead of Regulation 19 stage.

- **Historic England:** Have requested some additional information for sites which may impact on listed buildings. The site promoters have been requested to provide this information ahead of Regulation 19 stage.
- **Natural England:** Have raised no objections with the Habitats Regulations Assessment, and make similar comments to the High Weald AONB unit regarding development within the AONB.
- **Town & Parish Councils:** The responses received from Town and Parish Councils are predominantly objections or comments on the sites allocated within their town/parish.

Next Steps

26. As a result of the consultation responses received, the following are the priority areas of work between now and publication of the next version of the Sites DPD:

- **Transport:** A version of the strategic transport study will be required for the next stage to address comments made in representations, this will include additional work regarding the Science and Technology Park and mitigation required to address impacts on the highways network. This work is being carried out in close co-operation with West Sussex County Council and Highways England. The results of this transport modelling will feed in to Air Quality and Habitats Regulations Assessment work which will be updated and published at Regulation 19 stage.
- **AONB:** Following the response by the High Weald AONB Unit, site promoters have been asked to carry out Landscape and Visual Impact Assessments. In addition, further assessment work related to whether sites are classified as 'major development' will be published at Regulation 19 stage as requested by the High Weald AONB Unit and in line with regulations.
- **Proposed Sites:** Officers are working through the objections received on the proposed sites for allocation and will be working with the site promoters to ensure that there is sufficient information/evidence to address any issues raised. Appendix 1 includes high-level actions to address these.
- **Omission Sites:** Officers will be carrying out assessment work, using the previously agreed Site Selection methodology in order to maintain robustness and consistency of approach, on the additional sites submitted during the consultation period. The results of this will be published ahead of the next stage.
- **General Policies:** Officers will assess any proposed amendments to the schedule of 'Existing Employment Sites' related to policy SA34, and progress work on the policies related to safeguarding land (SA35, SA36 and SA37).

27. Officers are continuing discussions with neighbouring authorities and key stakeholders and working on Statements of Common Ground as required by the NPPF (paragraph 27). These will be completed and published at Regulation 19 stage.

28. The next stage of the process is the publication of the Proposed-Submission Site Allocations DPD (Regulation 19). The Proposed-Submission document will be considered by this Committee on 11th March 2020. Council will be asked to approve the document for a further 6-week consultation and submission at its meeting on 1st April 2020.

29. Once submitted, the Secretary of State will appoint an independent examiner to examine the Site Allocations DPD. The examination is scheduled for Autumn 2020.

Financial Implications

30. Commissioning consultants to carry out transport modelling, air quality assessment and Habitats Regulations Assessment has financial implications and these have been budgeted for.

Risk Management Implications

31. The Sites DPD will identify housing and employment sites which will enable the Council to meet the housing requirement identified in policy DP4 of the District Plan. It will allocate sites which will support the five year housing land supply; without this, the Council would be vulnerable to speculative planning applications. The allocation of additional employment sites will make an important contribution to the delivery of Economic Development Strategy.

Equality and Customer Service Implications

32. It is important that the Council allocates sites for housing and employment to maximise accessibility for all to decent housing and employment opportunities. An Equality Impact Assessment was prepared alongside the Sites DPD to ensure opportunities to promote equality and/or barriers to service are considered and addressed.

Other Material Implications

33. There are no other material implications.

Background Papers

- **Draft Site Allocations DPD – Regulation 18 Consultation Report** – available to view online at www.midsussex.gov.uk/SitesDPD

The Draft (Regulation 18) Site Allocations DPD, Sustainability Appraisal, Habitats Regulations Assessment and supporting evidence documents that were subject to the Regulation 18 consultation are also available to view online at www.midsussex.gov.uk/SitesDPD

Previous Committee Reports relating to the Sites DPD are available online at <http://midsussex.moderngov.co.uk/ieDocHome.aspx?Categories>

Appendices

1. Summary of Responses