

Mid Sussex District Council: Site Allocations Development Plan Document **December 2020**

Statement of Common Ground

Parties to the Agreement

The Agreement involves the following:

- Mid Sussex District Council
- Thames Water

Introduction

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 the District.

This Statement of Common Ground demonstrates that appropriate engagement and co-ordination is taking place between the parties that includes planning for the identified strategic planning issues that exist and/or likely to arise resulting from the MSDC emerging Site Allocations Development Plan Document (DPD) that has been published for ‘Preferred Options’ Consultation 9th October to 20th November 2019 and the updated draft version of the Plan which was published for Regulation 19 consultation for 8 weeks from 3 August 2020. The Statement updates the previous statement agreed between the Parties 30th July 2015.

Mid Sussex District Council Current Position

Mid Sussex District Council adopted the District Plan (2014 – 2031) in March 2018. The District Plan identified a housing requirement for the district of 16,390 dwellings up to 2031. This meets the Objectively Assessed Need (OAN) for the district of 14,892 dwellings in full and makes provision for the agreed quantum of unmet housing need for the Northern West Sussex Housing Market Area, to be addressed within Mid Sussex, of 1,498 dwellings. The emerging Mid Sussex Sites DPD has four main aims, which are:

- 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;
- 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;
- 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
- To set out additional Strategic Policies necessary to deliver sustainable development.

The Site Allocations DPD policies are strategic and, once adopted, will form part of the Development Plan for the district.

The Site Allocations DPD proposes 22 housing site allocations and 8 employment site allocations to ensure that the housing and employment requirements as identified by the District Plan are met in full.

The Sites DPD has been informed by a comprehensive suite of technical evidence, including Sustainability Appraisal and Habitats Regulations Assessment.

Strategic Planning Issues

The following strategic/ cross-boundary planning issues have been identified that relate to the Mid Sussex Site Allocations DPD and the Parties:

1. District Plan

The previous Statement of Common Ground between the Parties focused on amendments/comments relating to Policies DP27 and DP42; these comments were taken forward and the policies updated accordingly.

The development secured through the Sites DPD is required to meet the policy requirements of each relevant policy within the District Plan, adopted in 2018.

2. Proposed Site Allocations

The emerging Sites DPD proposes 22 housing allocations, 7 employment allocations and one Science and Technology Park to the west of Burgess Hill.

Detailed policy requirements have been developed for the proposed allocations that are published for consultation. These policy requirements have been developed in consultation with stakeholders, including Thames Water and so the wording should reflect comments already received. In particular, where the policy requirements relate to utility matters, the wording has been developed through ongoing positive engagement between the Parties.

Of the sites included in the Sites DPD only SA22: Land North of Burleigh Lane, Crawley Down and SA32: Withypitts Farm, Selsfield Road, Turners Hill are located within Thames Water's sewerage operational area.

Employment sites SA4: Land North of the A264 at Junction 10 of the M23, SA7: Cedars (Former Crawley Forest School), Brighton Road, Pease Pottage and SA8: Pease Pottage Nurseries, Brighton Road, Pease Pottage are also in Thames Water's operational sewerage area.

Thames Water were consulted on the proposed sites in June and responded in July 2019 stating: *"There are 2 settlements that fall within Thames Water's waste water service area (Turners Hill & Crawley Down). Based on the detail provided at this stage Thames Water's comments are:*

On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to the proposed developments individually. It is recommended that in order to understand the potential impact in more detail, the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing.

These comments are based on the assumption that foul flows will be connected to the public sewer by gravity (not pumped) and that no surface water flows will be discharged to the public sewer.

To undertake a more detailed assessment Thames Water would need to understand which of those sites are likely to come forward and when. The cumulative impact would be a consideration should the Local Authority look to promote all of those sites but again phasing would be key.”

Regulation 18 representation from Thames Water

Thames Water commented in respect of each of the allocations within their service area as follows:

On the information available to date we do not envisage infrastructure concerns regarding wastewater infrastructure capability in relation to this site

Additional comments were made regarding 3 of the allocations as follows:

SA22: The development may drain via Southern Water infrastructure before arriving in the Thames Water catchment. Confirmation of capacity from Southern will also be required

SA32: The development may drain via Southern Water infrastructure before arriving in the Thames Water catchment. Confirmation of capacity from Southern will also be required

SA8: There are assets and wayleaves crossing the site. The developer will need to contact Thames Water if they intend to build near these.

In broader terms, Thames Water suggested some additional policy wording regarding new water supply/wastewater infrastructure and highlighted the need for early engagement between the developers and Thames Water.

In response to Thames Water representation, Mid Sussex have supplied all available information regarding the phasing of development and have engaged with site promoters to encourage engagement with Thames Water at the earliest appropriate opportunity regarding water infrastructure at the sites within Thames Water’s service area (referred to above).

Mid Sussex District Council have also amended the draft Sites DPD to give greater emphasis and prominence to the general policy requirements which were previously located at Appendix C of the Reg18 version of the plan and through insertion of new Policy SA GEN ‘General Principles for Site Allocations’; the policy is also now located within the main body of the Plan.

Policy SA GEN ‘General Principles for Site Allocations’ – sets out requirements for the proposed allocations and includes the following standard requirements:

“Utilities

- Liaise with water, gas and electricity providers to ensure that appropriate works are carried out if needed
- Demonstrate that there is adequate water supply capacity and/ or waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users in accordance with District Plan policy **DP42: Water Infrastructure and the Water Environment**

Air Quality, Light, Noise and Amenity

- Investigate any potential adverse air, light and noise pollution impacts from the development itself and from neighbouring uses, ensuring that these are avoided, or appropriately mitigated, in accordance with District Plan policy **DP29: Noise, Air and Light Pollution** and **SA38 relating to Air Quality** as set out in this **Site Allocations DPD.**”

Since the Regulation 18 Consultation, the draft Plan has been amended to remove generic reference to utilities for each of the proposed housing allocations, in favour of the overarching requirement in Policy SA GEN; as referred to above.

The Infrastructure Delivery Plan that accompanies the Sites DPD also includes estimated financial contributions for utility requirements, where known and/ or appropriate, for the proposed allocations.

Regulation 19 representation from Thames Water

Thames Water commented in respect of sites SA4 – Lane North of the A264 at J10 of M23, SA7 – Cedars, Brighton Road and SA8 – Pease Pottage Nurseries as follow:

On the information available to date we do not envisage infrastructure concerns regarding wastewater networks in relation to this development/s. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to advise of the developments phasing. Please contact Thames Water Development Planning.

The Local Planning Authority will continue to liaise with the site promoters and Thames Water in order to ensure a coordinated approach which adequately addresses Thames Water’s requirements.

Liaison

The parties have engaged during the preparation of the Sites DPD. Specific engagement has also taken place at key stages during plan preparation including revision of the methodology for identifying sites for potential allocation, including for the Strategic Housing and Employment Land Availability Assessment (SHELAA) and for site selection, during preparation of the Draft Plan at ‘Preferred Options’ (Regulation 18) stage and subsequent draft Plan (Regulation 19).

Governance

For Mid Sussex, the Statement of Common Ground has been signed off by the Portfolio holder for Planning.



For Thames Water, the Statement of Common Ground has been signed off by Eliot Williams, Head of Property at Thames Water.

This Statement will be kept up to date during the preparation of the Site DPD. Additional Statements of Common Ground may also be prepared to support the preparation of the Tandridge District Council Local Plan and Mid Sussex District Council District Plan Review.

Conclusion

Thames Water and Mid Sussex District Council agree that they have engaged during the preparation of the Sites DPD and on this basis that the Duty-to-Cooperate has been met.

Thames Water and Mid Sussex District Council agree that there are no areas of disagreement between the parties relating to the emerging Sites DPD. Thames Water and Mid Sussex District Council agree to continue to work together on the areas of ongoing work discussed in this Statement of Common Ground.

Signed	Signed
 Signed on behalf of Mark Dickinson	 Andrew Mac Naughton, Cabinet Member for Planning and Economic Development
Mark Dickinson, Development Planning Manager, Thames Water	Andrew Mac Naughton, Cabinet Member for Planning and Economic Development
Dated: 23/12/2020	Dated: 05/01/2021