

# Mid Sussex District Council



## Local Development Scheme

### Mid Sussex District Council



Site Allocations  
Development  
Plan Document



June 2022



Adoption version



## January 2024



MID SUSSEX DISTRICT COUNCIL

### Mid Sussex Design Guide

Supplementary Planning Document SPD

Adopted  
November 2020



## MID SUSSEX DISTRICT COUNCIL

# **Mid Sussex District Council**

## **Local Development Scheme January 2024**

## **1.0 Introduction – What is the Local Development Scheme?**

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a Local Development Scheme (LDS).
- 1.2 The LDS sets out the timetable for the production of Development Plan Documents (DPDs), including key production and public consultation stages. This enables the community, businesses, developers, service and infrastructure providers and other interested organisations and individuals to know which DPDs are to be prepared for the area and when they will be able to participate in the plan making process<sup>1</sup>.
- 1.3 This LDS covers the period from 2023 to 2025, and updates the previous LDS, which was published in November 2022 by Mid Sussex District Council. It provides information about the Mid Sussex District Council's District Plan Review.
- 1.4 Whilst not a formal requirement, for ease of reference this LDS also includes information about the main supporting and procedural documents that do or will accompany the Council's main DPDs.
- 1.5 The Local Development Scheme is available on the Council's website ([Consultation & Monitoring - Mid Sussex District Council](#)).

## **2.0 Development Plan Documents**

- 2.1 Development Plan Documents (DPDs) are planning strategies that contain policies for the use, protection and/or development of land, usually including the allocation of land for development. DPDs must be in general conformity with government policy and guidance, in particular the National Planning Policy Framework.
  - Local Plans – these are compulsory and the preparation of a local plan is a statutory requirement. They usually cover a single council area but can be for more than one council area where joint plans are prepared.

A Local Plan may be a single document or a suite of documents, which can cover specific policy matters or specific geographical areas. In areas that have County and District Councils, the County Council has the responsibility for producing Minerals and Waste Local Plans.
  - Neighbourhood Plans – these are not compulsory. However, when duly prepared they are a statutory document that forms part of the development plan. In parished areas such as Mid Sussex District, these are prepared by town or parish councils. They must be in general conformity with the

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<sup>1</sup> Public consultation will continue to be advertised and stakeholders notified when important documents are published for public consultation, in accordance with our published Statement of Community Involvement which is available here: <https://www.midsussex.gov.uk/planning-building/consultation-monitoring/>

strategic policies of the adopted local plan and are prepared to a timescale that is set by the parish councils.

### **3.0 The Mid Sussex District Statutory Development Plan**

3.1 The statutory Development Plan forms the basis for determining planning applications by Mid Sussex District Council.

3.2 On publication of this LDS in January 2024, the Development Plan for Mid Sussex District Council will comprise of the following documents:

- Mid Sussex District Plan 2014 – 2031 (March 2018)
- Saved policies of the Mid Sussex Local Plan (May 2004)<sup>2</sup>
- Mid Sussex Site Allocations DPD (June 2022)
- Mid Sussex Small Scale Housing Allocations DPD (April 2008)
- West Sussex Joint Minerals Local Plan (2018)
- West Sussex Waste Local Plan (2014)
- In addition, there are 20 ‘made’ (adopted) Neighbourhood Plans:
  - Albourne Neighbourhood Plan
  - Ansty and Staplefield Neighbourhood Plan
  - Ardingly Neighbourhood Plan
  - Ashurst Wood Neighbourhood Plan
  - Balcombe Neighbourhood Plan
  - Bolney Neighbourhood Plan
  - Burgess Hill Neighbourhood Plan
  - Copthorne Neighbourhood Plan
  - Crawley Down Neighbourhood Plan
  - Cuckfield Neighbourhood Plan
  - East Grinstead Neighbourhood Plan
  - Haywards Heath Neighbourhood Plan
  - Hassocks Neighbourhood Plan
  - Horsted Keynes Neighbourhood Plan
  - Hurstpierpoint and Sayers Common Neighbourhood Plan
  - Lindfield and Lindfield Rural Neighbourhood Plan
  - Slaugham Neighbourhood Plan
  - Turners Hill Neighbourhood Plan
  - Twineham Neighbourhood Plan
  - West Hoathly Neighbourhood Plan

3.3 A number of Supplementary Planning Documents (SPDs) and other documents also support the Development Plan and are material considerations in the determination of planning applications.

3.4 SPDs complement or expand upon local plan policies, for example describing in more detail how an allocated site should be developed. An SPD cannot allocate new sites for development nor contain new policies for the use or

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<sup>2</sup> The saved Mid Sussex Local Plan 2004 policies are listed in Appendix C in the Mid Sussex District Plan 2014 – 2031 adopted March 2018.

development of land, and they must not conflict with the adopted Development Plan.

3.5 The following supporting documents have been adopted:

- Mid Sussex Design Guide – adopted November 2020
- Statement of Community Involvement – adopted March 2019
- Development Infrastructure and Contributions SPD – adopted July 2018
- Development Viability SPD – adopted July 2018
- Affordable Housing SPD – adopted July 2018
- Hassocks Station Goods Yard – Development Brief (SPD) adopted November 2011
- Haywards Heath Town Centre Masterplan – adopted March 2021
- Burgess Hill Town Centre Masterplan – adopted November 2006
- East Grinstead Town Centre Masterplan – adopted July 2006
- Shopfront Design Guide – adopted April 2005.

3.6 The emerging District Plan 2021 – 2039 is informed by a range of technical evidence base studies available to download from our website (<https://www.midsussex.gov.uk/planning-building/mid-sussex-district-plan/district-plan-review>). The evidence documents include:

- the **Infrastructure Delivery Plan** prepared alongside the District Plan to identify essential supporting infrastructure and services, how they will be delivered and by whom, and
- the **Sustainability Appraisal Report** prepared alongside the District Plan to show how the sustainability assessment assessed options to inform the development of the District Plan policies and site allocations. This is to ensure the plan reflects a balance of sustainable development objectives (social, environmental and economic factors).

#### 4.0 **Timetable for the Mid Sussex District Plan 2021 – 2039**

##### District Plan – Need for Review

4.1 The Mid Sussex District Plan 2021 – 2039 was adopted in March 2018. The adopted District Plan contained a commitment (Policy DP4:Housing) to review the plan, starting in 2021.

4.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require local planning authorities to review Local Plans (such as the District Plan) every five years to ensure policies remain relevant and effectively address the needs of the local community. This is reflected in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), which set out the process that should be followed to review local plans. Reviews should be completed no later than five years from the adoption date of the Plan. The District Plan reached its fifth anniversary in March 2023.

4.3 Planning Practice Guidance is clear that policies age at different rates and that policies do not automatically go out-of-date at the 5-year point. However,

dependant on changing circumstances and evidence, policies may be considered out-of-date and carry less weight when determining planning applications if they are more than 5-years old.

- 4.4 Therefore, it is vital that the adopted District Plan is reviewed and updated to ensure that the district has an up-to-date Local Plan. The NPPF (paragraph 33) establishes two distinct phases of the process:
- Stage 1: Review to assess whether the plan needs updating
  - Stage 2: Update as necessary

- 4.5 National policy requires strategic policies to look ahead over a minimum 15-year period from adoption. It is anticipated the updated District Plan will be adopted in 2024 after progressing through all statutory stages and will cover a period from 2021 until 2039.

#### District Plan - Work programme Update

- 4.6 The November 2022 LDS programmed the publication of the Regulation 19 Submission Draft District Plan for August/September 2023. The January 2024 LDS provides an updated timetable with an explanation for the change.
- 4.7 The first formal stage in the preparation of the District Plan 2021 - 2039 was reached in November 2022, when the draft District Plan was published for public consultation. The consultation responses received were reported to Scrutiny Committee for Planning, Economic Growth and Net Zero on 15<sup>th</sup> March 2023.
- 4.8. Following the District Council elections in May 2023 a new Council was formed. In June 2023, Scrutiny Committee for Place and Environment took forward a recommendation to establish a cross party Members Working Group to consider responses from the Regulation 18 consultation. The objectives of the Member Working Group were to review:
- i. The outcomes of the further work since the Regulation 18 consultation concluded in respect to sites that received representation but were not included for allocation in the draft District Plan during Regulation 18.
  - ii. New sites received during the Regulation 18 consultation.
  - iii. Any significant proposed amendments to policies since the Regulation 18 draft District Plan, as a result of the consultation responses and further work.
- 4.9. The Member Working Group meet twice during Summer/Autumn 2023 and the conclusions of the groups work will be reflected in the Regulation 19 Submission Draft Plan.
- 4.10 At its meeting on 15<sup>th</sup> March 2023, the Scrutiny Committee for Planning, Economic Growth and Net Zero resolved to recommend to Council that it positively engages with Town and Parish Councils prior to the Regulation 19 consultation. Council agreed with this recommendation on 26<sup>th</sup> July 2023.
- 4.11 A series of meetings with the Town and Parish Councils and Ward Councillors were held during September and October 2023. The purpose of these meetings was to discuss issues raised by the Town and Parish Council during the Regulation 18 consultation and to seek views on proposed on-site and off-site infrastructure that would accompany the proposed sites, particularly focusing on Local Community Infrastructure. The Town and Parish Councils and Ward Councillors were provided with an opportunity to shape the policy requirements for each site, and to input into the Infrastructure Delivery Plan.

- 4.12 The Levelling Up and Regeneration Act received Royal Assent in October 2023. The Act proposes changes to the planning system including a new system for plan making. For Local Plans currently in progress such as the District Plan 2021 – 2039 transitional arrangements are in place. These plans are submitted under the current planning system until 30<sup>th</sup> June 2025, and they must be adopted by 31<sup>st</sup> December 2026. It is anticipated that the District Plan will be submitted in spring 2024 and adopted by the end of 2024 and will be fully compliant with the transitional arrangements.
- 4.13 The Levelling Up and Regeneration Act makes provision for changes to the current system of collecting financial contributions to securing infrastructure to support development. The Council has previously indicated that it was giving consideration to progressing work on a Community Infrastructure Levy Charging Schedule, which would set out the charging rates for new developments in Mid Sussex District. However, until more clarity is provided this work has been paused.
- 4.14 Since the publication of the Regulation 18 Plan, updates to the evidence base have been undertaken including Transport, Sustainability Appraisal and Habitats Regulations Assessment.
- 4.15 The Mid Sussex District Council website and pages relating to the preparation of the District Plan have been kept up to date, providing information when Scrutiny and Council meetings have considered District Plan matters.
- 4.16 Table 1 sets out the content, coverage and timetable for the key stages of preparing the District Plan. Table 2 sets out a more comprehensive timetable for the preparation of the DPD.

**Table 1: District Plan 2021 – 2039 content, coverage and key stages**

| <b>Mid Sussex District Plan 2021 - 2039</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| <p><b>Role and Subject –</b><br/>                     The Mid Sussex District Plan was adopted in March 2018. National Planning Policy requires Local Plans to be reviewed to assess whether the need updating every 5 years, and then updated as required. This workstream includes the commencement of the ‘Review’ process, to assess the policies that remain in-date, and then to follow all legal processes for those that require updating.</p> <p>Sets the overall planning framework for Mid Sussex to protect and enhance the distinctive character of the district and its towns and villages over the period to 2039. It will set out the Council’s infrastructure needs and requirements. The Plan will be prepared for the Mid Sussex district excluding the area that falls within the South Downs National Park. A revised Policies Map will be submitted with the District Plan.</p> |                                   |
| <b>Coverage –</b> District Wide (excluding area of district within South Downs National Park)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |
| <b>Conformity –</b> National Planning Policy Framework (2023)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |
| <b>Timetable – Key Stages</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                   |
| Public Consultation on Preferred Approach (Regulation 18)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Complete November – December 2022 |
| Statutory Public Consultation prior to Submission (Regulation 19)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Winter 2024                       |
| Submission to Secretary of State                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Spring 2024                       |
| Examination                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Summer 2024                       |
| Estimated date for Adoption for final publication                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Autumn 2024                       |

**Table 2: Production timetable for Mid Sussex District Plan 2021 - 2039**

| 2023                                                                                                       |   |   |   |   |   |   |   |   |   |   |   | 2024 |   |   |   |   |   |   |   |   |   |   |   | 2025 |   |   |   |   |   |   |   |   |   |   |   |
|------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|------|---|---|---|---|---|---|---|---|---|---|---|
| J                                                                                                          | F | M | A | M | J | J | A | S | O | N | D | J    | F | M | A | M | J | J | A | S | O | N | D | J    | F | M | A | M | J | J | A | S | O | N | D |
|                                                                                                            |   |   |   |   |   |   |   |   |   |   | C | P    | P |   | S |   | E |   |   | R |   | C | A |      |   |   |   |   |   |   |   |   |   |   |   |
| <b>Key</b>                                                                                                 |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   |   |
| Preparation, analysis and/ or plan development                                                             |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   |   |
| Cabinet, Cabinet Member or Full Council review and decision                                                |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | C |      |   |   |   |   |   |   |   |   |   |   |   |
| Public Consultation prior to plan submission for examination (Regulation 19)                               |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | P |      |   |   |   |   |   |   |   |   |   |   |   |
| Submit plan and supporting documents to the Secretary of State for independent examination (Regulation 22) |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | S |      |   |   |   |   |   |   |   |   |   |   |   |
| Examination of the plan by an independent Planning Inspector                                               |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | E |      |   |   |   |   |   |   |   |   |   |   |   |
| Receipt of Inspector’s Report                                                                              |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | R |      |   |   |   |   |   |   |   |   |   |   |   |
| Formal Adoption and publication of the Plan                                                                |   |   |   |   |   |   |   |   |   |   |   |      |   |   |   |   |   |   |   |   |   |   | A |      |   |   |   |   |   |   |   |   |   |   |   |

## **6.0 Future Development Plan Documents**

- 6.1 The Council has previously indicated that it was giving consideration to progressing work on a Community Infrastructure Levy (CIL) Charging Schedule, which would set out the charging rates for new developments in Mid Sussex district. The Levelling Up and Regeneration Act received Royal Assent in October 2023. The Act makes provision for secondary legislation to introduce an Infrastructure Levy that will replace CIL. It is difficult to predict the impacts that any future changes and/or transition periods will have on the implementation. Until more clarity is provided by Government about the changes to these mechanisms, including timescales and transitional arrangements, the work to review the Council’s approach has been paused.