

Report to Cabinet

20 September 2018

By the Cabinet Member for Planning and Development

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development: Representations

Executive Summary

In March 2018 the first stage of the Local Plan Review (Issues and Options - Employment, Tourism and Sustainable Rural Development) was published for a seven week period of public consultation. This report sets out a summary of the responses that were received together with an outline of the proposed next steps. This report seeks approval for the publication of the summary of the representations and Horsham District Council's response as set out in Appendix 1.

Recommendations

That Cabinet is recommended:

- i) to note the summary of representations that were submitted in response to the Council's consultation on the Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development as set out in Appendix 1.
- ii) to approve the publication of the summary of the representations and Horsham District Council's response as set out in Appendix 1
- iii) to agree to progress the proposed next steps to the representations submitted as set out in Appendix 1.

Reasons for Recommendations

- i) In order to maintain and provide stakeholders with up-to-date information on the Local Plan Review following the processing and analysis of representations and to provide an initial response to the representations.
- ii) To enable the continued progression of the local plan review in accordance with the Council's published Local Development Scheme (LDS)
- iii) The preparation of the LDS is a statutory requirement of the Planning and Compulsory Purchase Act 2004 as amended by the Planning Act 2008, Localism Act 2011, Housing and Planning Act 2016 and the Neighbourhood Planning Act 2017.

Background Papers

Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development, April 2018

Wards affected: All.

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Background Information

1 Introduction and Background

- 1.1 The Horsham District Planning Framework (HDPF) sets out the Council's planning strategy to 2031 to deliver sustainable development, balancing the social, economic and environmental needs of the district (outside the South Downs National Park). It is however necessary to review the HDPF because it is a requirement that Local Plans are monitored and are reviewed regularly to ensure that they are kept up-to-date. Furthermore, the Inspector who undertook the independent examination of the HDPF concluded that more work would be needed by the Council in the short to medium term to ensure that sufficient land was made available to meet the needs of businesses and to support economic growth in the future. He also indicated that a review of the plan should commence within three years; by the end of 2018.
- 1.2 In March 2018 the Cabinet approved the publication of the Local Plan Review Issues and Options - Employment, Tourism and Sustainable Rural Development for a seven week period of public consultation. This took place between 6 April 2018 and 25 May 2018. The Issues and Options document forms the first part of the review of the Horsham District Planning Framework (HDPF), which was adopted by the Council in November 2015, and the preparation of the new Horsham District Local Plan, which will run from 2018 to 2036.
- 1.3 The Issues and Options document focussed on the strategy for economic development in the District; addressing both the locational strategy for economic growth and identifying land that may have the potential for allocation for employment use. The document also set out how the Council can achieve sustainable development in the more rural parts of the district including consideration of development that takes place outside existing defined built-up area boundaries. The document does not cover all Local Plan topic issues, such as the development strategy for housing or design matters as these will be considered at the next stage of plan preparation, which is programmed, for publication in the autumn of 2019.
- 1.4 The consultation on the Issues and Options document was undertaken in accordance with the Town And Country Planning (Local Planning) (England) Regulations 2012, and in particular Regulation 18. The representations submitted have now been processed and analysed. It is considered important to make available a summary of the comments that were made to the Council to help inform all stakeholders, which includes local residents. This next step was identified in the report to Cabinet on 22 March 2018, which approved the publication of the Issues and Options document for consultation.

2 Relevant Council policy

- 2.1 The Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development document is the first stage in preparing a planning strategy to replace the current adopted Horsham District Planning Framework (November 2015).

3 Details

- 3.1 The consultation on the Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development gave rise to approximately 400 representations from 151 respondents. Respondents included local residents, statutory consultees (e.g. West Sussex County Council, Environment Agency), local interest groups and developers. Just under half the respondents expressed some form of support for the document, albeit with some further form of modification proposed in many instances. The remainder of the representations received made objections in some form. Overall, this is a significantly higher level of support than is commonly received on similar planning consultations that have been run by the Council in the past.
- 3.2 The full summary of the representations received together with the proposed next steps is set out in Appendix 1. In addition, the following paragraphs provide a brief summary of the issues that were raised during the consultation and the action proposed by the Council in light of the representations which were received.
- 3.3 **Built Up Area Boundary (BUAB):** A total of 90 representations were received on this issue. Most comments on the built-up area boundaries were specific remarks relating to a proposed change to a particular town or village boundary rather than the principle of providing a boundary or not. In general, supportive comments were received where the BUAB was proposed for extension around land that has now been developed since the last Local Plan Review.
- 3.4 Objections to BUAB amendments were more varied in nature. A number proposed additional land for inclusion within a particular BUAB. Other objections questioned whether a particular site met the criteria which the Council had used to determine whether land should be included in the built form of development or not. Particular concern was raised in relation to the inclusion of some land in Rudgwick (RW3). In light of these comments, together with any new evidence provided in the responses, it is proposed that the identified BUAB amendments are reviewed to ensure that each site meets the assessment criteria. It should however be noted that where large scale amendments were proposed to the Council for inclusion in an updated built-up area, these will be considered for their potential for allocation in the Local Plan and not as a change to the built-up area in the first instance. The initial assessment of this land will take place through the Council's Strategic Housing Land Availability Assessment (SHELAA).
- 3.5 **Economy / Employment Sites / Key Employment Areas:** A total of 130 representations were received in relation to this issue. 36 related to the wider economy, with a further 52 representations made on the sites put forward for consideration for commercial use, and a further 42 on the proposed Key Employment Areas (KEAs). The comments received on this section were quite wide ranging in nature but overall, there was broad support for economic growth in the district. A number of respondents (primarily developers) did however state that the Council would need to consider the level of economic growth in the light of additional housing requirements for the district. The need for joint working, and consideration of cross boundary impacts beyond Horsham District was also identified.

- 3.6 There was a mixture of support and objection to the growth of employment outside town centres along key roads outside of town centres. The need to ensure that a range of town centre uses including offices continues to be provided in accordance with national planning policy. The need to consider the cumulative impacts of any new development on the traffic network was also highlighted. Overall there was support for the continuation of key employment areas, and some support was recorded for a number of the sites where potential for employment growth had been identified. A number of additional employment sites were also proposed to the Council for consideration for employment use. These included some sites which were proposed for mixed use development.
- 3.7 In order to take account of the representations on the economy, a number of different actions are considered necessary. This will include further updates to the evidence base to provide an up-to-date assessment of the amount and type of employment land which is required. Continued joint working as part of the Duty to Co-operate will also take place with other district, borough and county councils within Sussex and Surrey. Further site assessment work will also continue on the sites contained within the document, as well as those submitted to the Council for consideration as part of the consultation process. This will include those sites which have been proposed for mixed use. This will include assessment as part of the SHELAA and other processes as may be appropriate, including the Sustainability Appraisal of the Local Plan.
- 3.5 **Secondary Settlements:** A total of 79 representations were received on this topic area. There was some general support for this proposed policy designation, and a few sought greater flexibility to enable development beyond settlement boundaries. Most comments received on this section were however specific comments made in relation to individual settlements rather than the principle of the proposed designation. Many of these queried whether a particular settlement did or did not meet the criteria used by the Council to determine which settlements were appropriate candidates for a secondary settlement designation. In light of these responses it is considered that the settlements should be reviewed against the criteria to take account of additional evidence submitted during the consultation.
- 3.6 **Tourism:** There was a more limited response to the section of the document concerning tourism with 21 representations received. Most comments on Tourism were site specific in nature, either suggesting further work that would need to be undertaken in relation to the Toat Café site identified in the document (e.g. ecological work), or proposed other potential sites for tourism activity. Some comments also sought the retention and promotion of existing places/assets. These comments and additional work will need to be considered as part of the next stages of the Local Plan Review.
- 3.7 **Rural Economic Development and Rural Workers accommodation** Again, there was a more limited response to this section of the document with a total of 24 representations received. In general there was support for the overall aims of the two policy areas, but most comments on this section were very specific in nature, suggesting detailed amendments to the wording of the different policies outlined in the consultation document. It will be necessary to consider these suggested amendments moving forward together with other changes to planning legislation including those relating to permitted development rights.

4 Next Steps

- 4.1 As has been set out in the previous section a number of actions have been proposed in order to take into account the representations submitted in response to this consultation. In summary, this will include a further work on the evidence base, continued joint working with other local authorities, and a review of the proposal in light of new evidence submitted as part of the consultation. Sites that have been proposed to the Council for development will be considered initially through the SHELAA assessment which is ongoing. Detailed comments on built up area boundaries and secondary settlements will need to be considered and updates made to policies if appropriate.
- 4.2 In addition to continuing to progress the topics covered in this consultation document, a wide range of other matters will need to be considered in order to progress the Local Plan Review. This will need to consider the future development strategy for housing development, taking account of the implications arising from the recently updated National Planning Policy Framework (NPPF). It is therefore anticipated that the next stage in the Local Plan review will be published in Autumn 2019, which will be subject to further consultation. This documentation will be accompanied by updated evidence base documents including a sustainability appraisal and a habitats regulation assessment. The timetable and the future steps in the preparation of the Local Plan review is set out in the Local Development Statement, which is published on the Council's website.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 Initial feedback on the response to the Issues and Options consultation was provided to the Planning and Development Policy Development Advisory Group (PDAG) in July 2018. An update providing more information on the responses received was discussed at the PDAG meeting on xx September 2018. At these meetings the advice provided to the Cabinet Member for Planning and Development was that it would be appropriate to publish a summary of the representations received and the proposed next steps.
- 5.2 The Monitoring Officer and the Head of Finance have also been consulted on this report and the report has been updated to take account of the comments received.

6 Other Courses of Action Considered but Rejected

- 6.1 An alternative course of action would be to not publish the summary of representations and Horsham District Council's response. This has been rejected because it would fail to keep respondents to the consultation and other interested parties up to date with the preparation of the new Local Plan. This would not

constitute good practice, as consultation and public engagement forms a key part of the plan making process. Key to good consultation is keeping respondents informed and responding to their comments which in turn facilitates ongoing engagement.

- 6.2 Another course of action would be to publish the summary of representations and Horsham District Council's response at the next consultation stage in the Local Plan Review. This has been rejected because the next consultation stage is planned for Autumn 2019 and it is not considered good practice to unduly delay the provision of information on a consultation for approximately a year and a half after the date that consultation was held.

7 Resource Consequences

- 7.1 There are no direct financial or staffing consequences arising from this report other than the normal staff costs associated with the publication of this summary of responses.

8 Legal Consequences

- 8.1 The publication of the summary of representations and the Horsham District Council's response is not a statutory requirement but forms good practice during the process of plan preparation. The summary of consultation responses will in the longer term be to inform the statutory (consultation) statement that must be prepared to support the Proposed Submission Document when the new Local Plan reaches publication stage in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statutory statement must set out who was invited to make representations under regulation 18, how they were invited to make representations, a summary of the main issues raised and how they have been addressed in the Development Plan Document (DPD) (Local Plan Review).
- 8.2 The Local Plan forms part of the Council's policy framework and must be prepared in accordance with statutory process.
- 8.3 This process would ensure the Council complies with its legal requirements to keep the local plan up to date (including compliance with the Inspector's requirement to commence the Local Plan review within three years from the adoption of the HDPF).

9 Risk Assessment

- 9.1 With the preparation of any Development Plan Document, there is a risk that the process could be subject to a Judicial Review on the adoption of the plan. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires local planning authorities to take into account any representation made to them in response to the regulation 18 consultation. The publishing of the document provided in Appendix 1 will help demonstrate this requirement is being met and, whilst not specifically invited to do so, provides an informal opportunity for respondents to raise any issues with the processing and

analysis of their comments. By following the required legal processes as set out in the relevant legislation the risk of a successful challenge is considered to be minimised as far as possible.

10 Other Considerations

- 10.1 There are no direct crime and disorder consequences arising from the content of this report. The preparation of a Local Plan Review and the involvement of the community at each stage, will potentially contribute to improving the quality of life in the district and will therefore have a positive impact on human rights.
- 10.2 Assessment of the equalities impacts of the emerging new and revised policies in the reviewed Local Plan will be undertaken on an ongoing basis as part of the statutory sustainability appraisal process.

APPENDICES TO REPORT

Appendix 1: Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development April 2018: Representation Summaries and Horsham District Council’s Response.