

Report to Cabinet

30 January 2020

By the Cabinet Member for Planning and Development

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Horsham District Local Plan - Regulation 18 Consultation

Executive Summary

This report seeks Cabinet approval for the publication of the Horsham District Local Plan Regulation 18 for consultation, between 17 February 2020 and 30 March 2020, in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. A draft Sustainability Appraisal will be published alongside the Local Plan review documentation, as will a number of other supporting background documents. The purpose of the consultation is to seek a wide range of views from our community and stakeholders. **The document does not form Council policy.**

In November 2015, the Council adopted the Horsham District Planning Framework (HDPF). Outside the South Downs National Park (SDNP), the existing plan sets out the Council's planning strategy to 2031 to deliver the sustainable development, balancing the social, economic and environmental needs of the plan area.

The adopted HDPF provides a sound basis for managing change and development in the District in the short term. Central government requires all local authorities to review their Local Plan at least once every five years to ensure that it is kept up-to-date, and to demonstrate that sufficient land can be made available to meet the economic and housing needs for the future.

This Council commenced the Local Plan review process in 2018, and published an Issues and Options consultation, which took place between 6 April 2018 and 25 May 2018. This consultation document considered the future economic strategy for the District, together with sustainable rural development and tourism issues. In addition, a call for development sites was held during 2018 with an updated Strategic Housing and Economic Land Availability Assessment (SHELAA) published in 2019.

The content of the Local Plan Review Consultation Document has taken account of the outcome from the earlier Issues and Options consultation. In addition, a number of updates have been made to the Council's evidence base. This work has led to the preparation of a consultation document, which sets out the Council's preferred approach to economic development, design, and the environment.

The Government requires us to deliver an unprecedented increase in housing. It is therefore necessary for the Council to consider how this challenge can be met. Following the assessment of some 500 sites that have been put forward to the Council for consideration as development locations, the draft document includes sites that have been assessed as having some potential for development. In particular it includes nine strategic sites which have potential for more than 800 homes. It is not considered that it will be necessary or indeed possible to allocate all the sites, which have been identified as having some development potential and **no sites have been allocated at this stage**. It is considered that it would be appropriate to seek views and feedback on the document, to help inform the decision as to which policies and sites will ultimately be appropriate for inclusion in the Horsham District Local Plan.

Recommendations

It is recommended that the Cabinet agrees:

- i) The Horsham District Local Plan Regulation 18 Consultation Document is published for a six-week consultation between 17 February 2020 and 30 March 2020.
- ii) The Cabinet Member for Planning and Development has delegated authority to agree any necessary minor editorial changes to the Horsham District Local Plan Regulation 18 Consultation Document.

Reasons for Recommendations

- i) It is both necessary and appropriate to invite public and stakeholder participation in the preparation of a new Local Plan for Horsham District.
- ii) In order to ensure that the consultation documentation is accurately prepared.

Background Papers

Site Assessment Report Horsham District Local Plan Regulation 18 – summary of conclusions

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

Local Plan Review Issues and Options Consultation 2018, Summary of responses Summary of Responses and Proposed next steps, September 2018.

Wards affected: All

Contact:

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Background Information

1 Introduction and Background

- 1.1 In November 2015, the Council adopted the Horsham District Planning Framework (HDPF). Outside the South Downs National Park (SDNP), this document sets out the Council's planning strategy to 2031 to deliver the sustainable development, balancing the social, economic and environmental needs of the plan area.
- 1.2 It is a government requirement that Local Plans are reviewed at least once every five years to ensure that Local Plans are kept up-to-date and that they make available sufficient land for housing development. The government is requiring an unprecedented increase in the number of homes that are built, and the Local Plan will have to consider how to meet this challenge, together with meeting economic and environmental needs for the future. It is proposed that the new Local Plan will be rolled forward by five years and will cover the period from 2019 to 2036.
- 1.3 This Council commenced the Local Plan review process in 2018, with an Issues and Options consultation held between 6 April 2018 and 25 May 2018. This consultation document considered the future economic strategy, together with sustainable rural development and tourism issues. In addition, a call for development sites was held during 2018 with an updated Strategic Housing and Economic Land Availability Assessment (SHELAA) published in 2019.
- 1.4 This Local Plan review process has taken account of the outcome from the Issues and Options consultation held in 2018. In addition, a number of updates have been made to the Council's evidence base over the course of 2019. This has included a detailed assessment of sites, which have been submitted to the Council as potential locations for housing and employment development. This work has led to the preparation of the Horsham District Local Plan Regulation 18 consultation document, which sets out the Council's preferred approach to economic development, design, and the environment, together with the assessment of sites, which may have potential for housing development.

2 Relevant Council policy

- 2.1 The Horsham District Corporate Plan provides a focus for the Council's activities and sets out clear priorities for the Council in the period to 2023. There are five key goals:
 1. **A great place to live:** Continue creating well-balanced communities that meet residents' needs.
 2. **A thriving economy:** Work to increase economic growth and create new local jobs.
 3. **A strong, safe and healthy community:** Ensure Horsham District remains one of the best places in Sussex to live.
 4. **A cared for environment:** Prioritise the protection of our environment as we move to a low carbon future.
 5. **A modern and flexible council:** Make it easy for our residents to access the services that they need.

The Corporate Plan influences all areas of the Council's work. In relation the Local Plan, it provides a clear direction when setting the future planning objectives for this area.

- 2.2 In June 2019, the Council approved the Notice of Motion below. This provides a clear steer for the Council to ensure that we actively contribute to achieving a net zero carbon target through our activities.

“We agree that in the face of recent dire warnings from the World Scientific community concerning global warming, the loss of millions of insects and animal species and rampant deforestation, we are facing a climate emergency.

We propose therefore that this Council develops and implements a plan for the use of renewable technologies, sustainable transport options, zero carbon building, and for waste reduction and enhanced recycling within the District, working towards a net zero carbon target.

We acknowledge that there will need to be public engagement and involvement, and resources will be required to underpin and support the long-term requirements of this far reaching proposal.”

3 Details

- 3.1 The review of the existing Horsham District Planning Framework has taken account of updated national planning guidance, including the revised National Planning Policy Framework 2019, together with feedback from the Issues and Options consultation held in 2018. In addition, a number of updates to the Local Plan evidence base have been carried out, including a detailed review of the Council's housing requirements and economic performance. Although it is important that the revised Local Plan takes account of these changes and feedback, it is recognised that overall the Council's existing Local Plan, the Horsham District Planning Framework is generally performing well, and this document has formed the starting point for the preparation of the review. The updated document therefore follows a broadly similar structure and is attached to this report as Appendix 1.
- 3.2 The document sets out a number of draft policies for consultation. These include:
- economic policies which protecting existing employment areas, together with provision of new employment floorspace, will include both high quality offices and commercial development.
 - Updated retail policies to help all towns and villages in the District to remain vibrant places at a time where shopping habits are changing very quickly
 - Updates to existing environmental policies to ensure that development is of a high quality, and that development brings forwards environmental enhancements including 10% biodiversity net gain.
 - An expectation that new development will be designed to be low carbon and is flexible to ensure than new technologies can be incorporated as they become available.
 - Policies which require that any development meets the needs of the new communities, and provides community services and facilities, including provision for education, health care, sports facilities and open space.

- Updates to transport policies to ensure that greater emphasis is given to non-car based transport including walking and cycling whilst still recognising that journeys will continue to be made by car, and ensuring that necessary upgrades to the transport network are provided.

3.3 In recent years, the government has made it clear that there is an expectation that Local Plans deliver a step change in housing delivery. The Regulation 18 consultation document therefore identifies the number of homes that are expected to be delivered in Horsham District, based on the government's requirement to use its 'Standard Housing Methodology' for calculating housing needs.

3.4 In addition to meeting our own identified housing requirements, a number of local authorities close to this district have identified that they are unable to deliver the number of homes they are expected to provide based on their own Standard Housing Methodology calculations. Under a legal requirement, known as the Duty to Co-operate, it is necessary for this Council to seek to understand the extent to which it may be able to accommodate this unmet need. The Regulation 18 consultation document therefore seeks views on a range of proposed housing delivery targets.

3.5 In addition to seeking views on the potential total level of housing delivery that may be expected to come forward, it will be necessary to identify land where this development can take place. Following a call for sites in 2018, detailed site assessment work has been undertaken. The Horsham District Local Plan Regulation 18 consultation document identifies a number of sites which have been assessed as having some potential for development. It is not considered that it will be necessary or indeed possible to allocate all the sites which have been identified as having some development potential. Nevertheless, it is felt that it would be appropriate to seek views and feedback on all of these sites. This will help inform which sites will be selected for inclusion in the next stage of Local Plan preparation process.

3.6 The document sets out commentary on a number of large-scale strategic housing developments (around 800 homes or more). In addition, a number of smaller sites have been identified as having development potential. These sites are identified in the consultation document. Further detail on the assessment of these sites will be published in the Horsham District Local Plan Regulation 18 Site Assessment Report. An excerpt setting out the high-level conclusions for the sites carried forward for consultation is appended to this report as Appendix 2.

4 Next Steps

4.1 It is proposed that the Horsham District Local Plan Regulation 18 document is published for a six-week period of consultation between Monday 17 February 2020 and Monday 30 March 2020 in accordance with Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012. At this stage, the proposals **are for consultation only and do not form Council policy.**

- 4.2 As part of the consultation process, there will be opportunities for parish councils, local businesses and residents to learn more about the Council's proposals. This will include a range of events from Parish Council workshops, public drop in events and through social media. The document will be made available on-line with an option to comment directly on individual sections of the document. Other methods of responding to the consultation, including by email will also be available.
- 4.3 The views and suggestions that are put forward to the Council during the consultation will be reviewed and key issues will be identified and summarised. The feedback will inform the next stage of plan preparation. This may include some additional evidence updates or further work on proposed sites. The next stage in the Local Plan, the Horsham District Local Plan Proposed Submission Document, will be published for consultation in accordance with Regulation 19 of the Town and Country (Local Planning) (England) Regulations 2012. The Regulation 19 documentation together with the supporting evidence base and 'representations' (comments) which are submitted as part of this later consultation will be sent to the Planning Inspectorate and the plan will then be subject to a formal independent examination by an Inspector representing the Secretary of State. The timetable and the future steps in the preparation of the Local Plan review are set out in the Council's Local Development Scheme and are also summarised on the Council's website.

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

- 5.1 The proposed content of this document was discussed at the Planning and Development Policy Development Advisory Group on 13 January 2019. Members of the group supported the proposed approach to publish the Horsham District Local Plan Regulation 18 document for consultation.
- 5.2 A number of all Member seminars and events have been held during the Horsham District Local Plan preparation process including seminars and workshops in between June 2017 and November 2019, which debated the proposed economic and rural strategies. Member's views were taken into account in the preparation of the proposed consultation document.
- 5.3 All Parish Councils will have an opportunity to feed in to the consultation process through specific workshop events which have been arranged for late January and early February.
- 5.4 The comments of the Monitoring Officer and the Director of Corporate Resources are incorporated in this report.

6 Other Courses of Action Considered but Rejected

- 6.1 An alternative course of action would be not to review the Horsham District Planning Framework. However, it is a requirement that local plans are monitored and reviewed regularly to ensure that they are kept up-to-date. The decision not to progress a plan would not stop new development taking place, but without an up-to-date Local Plan, the Council would have limited control about the location, nature and type of development that would take place. In addition, it would be more difficult

for the Council to require the infrastructure requirements needed to support development on a comprehensive and district wide basis.

7 Resource Consequences

- 7.1 Budgetary provision has been made for the Local Plan Review in the current and forthcoming financial years. There are no direct financial consequences arising from this report in addition to those, which have already been identified in relation to the preparation of the Local Plan. These include the normal staff and publication costs associated with the publication of this document for consultation. In addition it will also be necessary to seek specialist consultant and legal advice to support the review of the Council's evidence base and preparation of the Local Plan documentation. Whilst some costs are best estimates, these have as far as possible been included in the agreed budget.

8 Legal Consequences

- 8.1 The Local Plan is required by statute and in line with the Council's constitution to be adopted by Full Council. The Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory procedure for the preparation of a Local Plan. All aspects of the Local Plan preparation have been undertaken in accordance with this legislation and is deemed to be legally compliant. We have sought to ensure that the appropriate legal advice has informed the preparation process of the Local Plan and will continue to do so to ensure compliance with relevant regulations.
- 8.2 This document will meet the Council's stated intention to review its adopted Local Plan (the Horsham District Planning Framework).
- 8.3 If the Horsham District Local Plan document is agreed for consultation, this will need to be undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, and in particular Regulation 18. In addition, a Sustainability Appraisal Scoping Report incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 together with a Habitat Regulations Assessment has been undertaken as part of this work. This documentation will be made available for comment as part of the consultation process.

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. By following the required legal processes as set out in the relevant legislation, the risk of a successful challenge is considered to be low. Other risks include organisational capacity to incorporate unexpected additional work arising from the examination process, and potential impact on other projects such as the capacity to support Neighbourhood Plans (albeit the latter has been mitigated through the procurement of external resources).

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. The Local Plan also aims to be inclusive of people with protected characteristics for example in relation to the build design expected of developments. The scale of development required has led to careful mitigation being built into the Plan, for example biodiversity net gain, and a strong approach to infrastructure provision as part of place making. As reported above, there is an expectation that new development will be designed to be low carbon and look towards achieving zero net carbon.