

# Chichester District Council

**THE CABINET**

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## **Consultation on South Downs Local Plan Pre-Submission**

### **1. Contacts**

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### **2. Executive Summary**

The South Downs National Park Authority (SDNPA) has published its Local Plan for formal Pre-Submission Consultation. This is a formal stage of Local Plan preparation, which focuses on the specific questions of whether the proposed Local Plan is 'sound' and whether it meets legal and procedural requirements. Following the consultation, the SDNPA will submit their draft Plan (along with all formal representations received) to the Planning Inspectorate for examination.

The purpose of this report is to agree the Council's formal response to the draft Local Plan to be submitted to the SDNPA before the consultation deadline of 21 November. Officers have undertaken a detailed review of the draft Plan and are not proposing that the Council should submit any formal representations. However, officers have identified several minor issues that it would be helpful to bring to the attention of the SDNPA and invite them to consider addressing through modifications to the draft Plan. A list of these issues is appended to the report.

### **3. Recommendation**

#### **3.1 That the Cabinet advises the South Downs National Park Authority that:**

**(1) The South Downs Local Plan Pre-Submission draft is broadly supported.**

**(2) Chichester District Council does not intend to make any formal representations in response to the Pre-Submission consultation.**

**(3) The comments in appendix 1 to the agenda report are forwarded for its consideration with regard to possible modifications to the Pre-Submission Local Plan.**

**4. Background**

- 4.1 The South Downs National Park Authority (SDNPA) has published its Local Plan for formal Pre-Submission Consultation for an 8-week period from 26 September to 21 November 2017. When adopted, the new Local Plan will cover the whole of the National Park including the area within Chichester District. This report summarises the main issues for Chichester District and recommends how Chichester District Council (CDC) should respond to the consultation.
- 4.2 The SDNPA has been working to prepare a Local Plan for a number of years. This work has included previous stages of public consultation on Local Plan Options in early 2014 followed by publication of a Preferred Options draft version of the Local Plan in autumn 2015. CDC has provided detailed comments in response to both of these earlier stages of consultation, with these comments having been reported to the Development Plan Panel in April 2014 and to the Development Plan and Infrastructure Panel and the Cabinet in September/October 2015.
- 4.3 The Pre-Submission consultation is a formal stage of Local Plan preparation, which focuses on the specific questions of whether the proposed Local Plan is 'sound' and whether it meets legal and procedural requirements. Following the consultation, the SDNPA will submit their draft Plan (along with all formal representations received) to the Planning Inspectorate. The Plan will then be subject to formal examination by an appointed Planning Inspector. In the event that this Council wishes to submit any formal representations, these will be taken forward for consideration by the appointed Local Plan inspector. He/she may then invite CDC to attend the Local Plan examination or provide further evidence through written representations.
- 4.4 The draft Local Plan sets out a planning framework for the National Park area over the period 2014 to 2033. It contains core, strategic, development management and allocation policies focusing on living landscapes, people and places and ensuring a sustainable future within environmental limits. The Plan sets out how the National Park should evolve and manage development taking account of the statutory purposes for national parks specified in the Environment Act 1995.
- 4.5 When adopted, the new Local Plan will replace all saved Local Plan policies inherited by the SDNPA, including those in the Chichester District Local Plan 1999 which currently still apply within the National Park area of the District. The new Plan will also replace all the joint core strategies covering the National Park that have been adopted since April 2011. A Habitat Regulations Assessment (HRA) and Sustainability Appraisal (SA) have also been published to accompany the Pre-Submission Local Plan.
- 4.6 At the start of the consultation period, all CDC members were sent an email providing web-links to the Pre-Submission Local Plan and all the supporting documents.

## **5. Outcomes to be Achieved**

- 5.1 CDC will wish to ensure that the development strategy and specific planning policies proposed in the South Downs Local Plan will assist in delivering Council policy objectives in the National Park area of the district, including environmental protection, conservation of the landscape and historic environment, delivery of affordable housing, enhancement of community infrastructure and economic development. In addition, CDC will wish to ensure that planning policies proposed in the Plan will not result in any adverse impacts on the Chichester Local Plan area outside the National Park.

## **6. Proposal**

- 6.1 The main purpose of this report is to agree CDC's response to the South Downs Local Plan Pre-Submission. Officers have not identified any major concerns relating to soundness that would justify making formal representations to the SDNPA and therefore it is not proposed that this Council should make any formal representations. However, officers have identified several minor issues that it would be helpful to bring to the attention of the SDNPA and invite them to consider addressing through modifications to the draft Plan. A list of these detailed issues is provided in appendix 1.
- 6.2 The section below summarises some of the main aspects of the Pre-Submission Local Plan that are most relevant to CDC and also considers how the Plan has been amended in response to the CDC's comments on the previous Local Plan Preferred Options consultation.

### General

- 6.3 The objectives and proposed strategy are largely defined by the statutory purposes for national parks set out in legislation. In reflection of this, the Plan is landscape-led and the policies have been formulated to consider landscape first.
- 6.4 Policy SD25 identifies towns and villages within the National Park that are able to accommodate some growth. All settlement boundaries have been comprehensively reviewed as part of the Local Plan process apart from in designated neighbourhood plan areas. All of the settlements within Chichester District that previously had defined settlement boundaries will retain boundaries in the new Plan. However, in most cases the boundaries have been slightly altered following the boundary review.

### Housing Provision

- 6.5 The National Parks Vision and Circular (2010) states that national parks are not suitable locations for unrestricted housing, but that NPAs have an important role to play as planning authorities in the delivery of affordable housing. The expectation is that new housing will be focused on meeting affordable housing requirements and NPAs should work with local authorities and others to ensure that the needs of local communities are met and affordable housing remains so in the longer term. The SDNP Local Plan reflects this approach, placing the main focus on delivery of affordable housing.

- 6.6 The Housing and Economic Development Needs Assessment (HEDNA) 2017 which was commissioned to support the Local Plan identified an objectively assessed need for 447 homes per year and separately identified a need for 293 affordable homes per year. Policy SD26 makes overall provision to deliver approximately 4,750 net additional homes across the National Park as a whole over the period 2014-2033, which is equivalent to 250 homes per year. However, there appear to be discrepancies between this figure and the housing supply figures presented in the supporting text at Figure 7.3 – this issue is highlighted in the officer comments in Appendix 1. These housing supply figures have been informed by evidence from a Strategic Housing Market Assessment (SHMA) and include:
- (i) net housing completions over the period 2014-2016;
  - (ii) strategic sites and land allocated for housing in the South Downs Local Plan and neighbourhood plans;
  - (iii) existing planning permissions (subject to a discount for non-implementation); and
  - (iv) an allowance for small windfall sites of under 5 dwellings.
- 6.7 The housing figure is not disaggregated by individual district, so there is no specific target for the part of the National Park within Chichester District. A breakdown of planned housing provision and unmet housing need by district is presented in Table 1 of the Duty to Cooperate Statement (Summer 2017) which has been published alongside the Pre-Submission Local Plan. However, following a Duty to Co-operate meeting between Council and SDNPA officers, it was established that the figures for Chichester District include a number of inaccuracies. The SDNPA has now informally provided amended housing figures which are presented in Appendix 2. An updated version of the Duty to Cooperate statement will be published when the Local Plan is submitted for examination in March 2018.
- 6.8 The amended figures for Chichester District show a projected housing total of 1,602 net dwellings, which would equate to an average housing delivery of 84 net dwellings per year over the Local Plan period (2014-2033). This level of delivery would more than meet the figure of 70 homes per year that was previously assumed for the SDNP part of Chichester District in the Chichester Local Plan Key Policies 2014-2029. However, the combined housing provision for the Chichester Local Plan area (435 dwellings per year) and SDNP area (84 dwellings per year) would still fall short of meeting the Objectively Assessed Housing Need (OAN) for Chichester District.
- 6.9 Policy SD26 makes provision for new housing development in the following settlements in Chichester District (including a combination of sites proposed for allocation in the Local Plan and neighbourhood plans). The policy also states that neighbourhood plans that accommodate higher levels of housing than is set out above will be supported where they meet local housing need and are in general conformity with the development plan.

<i>Parish</i>	<i>Housing provision</i>	<i>Allocation of sites</i>
Bury	6	Draft neighbourhood plan (1 site)
Easebourne	50	Pre-Submission Local Plan (3 sites)
Fernhurst (inc Syngenta)	220	Made NP (Syngenta + 2 other sites)
Fittleworth	6	Draft neighbourhood plan (1 site)

Lavant (inc Mid & East)	20	Made NP (2 sites in SDNP)
Midhurst	175	Pre-Submission Local Plan (5 sites)
Petworth	150	Draft neighbourhood plan (3 sites)
Rogate	11	Draft neighbourhood plan (2 sites)
South Harting	13	Pre-Submission Local Plan (2 sites)
Stedham	18	Pre-Submission Local Plan (1 site)
West Ashling	19	Pre-Submission Local Plan (1 site)
Total (Chichester District)	688	

- 6.10 The Pre-Submission Local Plan does not set any overall target for affordable housing delivery. This is a change from the Preferred Options version which specified an aim to deliver approximately 1,840 affordable homes across the National Park area. Policy SD28 requires that sites with gross capacity to provide 11 or more homes should provide a minimum of 50% affordable homes onsite, of which a minimum 75% should be rented affordable tenure. On sites with gross capacity to provide between 3 and 10 homes, the number of affordable homes is to be based on a sliding scale defined in the policy. This Council's housing officers generally support this approach, although in practice it is likely to be difficult to secure onsite units on sites where only one or two affordable units are to be provided. Policy SD27 is a new policy not previously included in the Preferred Options version of the Plan, which specifies a broad housing mix (number of bedrooms) for both affordable and market housing which development proposals which will be expected to meet.

#### Employment Provision

- 6.11 Policy SD35 provides for around 10 hectares of employment land for B-Class office and industrial uses, based on the employment needs assessed in the Employment Land Review (ELR) Update 2017 and the HEDNA. The supporting text indicates that there is already a sufficient supply to meet this requirement through extant planning permissions, sites allocated in neighbourhood plans and sites proposed in the Local Plan itself. This includes 1.4 hectares of land allocated in the Petworth NP (part of a larger site previously allocated in the Chichester District Local Plan 1999) and provision for some employment uses on the Syngenta site allocated in the Fernhurst NP.
- 6.12 Policy SD35 also addresses the safeguarding of existing employment sites and allocations. In its comments on the Preferred Options version of the Plan, CDC expressed concerns that the proposed policy wording lacked clarity and that the Plan should include guidance on requirements and evidence needed from applicants to demonstrate that there is no market demand for business premises. The Pre-Submission Local Plan policy now states that change of use applications that would result in a loss of employment land will only be permitted subject to evidence of a robust marketing campaign of at least 12 months which clearly demonstrates that there is no market demand for the business premises. However, some key employment sites are now defined on the Proposals Map as either 'principal employment sites' (including Holmbush Industrial Estate, Midhurst) or 'local employment sites' (including four sites in Chichester District) where greater safeguarding and evidence of 18 months of marketing will be required. Detailed marketing requirements for change of use applications are now set out in appendix 3 of the Plan. These are also referenced in other Local Plan policies relating to protection of visitor accommodation, shops both within and outside town/village

centres, and community infrastructure. Overall, the proposed policy for safeguarding is now much more detailed and appears to address the Council's earlier concerns. However, Economic Development officers consider that the marketing period for proposals involving the loss of tourism accommodation should be extended from a minimum of 12 months to 18 months. This issue is raised in the informal comments in appendix 1.

- 6.13 However, it should be noted that three existing employment sites in Chichester District (Cowdray Estate Works Yard, Easebourne; Stedham Sawmill; and the WSCC Depot Midhurst) were assessed in the ELR as being no longer fit for purpose. The Pre-Submission Local Plan includes policies allocating all three sites for predominantly residential development, although all three policies allow for the possibility of including some employment uses (B1).

### Historic Environment

- 6.14 In its comments on the Preferred Options version of the Plan, CDC raised concerns that the Plan appeared relatively weak in terms of policy on the historic environment and built heritage. The SDNPA has sought to address these criticisms in the Pre-Submission Local Plan by strengthening references to a positive strategy for conservation and enhancement of the historic environment, including the addition of a specific Development Management policy relating to listed buildings. It is now considered that these amendments address CDC's earlier concerns.

## **7. Alternatives Considered**

### (i) Not to respond to the Local Plan consultation

- 7.1 This option is not recommended because of the significance of the South Downs Local Plan for the District (of which the National Park covers nearly 70%) and CDC's work and the services it provides.

## **8. Resource and Legal Implications**

- 8.1 None.

## **9. Consultation**

- 9.1 In preparing this report, internal consultation has been undertaken with relevant services across CDC. Since the Pre-Submission Plan has been published for general consultation, external organisations and interested parties will have the opportunity to submit comments separately on their own account.

## **10. Community Impact and Corporate Risks**

- 10.1 The draft South Downs Local Plan sets out planning policies that will have a direct impact on communities and residents living within the National Park in Chichester District. The Plan could also indirectly impact on areas of the District outside the National Park boundary.

- 10.2 The policies contained within the Local Plan will impact on CDC's service delivery in the National Park, in particular with respect to housing, economic development and the environment.

## 11. Other Implications

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Climate Change</b>	✓	
<b>Human Rights and Equality Impact</b>	✓	
<b>Safeguarding</b>		✓
<b>Other</b> (please specify)		✓

## 12. Appendices

- 12.1 Appendix 1: CDC Officer Comments on South Downs National Park Authority Preferred Options Local Plan Document
- 12.2 Appendix 2: Projected housing delivery and unmet housing need in Chichester District

## 13. Background Papers

- 13.1 South Downs Local Plan Pre-Submission September 2017: a link to the website page where the documents may be viewed appears below:

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>

## **APPENDIX 1**

### **South Downs Local Plan Pre-Submission Informal Officer Comments**

#### **Housing comments**

##### **Policy SD26: Supply of homes and Figure 7.3**

There appear to be discrepancies in the housing figures in the policy and Figure 7.3 in the supporting text. The housing figures for individual settlements listed in Policy SD26 total 2,905 dwellings and therefore this should be the figure shown in Row a. in Figure 7.3 (rather than 2,787 dwellings). If this figure is correct it would give an overall total of 5,095 dwellings rather than 4,750 as referred to in Policy SD26 or 4,977 dwellings as shown in Figure 7.3. This would give a net increase of 268 homes per year rather than 250 homes per year.

##### **Policy SD27: Mix of homes**

Paragraph 3 needs further clarification. Is it saying that on all sites over 5 units, developers need to include an element of older person or adaptable accommodation?

The word 'some' should be inserted into the following statement '1 bedroom affordable dwellings may be substituted with 2-bedroom affordable dwellings' and "subject to evidenced need" added. Details on how the mix requirement will be applied on smaller sites should be provided. Also this should state that 2 bedroom units should be provided as 50:50 mix of flats and houses.

##### **Policy SD28: Affordable Homes**

Although delivery of onsite affordable housing is supported, it will be extremely difficult in practice to deliver onsite units on sites as small as 4 dwellings.

Paragraph 1 – 'Development proposals of 3 to 10' should be amended to '4 to 10'

Paragraph 3 – Further guidance should be provided on levels of integration that will be required for the affordable units

Paragraph 5 – The wording should be expanded to state that developers may not circumvent the policy by under delivery of housing as well as artificial sub-division of sites.

#### **Economic Development comments**

##### **Policy SD23 – Sustainable Tourism**

The introduction to this policy states *"The National Park is a major resource for recreation and tourism, which play a significant role in the local economy"* and *"The South Downs Visitor and Tourism Economic Impact Study and the South Downs Visitor Accommodation Review found that the tourism sector is largely leisure driven, and there are frequent shortages of all types of accommodation at weekends throughout the year and during the week in summer."* It is also known that staying visitors spend more than day visitors. On average, a day visitor will spend £10.24 per person during their visit to the South Downs. Those staying overnight spend on average £38.87 per person per day. Tourism is also named as one of the three key sectors within the Local Plan. Given the importance of tourism to the local economy in the National Park, we would recommend that the

marketing policy for tourism accommodation should be in line with the other primary business uses with the minimum marketing requirement set at 18 months rather than 12 months as currently proposed.

### **Policy SD36 – Town and Village Centres**

The policy wording refers to loss of units in Use Class A does not anywhere refer to the reduction of retail floorspace in existing units. This issue has arisen several times in the past few years within the market towns. The reduction of floorspace in retail units can affect the viability of shops and should be resisted where possible. The policy wording should be extended to cover this, as well as the loss of units.

## APPENDIX 2

### South Downs Local Plan Pre-Submission

#### Projected housing delivery and unmet housing need in Chichester District

These figures may be subject to further update and, if necessary, correction.

<i>Part A - Proposed Housing Provision in South Downs Local Plan: Pre-submission</i>						
	<i>A'</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>
<b>District</b>	<b>Provision made in the SDLP (Policy SD26)</b>	<b>Completions (2014/15 &amp; 2015/16)</b>	<b>Unimplemented Planning Permissions</b>	<b>Windfall Allowance</b>	<b>Total Provision (A+B+C+D) (plan period 2014-2033)</b>	<b>Average Per Annum (E/19 years)</b>
Chichester	688	166	569	179	1,602	84

Note:

<sup>1</sup> Column A includes site allocations in the draft South Downs Local Plan, 'made' neighbourhood plans (Fernhurst & Lavant) and neighbourhood plans currently in preparation (Bury, Fittleworth, Petworth & Rogate).

<i>Part B - Target in Chichester Local Plan</i>	<i>Part C - Deficit of housing supply compared with housing need</i>			
<i>G</i>	<i>H</i>	<i>I</i>	<i>J</i>	<i>K</i>
<b>Annualised housing target for part of district outside SDNP</b>	<b>Total housing need per annum in SDNP part of district/HMA</b>	<b>Per annum Difference (unmet need within SDNP) (F-H)</b>	<b>Total housing need per annum in whole district/HMA</b>	<b>Surplus/deficit of supply vs need (negative value indicates unmet need)</b>
435	125	-41	575	-56