

# Chichester District Council

THE CABINET

6 March 2018

## South Downs Local Plan – Duty to Co-operate

### 1. Contacts

**Report Author:**

Mike Allgrove - Planning Policy Conservation and Design Service Manager  
Telephone: 01243 521044 E-mail: [mallgrove@chichester.gov.uk](mailto:mallgrove@chichester.gov.uk)

**Cabinet Member:**

Susan Taylor - Cabinet Member for Planning Services  
Telephone: 01243 514034 E-mail: [sttaylor@chichester.gov.uk](mailto:sttaylor@chichester.gov.uk)

### 2. Recommendation

**2.1 That the Cabinet recommends to the Council that, subject to the completion of the ongoing evidence-based work and the assessment of sites to meet the identified housing needs associated with the Local Plan Review, the Council will assess the ability to meet some or all of the unmet housing needs of approximately 44 dwellings per annum arising from the part of the South Downs National Park within Chichester District via the Chichester Local Plan Review.**

### 3. Background

3.1 At its meeting on 7 November 2017 the Cabinet considered a report in response to consultation on the South Downs Pre-Submission Local Plan. At that meeting Cabinet resolved that the South Downs National Park Authority (SDNPA) be informed that:

3.1.1 The South Downs Local Plan Pre-Submission draft is broadly supported;

3.1.2 Chichester District Council does not intend to make any formal representations in response to the Pre-Submission consultation; and

3.1.3 The comments in appendix 1 to the agenda report are forwarded for consideration with regard to possible modifications to the Pre-Submission Local Plan.

3.2 As part of preparation for the submission of the Local Plan for examination, officers from the SDNPA sought to agree a Statement of Common Ground (SOCG), in relation to the Duty to Cooperate, with officers from the Council. The contents of this draft SOCG made it clear that the SDNPA is anticipating that the unmet housing needs derived from the part of the National Park within Chichester District should be addressed through the Chichester Local Plan Review. Given the implications for the Local Plan Review and the need to allocate additional land, officers considered that this was a matter that should be considered by members and requested that the SDNPA make a formal approach. In response the SDNPA Director of Planning has written to the

Council's Head of Planning Services. The letter is attached as an appendix to this report.

- 3.3 It should be noted that at the time Cabinet considered the report on the South Downs Pre-Submission Local Plan in November it was anticipated that the unmet housing needs arising from the part of the National Park within Chichester District were estimated to be 56 dwellings per annum (dpa). The letter from the Director of Planning references updated figures.
- 3.4 At the time of the examination of the now adopted Local Plan, it was anticipated that the supply of new housing within the Chichester District part of the South Downs National Park would be approximately 70dpa. The proposals in the Pre-Submission Plan and the latest supply information mean that the supply of new housing is currently estimated at 81dpa. Therefore, although the supply of housing is greater than anticipated which is to be welcomed, this leaves a shortfall from the objectively assessed need for housing of approximately 44dpa.

#### **4. Outcomes to be Achieved**

- 4.1 There are a number of outcomes to be achieved from this report as follows:
  - 4.1.1 That officers preparing the Local Plan Review have a clear steer on the amount of development to plan for;
  - 4.1.2 That the SDNPA and Chichester District Council are able to demonstrate that they have complied with the Duty to Cooperate; and
  - 4.1.3 That housing needs of the District are met whilst maintaining protection of the landscape of the South Downs National Park.

#### **5. Proposal**

- 5.1 The case for not meeting the full housing needs predicted to arise from the part of the South Downs National Park within Chichester District is set out in the letter at the Appendix from the SDNPA Director of Planning, with reference to the National Planning Policy Framework (NPPF). Whilst there is an element of judgement as to whether meeting objectively assessed needs in the Chichester part of the SDNP would conflict with policies in the NPPF, the Council has already decided not to object to the South Downs Pre-Submission Local Plan. Objecting to the Pre-Submission Plan would have been the appropriate course of action if the Council had considered that the SDNPA was making insufficient provision for housing and was not allocating land that is suitable for development.
- 5.2 The Council therefore now needs to determine whether it can make provision for the unmet housing needs for the Chichester part of the National Park. At this stage of the Local Plan Review, the emerging evidence base is not providing significant concerns that 44dpa could not be accommodated within the Chichester Local Plan area. This will need to be kept under review and final decisions on the amount of development to be delivered through the Local Plan Review will be made by the Council when approving the Preferred Approach

and Pre-Submission Plans. However, in order to avoid delays later in the plan-making process it is necessary that officers have a clear steer now that, unless the evidence base demonstrates that there are significant issues preventing the allocation of sufficient land, provision should be made for the unmet housing needs of approximately 44dpa.

## 6. Alternatives Considered

6.1 The Council could decide that it will not make provision for the unmet housing needs from the part of the National Park within Chichester District in the Local Plan Review. This could affect the ability of both local planning authorities to demonstrate compliance with the Duty to Co-operate, both in terms of the legal and soundness tests, and therefore the ability to demonstrate their emerging plans are sound.

## 7. Resource and Legal Implications

7.1 The recommendation will assist the Council to demonstrate the Duty to Cooperate. There are no resource implications.

## 8. Consultation

8.1 None.

## 9. Community Impact and Corporate Risks

9.1 The provision of sufficient housing to meet identified needs will benefit those in the community with the need to access housing. The additional housing will also have an impact on the communities where the land is allocated. There is a corporate risk in that land to accommodate the unmet housing needs will have to be identified in the Local Plan Review, making the scale of development to be provided for more significant through an increased housing target, and potentially increasing the risk of a lack of agreement on the contents of the plan.

## 10. Other Implications

Are there any implications for the following?		
	Yes	No
<b>Crime and Disorder</b>		X
<b>Climate Change</b>		X
<b>Human Rights and Equality Impact</b>		X
<b>Safeguarding and Early Help</b>		X
<b>Other (please specify)</b>		X

## 11. Appendix

11.1 Letter from SDNPA Director of Planning

## 12. Background Papers

12.1 None