



South Downs National Park Local Plan Examination

# Position Statement

In relation to Matter 10 -11  
(Midhurst and Policy SD81)

On behalf of West Sussex County Council and Metis Homes

November 2018



## Introduction

- 1.1. These comments are made on behalf of Metis Homes and West Sussex County Council (WSCC), who control land at the WSCC Depot and former Brickworks site, Midhurst. The land is allocated for between 65 and 90 dwellings in Policy SD81 of the Draft Plan. It is also included in the proposed settlement policy boundary for Midhurst.
- 1.2. My clients are supportive of the proposed allocation and the broad objectives of Policy SD81. However, there are concerns over the status of the 'Development Brief' as referenced in Policy SD81 and these concerns are the basis for my attendance at the upcoming Oral Hearing relating to Matter 10 - 11. This statement provides clarification on matters that has arisen during consultation on the emerging Local Plan whilst setting out my clients' concerns in relation to the Development Brief.

## Matters of clarification in support of Policy SD81

### The Settlement of Midhurst

- 1.3. A Settlement Facilities Assessment (2015) has been undertaken which ranks settlements in accordance with service provision and accessibility, with key indicators for education, retail, transport, health and other facilities. Together with Lewes and Petersfield, Midhurst is one of the highest order settlements for provision of services and facilities. This assessment has been used to identify which settlements have capacity to accommodate housing and employment growth and as such Midhurst represents a highly sustainable location for housing.
- 1.4. The land allocated under SD81 lies in close proximity to existing facilities/amenities in the settlement of Midhurst and as such it is a sustainable location for development.

### Site Selection Process

- 1.5. The Sites and Settlements Background Paper (2017) provides a clear and detailed account of the site selection process, which have been carried out in accordance with the National Planning Policy Framework (NPPF) and National Park Purposes in the first instance. In accordance with the requirements of the NPPF the site is both 'deliverable' and 'developable'.
- 1.6. The comparative merits of individual sites have been further refined through the Strategic Housing Land Availability Assessment (SHLAA), Sustainability Appraisal (SA) and Habitat Regulations Assessment (HA), which provide a more detailed assessment of site constraints. This process has led

to the identification of individual allocations in the Plan, including the allocation of land under Policy SD81.

- 1.7. The site adjoins existing residential development to the south and east and represents a logical extension of the existing settlement policy boundary. It is a previously developed and underused site at a sustainable location which relates well to the existing settlement of Midhurst.

#### Site Specific Comments

- 1.8. We have undertaken a review of representations made on the pre-submission Draft Local Plan by interested parties in relation to Midhurst and Policy SD81. Some of the comments relates to matters of detailed design, which go beyond the scope of the allocations process and the responses by SDNPA provide commentary to this effect. Where comments relate to technical issues, we endorse the responses by SDNPA.
- 1.9. The only residual matter of clarification relates to the Household Waste Recycling facility currently provided on site. As set out in our Draft Statement of Common Ground (SoCG), WSCC intend on retaining a Household Recycling facility to serve the population of Midhurst and therefore at this stage it is anticipated that the existing facility will either be retained in its current form or relocated elsewhere in the allocated site. SD81(e) makes provision for potential retention/relocation in any event.

#### **Concerns in relation to Policy SD81 and the status of the Development Brief**

- 1.10. My clients have two interrelated concerns. The principal concern relates to the status of the Development Briefs in the Local Plan and more specifically the draft Development Brief related to Policy SD81.
- 1.11. We note the LPA's comments in SDNPA.1, which suggests that the Development Brief does not form part of the Local Plan (text underlined for emphasis):

***"In answer to Question 6, I can confirm that the development briefs are not supplementary planning documents or modifications to the submitted plan. Once approved by Planning Committee in September this year, they will form material considerations in the determination of planning applications for the sites. I would***

*also like to point out that following consultation on the four development briefs it is likely that the quantum of development on one of the site allocations may alter, albeit remain as an allocation. We will advise of this and if appropriate use the process outlined in paragraph 8 to formally request any changes to the numbers / quantum.”*

- 1.12. This above response contradicts the wording of Section 3 of Policy SD81 in its current form. It states (text underlined for emphasis):

*“The National Park Authority has prepared a Development Brief to assist the delivery of the site. Development proposals in broad conformity with the Development Brief will be permitted”*

- 1.13. If the Development Brief is not part of the Local Plan and it is not intended as an SPD as suggested above, then it should not be referenced in the Local Plan and we request that the Inspector seek the removal of Section 3 of Policy SD81 on this basis.
- 1.14. The second concern relates to public consultation. Despite being directly referenced in Section 3 of Policy SD81, the document has not been through the requisite stages of public consultation in accordance with the Local Plan Regulations 2012. Therefore, it is requested that the Inspector also seek the removal of Section 3 of Policy SD81 on this basis.

### **Conclusions**

- 1.15. In conclusion, WSCC and Metis Homes support the proposed allocation of land under their collective control. The site is deliverable and developable in accordance with the NPPF – 1) it is adjoined by existing residential development and forms a logical extension of the existing settlement; 2) it is within walking and cycling distance of facilities and amenities in the town centre; and 3) the site has no insurmountable constraints which would prevent its development for housing. As such, the site satisfies all of the requirements as outlined in the NPPF methodology and it represents a suitable site for housing.

- 1.16. WSCC and Metis Homes are working in collaboration to ensure the comprehensive planning and delivery of this site. The development of this site will secure a number of environmental, social and economic benefits in line with national planning guidance and the stated aims of the South Downs National Park. Metis Homes have already engaged in positive discussions with SDNPA Officers regarding the principle of re-development of the site.
  
- 1.17. The only matters of concern relate to the status of the Development Brief and the contradiction between the SDNPA's response to the Inspector and the wording of Policy SD81. WSCC and Metis Homes request amendments to Policy SD81 to rectify this contradiction.