

Report to	<b>Planning Committee</b>
Date	<b>14 March 2024</b>
By	<b>Director of Planning (Interim)</b>
Title of Report	<b>Local Plan Review: Project Management and Engagement</b>
Purpose of Report	<b>The purpose of this report is for Planning Committee to consider and agree the project management documents for the South Downs Local Plan Review and Statement of Community Involvement for consultation and proposals for that community engagement in Summer 2024. The Committee is also asked to approve a revised Local Development Scheme, note the Parish Priorities Statements submitted and agree that they will have regard to their contents in preparing the Local Plan Review.</b>

#### **Decision**

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**Recommendation: The Committee is recommended to:**

- 1. Approve the Project Initiation Document for the South Downs Local Plan Review in Appendix 1 for consultation in Summer 2024;**
  - 2. Approve the revised Local Development Scheme in Appendix 2 for consultation in Summer 2024;**
  - 3. Approve the revised Statement of Community Involvement in Appendix 3 for consultation in Summer 2024;**
  - 4. Agree the scope of the community engagement planned for Summer 2024 and the Community Involvement Plan in Appendix 4 setting out how this will be carried out.**
  - 5. Note the submission of Parish Priorities Statements from the parishes listed in Appendix 5, and agree that the Authority will have regard to their contents in preparing the Local Plan Review.**
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#### **Executive Summary**

The South Downs Local Plan Review commenced in 2022 and has made good progress with the publication of the Housing and Economic Needs Assessment in November 2023 and the planned publication of the Land Availability Assessment in Spring 2024. Other key evidence base studies are in progress and early engagement has been carried out with town and parish councils, including encouraging them to prepare 'parish priorities statements' to set out their own local evidence about their areas.

The national context for the Local Plan Review has been in a state of flux since the publication of the Planning White Paper in 2020, and this has always been identified as a risk for the project. The Government's proposals for the new planning system have been clarified to some extent through the consultation on plan-making in September 2023 and the Levelling Up and Regeneration Act

2023. However, there remains much uncertainty and further guidance and secondary legislation is expected later this year.

This report seeks to adjust the way in which the Local Plan Review is prepared so it can be progressed either under the existing planning system or under the new one, depending on the final transition date set by Government. The current deadline is for local plans to be submitted by June 2025 to be considered under the existing system, and if this remains then we will need to progress the Local Plan Review under the new system, as originally expected. If, however, this date is delayed (for instance due to a delay in secondary legislation and/or a General Election) then the Local Plan Review may be progressed under the existing system. The proposals in this report are intended to make the project resilient to this changing context so that it can be progressed in a timely way under either system.

The report contains the following sections:

1. Background to the Local Plan Review project and the national context;
2. Requirements of the New Planning System - set out as we currently know them;
3. Project Initiation Document - explaining what this is and why it is needed;
4. Local Development Scheme - explaining the minor revision relating to the Village Design Statements being progressed as Supplementary Planning Documents;
5. Statement of Community Involvement - explaining the new approach which sets out overarching principles in the SCI and requires Community Involvement Plans for each plan and stage of its process. This enables us to be more flexible in the light of changes to the national context and in working with our partners on minerals and waste plans;
6. Summer 2024 Engagement – why we need additional engagement to comply with the new planning system, what we will be consulting on (including the PID and the SCI) and how that consultation would be carried out; and
7. Parish Priorities Statements – explaining their purpose, how many we have received and how we will use them to inform the Local Plan Review.

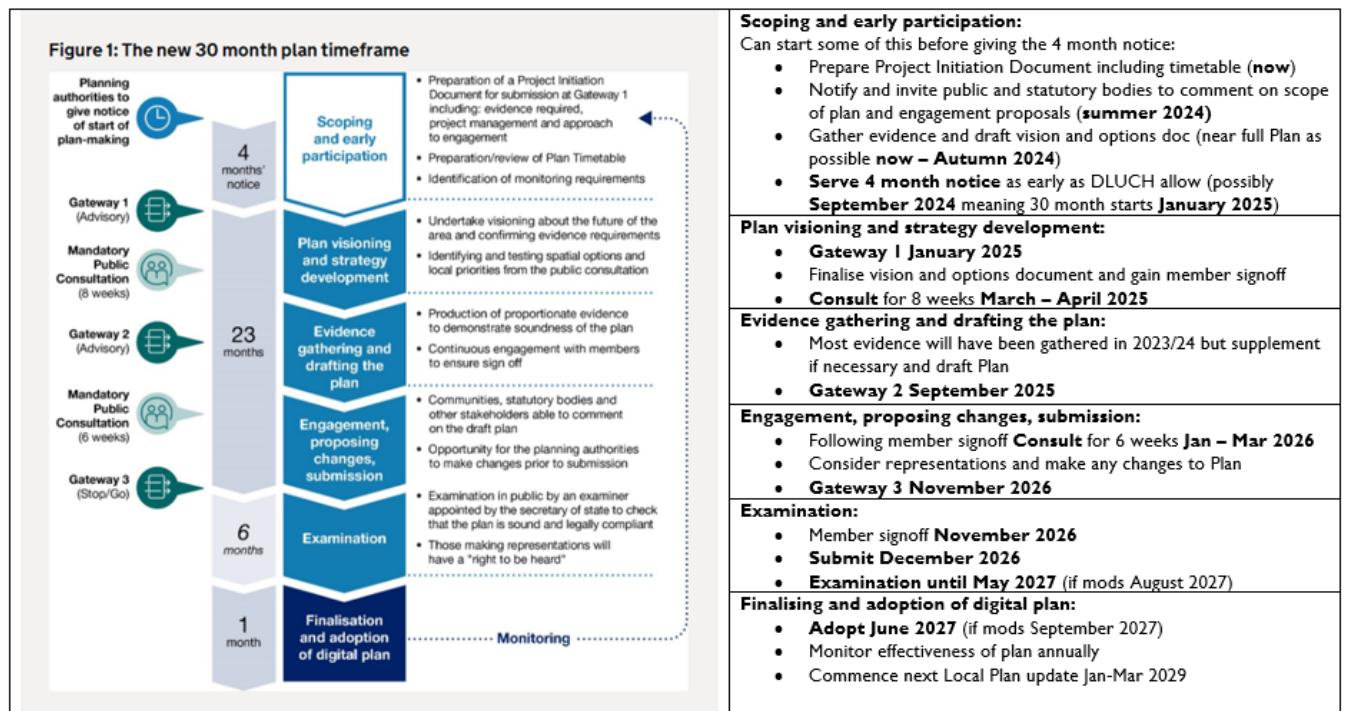
## **Background**

- I.1 The South Downs National Park Authority agreed in May 2022 to commence a review of the South Downs Local Plan. In December 2022 it agreed to incorporate the work on Shoreham Cement Works into this Review rather than progressing a separate Area Action Plan. The timetable for the review was adjusted accordingly, and the agreed timetable has the following main milestones:
  - Public consultation on draft plan; January – March 2025
  - Publication of draft submission plan; January – March 2026
  - Submission for examination – July-September 2026
  - Adoption – April-June 2027
- I.2 In September 2023 Government consulted on proposed changes to the plan-making system being introduced through the Levelling Up and Regeneration Act 2023. Government has also confirmed that there will be a cut-off date for submission of Local Plans under the existing planning system of June 2025. Implications of these proposals and a response to this consultation were considered in a report to Planning Committee in October 2023. The proposals include a 30 month timescale incorporating three ‘Gateway’ checks by the Planning Inspectorate or similar body. Secondary legislation is expected later this year with the intention of the new planning system commencing in Autumn 2024. The consultation proposed selecting 10 ‘frontrunners’ to start preparing plans under the new system in Autumn 2024, followed by others in waves at six month intervals to manage the workload impact on the Planning Inspectorate and consultees.
- I.3 Under the current proposals the South Downs Local Plan Review would not be able to meet the deadline for proceeding under the existing planning system so would need to be

progressed under the new one. However, there are many uncertainties still about what this new system would comprise and it is possible that the deadline will be moved back and enable us to still submit under the existing system. As a result, we are seeking to progress the Local Plan Review in a way that would work under both systems, taking what we know about the new one and combining it with what we would need to do under the existing one. This will give us the flexibility to react quickly to the changing national context and get a new Local Plan in place as quickly as possible. How the existing Local Plan Review timetable would fit in principle with the new planning system is set out in the diagram below. This is contingent on selection as one of the ‘frontrunners’ starting in Autumn 2024.

## New Plan-making System

## South Downs Local Plan Review



## 2. Requirements of the New Planning System

2.1 The ‘Scoping and Early Participation’ stage can commence prior to the formal start of the 30 month period, and this report sets out how we propose to comply with the requirements of this stage, such as we currently understand them. This includes:

- Preparation of a Project Initiation Document, including a timetable for the production of the Local Plan (Appendix 1);
- Notification and invitation to the public and statutory bodies to comment on the scope of the plan and engagement proposals (proposed in the summer as set out in Appendix 3 and 4);
- Gathering evidence and draft vision and options (this work is progressing now as set out in the PID in Appendix 1).

2.2 In addition, as part of our early engagement with town and parish councils, we have asked them to prepare ‘parish priorities statements’ to summarise the principal needs and prevailing views for their local area. 9 of these documents have been submitted so far and Appendix 5 lists those parishes and indicates how we will use the information in them to inform the Local Plan Review.

## 3. Project Initiation Document

3.1 The Project Initiation Document (PID) is in Appendix 1 and contains the following information:

- An Introduction

- The Scope of the Local Plan Review
- The Timetable
- Project Governance
- Stakeholders and Engagement

Appended to it are:

- A. The Design Code Scope
- B. The Risk Register
- C. The Alignment and Cooperation Strategy
- D. Local Plan Review Engagement Strategy

- 3.2 The scope of the Local Plan Review is broadly as previously agreed by members, with some adaptations to our growing knowledge about the emerging planning system, for instance the expected publication of National Development Management Policies. The plan period has been extended to 2042 to reflect the need to plan for at least 15 years post anticipated adoption in 2027.
- 3.3 The PID also refers to the production of a Design Code. This is a mandatory part of the new planning system and must be prepared in tandem or ahead of the Local Plan Review. Officers (and the Authority’s Design Review Panel) have some concerns about how a Design Code will work given the scale and diversity of character across the National Park, as these generally include specific design requirements more suitable to a single site (such as the one produced for the Pheonix development in Lewes). However, given that the legislation requires a Design Code, it is suggested that this requirement is met by incorporating the contents of the recently adopted Design Guide SPD and updating it as necessary, including with sustainable construction standards. This would safeguard the contents of the Design Guide and Sustainable Construction Supplementary Planning Documents, since SPDs will fall away under the new planning system upon the adoption of the Local Plan Review. The scope also includes reviewing other SPDs and seeing whether any of their content should be incorporated into the Design Code.
- 3.4 The PID includes an ‘Alignment and Cooperation Strategy’ which sets out how we intend to comply with the existing Duty to Cooperate with our neighbours and other relevant bodies. Under the new planning system the Duty to Cooperate will be replaced with a new ‘Alignment Test’. We don’t know what this will look like yet, so the strategy assumes that it will be broadly similar to the existing Duty, but a soundness test rather than a legal test as at present. This will enable any issues to be addressed through examination, whereas currently any deficiencies with the Duty to Cooperate are a showstopper because they cannot be addressed post-submission. It should be noted that the strategic issues identified in section 5 of the strategy are as previously agreed by members, with the addition of the third bullet ‘Protection and mitigation of impacts on European designated nature sites including water and nutrient neutrality’. This issue has arisen since the strategic issues were agreed in 2022.
- 3.5 The timetable for the Review is as previously agreed in December 2022. Under the new planning system this will be mandatory once agreed with the Planning Inspectorate in Gateway 1 – setting out how we will comply with the 30-month timeframe. It should be noted that this timetable is subject to the secondary legislation and guidance being produced in time by Government, and to the South Downs Local Plan Review being selected as a frontrunner and therefore allowed to formally start in Autumn 2024.
- 3.6 The PID would be consulted on as part of the engagement in the summer and any comments would inform the final version to be reported back to members in Autumn 2024. Members are asked to approve the PID for public consultation.

#### **4. Local Development Scheme**

- 4.1 If we are able to progress under the existing system then one of the legal tests is preparation of the plan in accordance with the approved Local Development Scheme. The

version in Appendix 2 contains the same timetable as above and is unchanged from the December 2022 version in respect of the Local Plan Review, but has simply been amended to reflect the Village Design Statements that we are progressing as Supplementary Planning Documents (Selbourne, West Meon and Upham). Members are asked to approve this updated version.

## **5. Statement of Community Involvement**

- 5.1 The Statement of Community Involvement (SCI) is a requirement of the current planning system and one of the legal tests of a local plan is that it has been prepared in accordance with it. The SCI sets out how the SDNPA will engage the community (including underrepresented groups) and relevant organisations in the preparation of local plans and other policy documents, but also performs a wider function of saying how we will work with neighbourhood planning groups and consult on planning applications. Government's current proposal is not to have SCIs under the new planning system, as the engagement for local plans will be included within their PIDs. However, it seems likely that they will remain in some form at least to cover neighbourhood planning and development management matters.
- 5.2 In order to accommodate both systems, the SCI in Appendix 3 has been amended to a more strategic document which sets out the key principles of community engagement on planning policy, these being timely consultation, inclusive engagement, effective and efficient consultation and clear results and accountability. The actual mechanisms and details of engagement are deferred to 'Community Involvement Plans' (CIPs) to be prepared for each stage of individual plans. This approach mirrors one adopted by Mid Sussex District Council in its SCI, and allows for engagement to be tailored to the scope, content and stage of preparation of each plan. Not only does this help us to accommodate the requirements of the existing and new planning systems, it also allows more flexibility when we are preparing minerals and waste plans with partners who all have their own SCIs.
- 5.3 The existing requirement of the SCI for all development plan documents to be for a minimum of 8 weeks is removed as legislation sets appropriate consultation periods and CIPs can go beyond these as considered necessary. The minimum requirements for Supplementary Planning Documents (SPD) have also been reduced slightly, to allow for more timely preparation of these documents, whilst they are still a feature of the planning system. To reflect current practice, the SCI also states all documents made available online will be web accessible. The SCI has been updated to reflect the range of methods available, including use of QR codes, online surveys and interactive maps.
- 5.4 The neighbourhood planning element of the SCI remains unchanged from the previous version, and the development management section just has a small amendment relating to the operation of the online planning register. The section on the parish workshops has been updated to reflect current practice of having workshops three times a year, including one webinar and at least one Park-wide virtual meeting.
- 5.5 The SCI would be consulted on as part of the engagement in the summer and any comments would inform the final version to be reported back to members in Autumn 2024. Members are asked to approve the SCI for public consultation.

## **6. Summer 2024 Engagement**

- 6.1 Part of the new planning system will be an 'early participation stage'. Although not a statutory step under the current planning system, an additional step for this has been built into the timetable to enable the Local Plan Review to progress as quickly as possible under the new planning system. The PID includes an overall engagement strategy for the Local Plan Review and Appendix 4 of this report sets out the proposed Community Involvement Plan for this early participation stage.
- 6.2 This early stage of participation on the Local Plan Review is planned for June/July 2024 and is intended to engage people on the following:
- Gather feedback on the scope of the Local Plan Review and the key issues for it to address, as set out in the PID;

- Identify ways in which the Local Plan Review can contribute to delivering the existing 2050 Vision for the National Park;
  - Provide people with information on the Local Plan Review preparation timetable; and
  - Gather information on how people want to be engaged in subsequent stages of the process including consulting on the revised SCI.
- 6.3 The CIP sets out how we would carry out this consultation in section 3, including contacting all those currently on our database, using the website, social media and newsletters and bespoke outreach to under-represented groups such as younger people and those with limited or no internet access.
- 6.4 We are in the process of procuring a consultation platform to provide a more interactive digital engagement tool. If this is ready in time for June then we will also use this to increase our engagement as well as test it for future consultation stages of the Local Plan Review.
- 6.5 Outcomes from the summer engagement will inform the final versions of the PID and SCI and the content of the draft Local Plan Review, which are due to be reported back to Planning Committee and the National Park Authority in Autumn 2024 prior to public consultation on a draft plan in January 2025.
- 7. Parish Priorities Statements**
- 7.1 The new planning system introduces the idea of ‘Neighbourhood Priority Statements’. These are statements prepared by local communities that summarise the principal needs and prevailing views for their local area, and are intended to provide a lighter touch alternative to Neighbourhood Plans. Whilst they will not carry the same weight as Neighbourhood Plans, the legislation requires local planning authorities to ‘have regard’ to Neighbourhood Priorities Statements in preparing their Local Plans under the new planning system. Further information about these statements will be provided through secondary legislation and regulations due this year.
- 7.2 As an informal pilot of this approach, in February 2023 we invited all our town and parish councils to prepare ‘parish priorities statements’ (PPS) to inform the Local Plan Review. A template was provided which followed the format and content of Neighbourhood Priorities Statements as set out in the Levelling Up and Regeneration Act, to enable any PPS to be evolved easily into Neighbourhood Priorities Statements as legislation and guidance is provided by Government.
- 7.3 As at the writing of this report 39 PPS have been submitted to the Authority. The parishes concerned are listed in Appendix 5, and the parish priorities statements submitted have been uploaded to our website at [Parish Priorities Statements - South Downs National Park Authority](#). The PPS are material considerations which will help to inform the preparation of the Local Plan Review, including the allocation of development sites and what facilities and amenities need to accompany such allocations.
- 7.4 Some town and parish councils decided not to progress PPS because they have up to date neighbourhood plans or village design statements which they feel set out their aspirations adequately. Some are still preparing PPS but are not quite ready to submit, whilst others may choose to submit once they see which sites are likely to be progressed as allocations. We will add these to the website as they come in and have regard to them so far as is possible bearing in mind the stage which the Local Plan Review has reached.
- 7.5 Officers are developing a ‘Settlements Hub’ which will be a web based ‘one stop shop’ for all information about parishes, including the Census 2021 demographics, the data on settlement facilities and open space gathered from parish councils, and links to locally prepared planning documents such as neighbourhood plans, parish priorities statements and village design statements. The Settlements Hub will also be a resource for residents to learn about their places and applicants to research the background information about places where they wish to submit planning applications.

- 7.6 Planning Committee is asked to note that these PPS are part of the evidence base for the Local Plan Review and agree that they will have regard to them in deciding the content of the Local Plan review.

<b>Implication</b>	<b>Yes*/No</b>
Will further decisions be required by another committee/full authority?	Yes, following consultation the PID and SCI will be reported back to Planning Committee and National Park Authority in Autumn 2024
Does the proposal raise any Resource implications?	No, budget is as agreed
How does the proposal represent Value for Money?	The proposal presents value for money by avoiding abortive work and progressing the project in a timely way taking account of the changing national context.
Which PMP Outcomes/ Corporate plan objectives does this deliver against	All corporate priorities and PMP outcomes as relevant to the planning system.
Links to other projects or partner organisations	Review of the Partnership Management Plan.
How does this decision contribute to the Authority's climate change objectives	The Local Plan Review will include policies and potentially allocations which will support the Authority's climate change objectives.
Are there any Social Value implications arising from the proposal?	N/A
Have you taken regard of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010?	Yes
Are there any Human Rights implications arising from the proposal?	No
Are there any Crime & Disorder implications arising from the proposal?	None
Are there any Health & Safety implications arising from the proposal?	No
Are there any Data Protection implications?	No

**8. Risks Associated with the Proposed Decision**

<b>Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation</b>
If members do not agree with the recommendations - delay to Local Plan Review if we are not prepared for the new planning system	Possible 3	Major	Member approval of the documents as set out in this report and its appendices
If members do agree with the recommendations – and the Government’s proposals are delayed or abandoned the recommended adjustments may be unnecessary as we would proceed under the existing planning system	Possible 3	Minor 2	The proposals have merit even under the existing planning system as they clarify the project management of the Local Plan Review and increase public engagement. Officers will keep a close eye on changes to the national context so that the risk of abortive work is minimised.

**MIKE HUGHES**  
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- Appendices:
1. Project Initiation Document, which includes:
    - A) Design Guide Scope
    - B) The Risk Register
    - C) Alignment and Cooperation Strategy
    - D) Local Plan Review Engagement Strategy
  2. Local Development Scheme
  3. Statement of Community Involvement
  4. Community Involvement Plan for Summer Engagement
  5. Parish Priorities Statements

SDNPA Consultees Director of Planning (Interim); Legal Services.

External Consultees None

Background Documents None