

Cabinet Member for Strategic Planning

Key Decision: Yes

Draft South East Plan – West Sussex County Council response to the public consultation document

PART I

Report by Director for Environment and Development and Head of Planning Services

Electoral Division(s): All

Executive Summary

The draft South East Plan, as prepared by the South East England Regional Assembly, has been presented to the Government and is now available for public consultation (paragraphs 1.2-1.4). The County Council's response to the draft Plan, as shown in Annex 1 to this report, be provided to the independent Panel of Inspectors.

In preparing a response to the draft Plan, the Cabinet Member has considered the previous material and views presented by the County Council relating to key issues of prime importance to communities in the County, and the extent to which the draft Plan reflects the material presented by the County Council to the Assembly.

Recommendations

1. That the Cabinet Member present the Panel with the response set out by Annex 1 to this report on the key issues raised by the draft South East Plan; and
2. That the Cabinet Member authorise the Director for Environment & Development to submit further technical evidence to the Panel supporting the concern raised by the Council on the waste provisions in the draft South East Plan.

1. Background

- 1.1 The South East England Regional Assembly (SEERA) submitted the draft South East Plan (SEP) to the Government on 31st March, 2006, which was the first day of a 12 week public consultation period on the draft SEP ending on 23rd June, 2006. A copy of the draft SEP has been made available in the Members' Room for inspection.
- 1.2 In order to raise awareness of the consultation, SEERA has: issued an update for Members and other stakeholders; produced a "postcard" for display in public venues; and placed advertisements in newspapers across the region. SEERA has provided a copy of the draft SEP and accompanying documents to public libraries and other public venues.
- 1.3 To assist in promoting the consultation, the County Council has made the Plan available for public inspection at County Hall, alerted our key stakeholders/partners to the consultation, and placed information on the

County Council's website with links to the relevant pages of the websites for both SEERA:

http://www.southeast-ra.gov.uk/southeastplan/plan/view_plan.html
and the Government Office for the South East:

<http://www.go-se.gov.uk/gose/planning/regionalPlanning/?a=42496>

- 1.4 We have also supplied each public library with copies of the form on which to make comments.
- 1.5 Preparation of the draft SEP has been underway since 2003. Since that time, the County Council has provided advice and comments to SEERA on the preparation of the draft SEP, including the drafting of Sub-Regional Strategies (for the Gatwick Area – itself led by West Sussex County Council - and Sussex Coast Sub-Regions) and the draft policies for the wider Region.
- 1.6 The draft SEP has been the subject of debate at Strategic Environmental Services Select Committee and County Council. Such debates informed the material presented to SEERA during the preparation of the draft SEP, and continue to inform the County Council's response to the draft SEP consultation.

2. **Conclusions**

- 2.1 The key issues raised by the draft SEP include: -
 - concerns about the high levels of housing provision, and the statements being made by other parties that even higher levels of provision should be included in the SEP;
 - the potential impacts that these levels of housing and associated development may have on the countryside and the environment;
 - the essential provision of infrastructure, services and facilities to current and future needs;
 - the inclusion of the "smart" growth concept as a contribution to successful and appropriate economic growth, including tourism, in the Region; and
 - comments relating to the chapter included in the draft SEP on waste and minerals, and in particular concerns over the proposals for the export of London's waste.
- 2.2 These issues should be included in the response to the draft South East Plan for presentation to the Panel set out by Annex 1 to this report.

3. **Consultation**

- 3.1 Work to date on the draft South East Plan has involved a wide range of partners, including the Borough and District Councils, and representatives of economic, social and environmental interests. Officers and Members of the Borough and District Councils within West Sussex were engaged in the preparation of material presented to SEERA regarding housing and Sub-

Regional policies. The draft SEP is currently subject to internal consultation with officers from services across the County Council.

- 3.2 A draft of this report was presented to the Strategic Environmental Services Select Committee. The Committee's comments have, where possible and appropriate, been included in this report and in the response to the Panel. As a result of concerns raised at the Committee, a notice of motion was debated and agreed by County Council at its meeting on 26th May, 2006. The text of the notice of motion is attached as Appendix 2 to this report.

4. **Resources Implications**

There are no direct resources implications for the County Council at this time because of the draft SEP.

5. **Risk Management Implications**

It is hoped that that the County Council's commitment to ensuring the proper planning of West Sussex and planning for the land use implications of regional planning is recognised by the Government. There is a risk that the ability to achieve the County Council's strategic objectives may be undermined if the final SEP contains contradictory or adverse policies and allocations.

6. **Crime and Disorder Act Implications**

There are no Crime and Disorder Act implications.

7. **Human Rights Act Implications**

There are no identifiable human rights implications involved in the approval of the Council's response to this consultation. However, the allocation of land for development raises human rights issues. Property may be affected where new development is proposed in close proximity to existing development. Any interference with an individuals rights under the Human Rights Act must be proportionate.

Kieran Stigant

Director for Environment and
Development

Chris Cousins

Head of Planning Services

No background papers

Contact: Neil Border, Planning Services, ext. 77142

Annex 1: The South East Plan: Draft Plan for submission to Government

Response by West Sussex County Council

1. Region-wide policies

- 1.1 The draft SEP contains policies for the Region as a whole, and policies for nine Sub-Regions (see paragraphs 7.1-7.6) and the Isle of Wight Special Policy Area. Those parts of West Sussex outside Sub-Regions - the Rest of West Sussex – are covered by the core policies in Section D of the draft SEP.

Comment

- 1.2 Environmental policies addressing resource, landscape, and historic townscape management can be broadly supported. The inclusion of a policy on strategic gaps (Policy CC10b) is particularly welcomed since West Sussex is characterised by a hierarchy of settlements where their separate nature is integral to their identity. Taken together these policies will help keep West Sussex a beautiful place to live, work and spend leisure time.

2. The economy

- 2.1 The draft SEP sets out (paragraph 3.3.3 in Section C of the draft SEP) SEERA's assumption of an economic growth rate of 3% per year. The policies (Policies RE1-RE5) set out SEERA's intentions for how this might be achieved through support for regionally important economic sectors, employment and land provision, human resource development, information technology, and addressing disparities across the Region. The draft SEP explains the concept of "smart" growth (paragraphs 1.20-1.24 of the draft SEP) and how this might contribute to successful and appropriate economic growth in the Region.

Comment

- 2.2 The smart growth approach is welcomed in principle as it enables an appropriate response to economic needs to be taken for areas facing different challenges. For example, in addition to the coastal towns that need regeneration, some small rural economies in West Sussex that are struggling. The draft SEP tourism policies will also help address such areas. It is important that achieving economic growth is not seen as dependent on high levels of house building.
- 2.3 Skills and training are essential, as noted by the draft SEP. However, there needs to be some reference to working with partners, including businesses, to allow for flexible working (such as part-time and job-sharing) to encourage people into work. Issues that may otherwise hinder people entering the workforce, as the provision of childcare and other caring services, and access to public transport, need to be highlighted.

3. Infrastructure

- 3.1 The draft SEP is accompanied by an Implementation Plan. The Implementation Plan is an integral part of the draft SEP and is, in effect, a business plan for the region. It ties the delivery of key elements of the draft

SEP to associated infrastructure provision, and is seen as an essential component of the draft SEP. Work on the Implementation Plan is on-going through joint work between SEERA, local authorities and other partners.

Comment

3.2 Whatever the level of growth in the County and across the Region, it must be matched by infrastructure. The Implementation Plan is essential to the draft SEP, and will require the effective involvement of SEERA, the Government, local authorities and other partners. Future development of the Implementation Plan will need to clarify how it is to be resourced including the funding of infrastructure to facilitate development.

4. Housing provision figures

4.1 The draft SEP proposes that 28,900 new homes should be built in the Region each year. This total level of housing provision includes an allowance to address the backlog of unmet housing need that existed in the region in 2001. Of the total, 2,900 homes would be provided for in West Sussex annually, split between the Districts as follows: -

District	Annual average	Of which, how much is within a Sub-Region	Total over SEP period
Adur	130	130	2,600
Arun	465	465	9,300
Chichester	430	305	8,600
Crawley	350	350	7,000
Horsham	620	460	12,400
Mid Sussex	705	690	14,100
Worthing	200	200	4,000

4.2 The figure for Adur District includes 500 dwellings at Shoreham Harbour, as part of the strategic regeneration of the port. Figures for those parts of Districts falling within Sub-Regions are presented in the Sub-Regional Strategies of the draft SEP (and shown in the third column above).

4.3 The intention of the draft SEP (Policy CC8a) is that the prime focus for development should be urban areas, including in and around existing towns and at “regional hubs” including Crawley/Gatwick, Reigate/Redhill, Brighton, and Portsmouth. This gives a steer to the likely locations for development up to 2026.

Comment

4.4 The level of housing suggested for West Sussex could be considered to be challenging but achievable providing that it is accompanied by the timely provision of appropriate infrastructure. This level of growth is similar to the annual average provided for in the West Sussex Structure Plan 2001-2016.

However, there are concerns about the impact of housing on the County's resources and on its countryside and environment more generally. There is particular concern about water supply and related infrastructure, and to consider growth in the absence of national, regional and industry commitment to increased and improved water supply infrastructure would be misguided.

- 4.5 The overall level of housing growth for the Rest of West Sussex is commensurate with the level expected for small-scale, gradual growth (as promoted in the Structure Plan to meet local needs and to support both rural and small town economies).
- 4.6 The County Council is aware that some commentators have made statements suggesting that the SEP should make provision for higher levels of housing development. West Sussex is not able to sustainably accommodate higher levels of growth than those included in the draft SEP.

5. **Affordable housing**

- 5.1 Policy H4 of the draft SEP sets a target for 25% of all new housing to be social rented accommodation and 10% other forms of affordable housing. The affordable housing policy for the Sussex Coast Sub-Region (Policy SCT8) sets no single target for the proportion of affordable housing, but states that at least 40% of new housing development should be affordable. The parallel policy for the Gatwick Area Sub-Region (Policy GAT3) seeks 40% affordable housing. The higher proportion in the Sub-Regions reflects the pressing need for the provision of affordable housing in these areas, yet acknowledges the limited role that planning can play in providing such housing.
- 5.2 The text of the draft SEP (section D3 paragraph 5.3) notes the general principle that affordable housing needs, particularly needs for social rented housing, should be met where they arise.

Comment

- 5.3 If the Region-wide policy approach were to be applied to the Sub-Regions (see paragraphs 7.1-7.6) and the Rest of West Sussex, the gap between need and potential supply would be so wide that the planning system alone cannot solve the affordable housing problem, although it has a useful role to play.
- 5.4 The approach taken by the draft SEP does not provide a rational argument for increasing overall housing provision simply to bring forward modest amounts of additional affordable housing. Rather, housing affordability needs to be tackled on a much broader front, and there is a clear need for more resources to be funnelled in that direction, as part of the wider solution to infrastructure provision.
- 5.5 The policies for affordable housing in the Sussex Coast and Gatwick Area Sub-Regions reflect the subtle variations and needs in those areas and will provide a robust basis for appropriate policies in Local Development Documents, and should be supported.
- 5.6 Policy H4 should be amended to accord with the principle that affordable housing needs, particularly needs for social rented housing, should be met

where they arise. This would reflect the spirit of the text into policy. Policies H4 and H5 should be amended to reflect the need for affordable housing to be indistinguishable in external appearance from housing of other tenures, and designed to at least the same level of construction quality.

6. Waste

- 6.1 The draft SEP contains some policies and supporting text on waste management, minerals supply and recycling (Section D6). Work on these policies began before the preparation of the draft SEP. Draft strategies were the subject of an Examination-in-Public in 2004. The Panel Report on that Examination recommended that SEERA undertake further work on the distribution of waste exports from London to the South East.
- 6.2 SEERA commissioned consultants to devise a methodology for this distribution, and the results appear in the draft SEP, together with changes proposed by the Secretary of State in autumn, 2005. The technical work has been discussed in various forums and West Sussex officers have expressed reservations about the methodology and the results. However, this is the first time that the apportionment has been made available for public comment as a part of the draft SEP.
- 6.3 The draft SEP proposes that West Sussex should take some waste from London, as well providing waste management capacity to meet its own needs. Policy W3 suggests that West Sussex should provide landfill capacity for 10.1% of London's exported waste coming into the South East Region, that is 1.6 million tonnes during the period 2006-2015 and a further 1 million tonnes between 2015 and 2025. Thus, over the period 2006-25 waste exports from London could equate to 2.6 million tonnes of waste. The draft SEP also makes clear that this requirement would be additional to the landfill capacity for West Sussex's own waste, which would still have to be dealt with. The draft SEP indicates that, at this time and based on SEERA assessments, West Sussex, in dealing with its own waste, has a shortfall in landfill in landfill capacity of 5.6 million tonnes.

Comment

- 6.4 We have grave reservations regarding the methodology for distributing exports of London's waste. It is a theoretical exercise that does not reflect the likely actual outcomes. To include the proposed distribution of London's waste in the landfill requirements for West Sussex would distort the regime for dealing with waste in the County, and lead to a planned over-provision of landfill capacity in the County. This would either undermine efforts to deal with waste in a more sustainable manner, or result in the import of waste from a wider area.
- 6.5 The draft SEP fails to recognise the opportunities for London to take greater responsibility for its own waste. It also fails to provide a robust and sensible methodology for the allocation of that residual waste that will need to be dealt with in the South East Region.
- 6.6 The distribution of waste exports from London should be revisited to take account of site suitability and availability across the South East. Furthermore,

forecasts of likely waste in London over the period 2006-2025 should be revisited to reflect changing patterns and techniques of waste management, which will affect the volumes and nature of waste to be exported from the city.

- 6.7 Subject to further investigation and monitoring of the initiatives to reduce and manage waste, the figure for the shortfall in landfill capacity in West Sussex at 2015, appears to be an over-estimate.
- 6.8 The County Council will be providing the Panel with a further technical paper setting out the County Council's concerns on the waste provisions in the draft SEP in more detail.

7. **Sub-Regions**

- 7.1 The draft South East Plan proposes two sub-regions that take in part of West Sussex: -
- the Sussex Coast Sub-Region; and
 - the Gatwick Area Sub-Region.

The Sussex Coast Sub-Region

- 7.2 The priority in this Sub-Region (Section E2) is to pro-actively pursue and promote the sustainable economic growth and regeneration of the Sussex Coast.

The Gatwick Area Sub-Region

- 7.3 The Sub-Regional Strategy (Section E9) identifies one of the key challenges as reconciling the competing demands for economic growth with providing adequate new housing and other development, including affordable housing, in a way that enhances access to services and facilities, including education and skills training.

Comment

- 7.4 These sub-regions are supported in general, even though it is recognised that there are important relationships to areas that lie across or outside the sub-regional boundaries as drawn.
- 7.5 The policies for the Sussex Coast Sub-Region recognise the special economic needs of the area; promote the prioritisation of land for business over land for housing; and recognise the need to provide affordable housing. They also stress the importance of infrastructure provision and skills enhancement, and protect the area's countryside, environment and character. Whilst meeting housing growth for the Sub-Region will be challenging it should be possible to achieve, providing infrastructure is delivered and key sites for development come forward on brownfield land, without compromising the focus on economic regeneration and renewal.

- 7.6 The policies for the Gatwick Area Sub-Region recognise the impact of Gatwick Airport; the need to maintain and improve the environment; and the need to invest in infrastructure and skills to support “smart” growth which is less reliant on the Airport. The Sub-Region is expected to accommodate significant housing growth which should be achievable providing the necessary infrastructure, existing allocations, Strategic Locations, and key sites for development on brownfield land come forward. However, the Sub-Regional policies do not stress the importance of “smart” growth to this particular Sub-Region and this should be amended in the final version of the SEP.
- 7.7 With regard to the south-eastern boundary, the Sub-Region currently includes a small part of Lewes District. In line with the material presented to SEERA in December, 2005, it is suggested that the boundary be re-drawn to follow the West Sussex County boundary along the south-eastern side of the Sub-Region.

8. **Implementation Plan**

- 8.1 The Implementation Plan ties the delivery of the key elements of the draft SEP to associated infrastructure provision.
- 8.2 The Implementation Plan included in the pack of documents accompanying the draft SEP has been prepared using the best information available at the time of submitting the draft SEP to the Government. The County Council continues to work with its partners and SEERA to develop and refine the Implementation Plan. The outcome of the ongoing work will be submitted to the panel conducting the Examination-in-Public of the draft SEP.

Comment

- 8.3 The Implementation Plan is an essential component of the SEP which the County Council will wish to ensure is robust in delivering the right infrastructure, including highways and transport infrastructure, services and facilities at the right time to support development and meet current and future needs.

Annex Two: Notice of Motion to County Council – 26th May 2006

Under Standing Order 16(4), to consider the following motion submitted by the Leader, notice of which was given on 24th May, 2006:

'This Council notes with great concern

- the proposal in the draft South East Plan (SEP) that West Sussex should provide landfill for London's exported waste amounting to 2.6 million tonnes over the period until 2025
- that this will increase by almost half as much again, the amount of waste for which the County Council will have to find waste sites in West Sussex
- that these figures, if they remain, will distort the County Council's plans for dealing with waste in the county leading potentially to over provision of landfill sites
- that the South East England Regional Assembly has supported this proposal in the draft Plan, and for other south east councils to similarly take London waste, when this is clearly against the interests of the authorities, communities and residents in the region which the Assembly serves

This Council resolves

- (1) that the Council's formal response to the draft SEP should object in the strongest terms to the proposals; and
- (2) that the County Council, in consultation with other local authorities in the south east, should sustain a robust policy of objection to the exporting of London waste, pointing out the weaknesses in the approach adopted in the SEP and the failure properly to take account of emerging and developing waste treatment and disposal technologies.'

Note to members on reason for urgency:

SEERA's draft South East Plan, published at the end of March, contains some policies and supporting text on waste management. The Cabinet Member for Strategic Planning expects to approve the formal response to the Plan early next month. However, the Strategic Environmental Services Select Committee on 17th May raised serious concerns over the proposal that West Sussex should take 26 million tonnes of London's exported waste. The Leader has agreed with the Chairman of the Select Committee that the matter is of such importance that it should be considered by the full Council. In the circumstances, the Chairman of the Council has agreed that the motion can be considered with less than the required notice as the matter could not have been anticipated before the deadline for motions.

The County Chairman proposes to take the motion as agenda item 5.