



Horsham
District
Council

Horsham District Local Plan Examination

Response to Action Point 5

**Matter 1, Issue 1 - Legal and
Procedural Requirements- Whether
the Council has complied with the
duty to co-operate in the
preparation of the Plan?**

HDC30

January 2025

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Action Point 5: Set out what cooperation took place for meeting unmet G&T accommodation need. This should include detail of what discussion took place beyond simply understanding need, to identify ways this unmet need could be met jointly. Append records of meetings where relevant.

Background

1. A note has been requested in relation to meeting unmet needs for Gypsies and Travellers (G&T) and the co-operation with other bodies. To explain the Council's actions it is considered necessary to explain how the Council understood its own need position during the passage of the preparation of the Local Plan and its understanding of the requirements of national policy.

Planning Policy for Traveller Sites (2015)

2. The Council recognises the recent update (December 2024) to national policy, but for the majority of the process, national policy for G&T matters was set out in the Planning Policy for Traveller Sites (PPTS) produced in August 2015. Unless otherwise identified, all references to the PPTS relates to 2015 version of the document.
3. The consideration of Gypsy and Traveller as part of plan preparation has also taken account of the government definitions of who is considered a Gypsy and Traveller for planning purposes. This included a change in the definition in December 2023. The implications of this are discussed later in this paper.
4. Policy B of the PPTS states that:

"Local planning authorities should, in producing their Local Plan:

a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets

b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15..."

Pre-July 2021

5. A **Gypsy and Traveller Accommodation Assessment (H04)** was produced to inform work on the Local Plan in January 2020. It identified a need for 93 pitches over the plan period for those who met the G&T definition, of which 65 pitches were needed over the first ten years of the Local Plan and 17 pitches for years 11-15 of the Plan. The breakdown for different years is shown below:

Table 1: Need Requirements January 2020

Years	0-5	6-10	11-15	16-17	Total
Pitch Needs	50	15	17	11	93

6. The work did not identify a need for Travelling Showpeople plots. It also identified a total of 25 pitches for those who did not meet the G&T definition or where it could not be determined whether the definition of a household was met.
7. As shown in the excerpt from **H04** (see Appendix A), as part of the work stakeholder interviews were conducted with all of the neighbouring authorities. As can be seen, the position was that needs were being met across the area – including within Horsham District. As such, discussions with such bodies did not seek to meet unmet needs as none had been identified.

8. The potential options to meet Gypsy and Traveller needs were identified at an early stage of plan making. These were: allocations on strategic sites; the intensification of existing sites; and consideration of the suitability of any new sites as part of a call for sites. (Three separate call for site exercises were held during the course of plan preparation). The mechanisms by which the LPA was seeking to meet needs were discussed as part of DTC discussions – for example in notes of an informal discussion with Chichester District Council on 10th August 2024, the Council stated that (at that time)

“It is envisaged around 40 pitches can be met from intensification of current uses. Strategic site promoters have been asked to provide pitches on their land. Some have identified that this will be made available but others have not done so. It is hoped own needs will be met in the new Local Plan, but it remains a challenge. It not currently envisaged needs will need to be met cross boundary.

CDC stated that most GTTA needs are generated around the Chichester area and envisage meeting own needs currently preparing a Reg 18 G&T site allocation document.”

9. As a more general point, it should also be noted that transit requirements for Gypsies and Travellers are already met through ongoing co-operation between Sussex Local Authorities who jointly provide the Westhampnett Gypsy and Traveller Transit Site in Chichester District.

10. The **draft Regulation 19 version of the Local Plan (SS02)** took account of the findings of the report and sought to allocate 70 pitches, which would meet the entire need for the first ten years of the Plan and contribute to some of the needs arising in years 11-15 of the Plan. The Council considered that PPTS Policy B (a and b) had been satisfied as the needs for the first ten years had been met.

11. **SS02** was considered by Cabinet in July 2021 but did not proceed to publication due to the subsequent publication of a revised National Planning Policy Framework and the receipt of the Natural England Position Statement.

July 2021 to 2023

12. In October 2022 the Court of Appeal in *Lisa Smith v The Secretary of State for Levelling Up, Housing & Communities [2022] EWCA Civ 1391* found that the PPTS definition as to who was a member of the G&T community was discriminatory.

13. In response, and also to reflect that there had been a significant gap since the publication of **H04** an update of the work was commissioned. The **Horsham Gypsy and Traveller Accommodation Assessment Update (GTAA) (H05)** was published in November 2023. The breakdown of the findings for all components of G&T need is shown in the table below:

Table 2: Need Requirements November 2023

Component	Years				Total
	0-5	6-10	11-15	16-18	
Meet definition	48	10	12	7	77
Undetermined	15	2	2	1	20
Don't meet definition	17	5	6	3	31
Overall	80	17	20	11	128

14. In addition to the above, a need for a Travelling Showpeople plot was identified.

15. **H05** was written prior to the Government responding to the *Smith* case through an amended PPTS definition (which it did subsequently in December 2023). But at that point, the Council assumed that changes to national policy would be forthcoming and would mean that there would be a need to meet pitch needs for all who identified as being members of the G&T community over the entire plan period as a result of the *Smith* judgment. The Council did not wait for those changes but began to attempt to plan for them in advance.

16. The Council had been aware of emerging figures from **H05** by the consultants and this was communicated in meetings with neighbouring authorities in August and September (see Appendices B-I). From this it can be seen that the Council was looking to be proactive in addressing unmet G&T needs that it was expecting would be identified and had made clear that a formal request was likely to be made.
17. On 24th November 2023, the Council wrote to all neighbouring authorities (Appendix J). Within it, it was explained that though needs for pitches can be met within the first ten years of the Plan, over the whole plan period and including all components of need, the Plan would have a shortfall of 58 pitches. Assistance from all authorities, on the basis of a quantified longer term unmet need, was therefore requested as soon as the evidence to support this request was available. No positive responses were received to the request for assistance.
18. In December 2023, after the **Plan (SD01)** had been agreed by full Council, the PPTS was updated to widen the definition of who was a member of the G&T community for the purposes of planning policy. PPTS Policy B remained unchanged and therefore the Council continued to comply with national policy in that it could meet G&T needs for the first 10 years of the plan.

2024

19. The **Plan (SD01)** was subject to a Regulation representation period between 19th January 2024 and 1st March 2024. The Regulation 19 Mid Sussex District Plan Review (MSDPR) was out for its representation period at almost exactly the same time, between 12th January 2024 and 23rd February 2024. HDC responded to the MSDPR repeating that there was considered to be an unmet need of 58 pitches over the plan period and identified at least two opportunities for site allocations within Mid Sussex that could assist with meeting needs (see Appendix K). HDC intends to reiterate this point at the MSDPR Examination Hearings. Specifically, the Council stated the following in relation to the three 'Significant Sites' DPSC1, DPSC2 and DPSC3 (i.e. strategic sites) being allocated:

"It is noted however that the Significant Sites policies DPSC1 (Land to the West of Burgess Hill/North of Hurstpierpoint) and DPSC2 (Land at Crabtree Park) commit only to the provision of equivalent financial contribution towards off-site provision of Gypsy and Traveller pitches, Whilst it is understood that earlier committed phases of Burgess Hill strategic growth (Northern Arc/Brookleigh) will yield on-site provision, it is not clear how this relates to DPSC1 in respect of the large scale of development across a large land area to be delivered overall, and if there are further opportunities this may present. DPSC3 (Land to the South of Reeds Lane, Sayers Common) on the other hand requires provision of 6 permanent pitches. Therefore, whilst the residual Mid Sussex shortfall of 4 pitches is met at Sayers Common, there is no additional provision made for cross-boundary needs at the other Significant Sites.

*Whilst it is acknowledged that the unmet need in Horsham District has only recently been confirmed, we nevertheless feel there is an opportunity to consider whether it is appropriate to allocate for further pitches at strategic sites – in particular DPSC2 (Crabtree Park) on the basis that new provision is being made at the other two strategic sites (including existing commitments/saved policy). DPSC2 is allocated for 2,000 homes and covers a sizeable area. It should (in line with NPPF) provide for a range of housing types and should therefore potentially include provision of Gypsy and Traveller pitches. To do so could make a significant contribution to an identified unmet need within the HMA arising in Horsham District."*¹

¹ The Council's full response is available at <https://midsussex.inconsult.uk/districtplanreg19/showUserAnswers?qid=9332771&voteId=1190711&answerDate=20240227140419&nextURL=%2Fdistrictplanreg19%2FlistRespondents%3Fsort%3DcommonName%26dir%3Dasc%26startrow%3D1%26search%3Dhorsham>

20. It is therefore clear that the Council proposed a specific solution for helping to meet its quantified longer term need to the one relatively unconstrained neighbouring authority within the same housing market area. This was done some months before submission of the MSDPR (in July 2024)
21. On 12 July, the **Horsham Gypsy and Traveller Accommodation Assessment Targeted Update (H06)** was received. **H06** assessed the conclusions of **H05**, in the light of the changes made in the PPTS to the definitions of Gypsies, Travellers and Travelling Showpeople. In doing so, it updated the Council's understanding of the pitch needs for those who meet the current PPTS definition and identified that not all members of the community met the definition. The breakdown of need requirements is shown below and was put forward as a proposed modification (**SM47**).

Table 3: Need Requirements July 2024

Years	0-5	6-10	11-15	16-17	Total
Pitch Needs	50	10	12	7	79

22. Accordingly, it is the Council's view that the requirements of PPTS Policy B have been met, as allocations have been proposed to meet the needs in full for the first ten years of the Plan. Additionally, the Plan would contribute to addressing some of the needs arising in years 11-15. The Council has further sought to provide for G&T needs through i) permissions granted after the base date of the Plan (April 2023); ii) intensification/expansion of existing authorised sites; iii) three calls for sites exercises (May 2019; September 2020; and May 2022) to find new sites/ sites suitable for expansion and iv) three strategic site allocations (Land West of Ifield; Land North West of Southwater; and Land East of Billingshurst). Notwithstanding this, given that there remains some unmet need arising in the later part of the plan period from those who meet the definition and that there continues to be unmet needs arising from those that do not meet the definition, the Council had, by the time of the Plan's submission, identified to neighbouring authorities the precise unmet need over its Plan period, and even gone as far as identifying sites where it was felt this unmet need could in part at least be met. The Council will continue to explore opportunities to meet unmet needs within its own boundaries, and if needs be with other authorities, such that the needs for years 11-15 of this Plan period (or indeed years 1-10 of the next Plan review period) can be met. This is made clear in respective Statements of Common Ground with neighbouring authorities and at the North West Sussex HMA level (**DC02-DC07, DC09-DC10, DC16-DC17**).

Conclusion

23. The Council has actively cooperated with neighbouring authorities on the issue of G&Ts in order to address needs. Throughout the plan preparation stages, the Council did everything it could to best utilise opportunities with neighbouring authorities. At no point has it received a request to meet needs of other authorities. Notwithstanding that the Plan does address needs, in full, for those that meet the PPTS definition for the first ten years of the plan period, it recognises that unmet needs will arise in the later parts of the plan period and has actively sought, and continues to seek, opportunities for such needs to be met.

Appendix A: Excerpt from Horsham GTAA January 2020

Appended as separate document

Appendix B: Meeting with Mid Sussex District Council August 2023

Duty to Co-operate Meeting – Horsham District Council and Mid Sussex District Council

30 August 2023 10-11.30pm

MS Teams

Meeting Notes

Attendees

Catherine Howe, Head of Strategic Planning HDC

Tal Kleiman, Senior Planning Policy Officer HDC

Andrew Marsh, Head of Planning Policy and Housing Enabling MSDC

Alice Henstock, Principal Planner MSDC

NB. The following notes record the content of the meeting above by theme. They are not necessarily a chronological account of the meeting.

1. Horsham District Local Plan Update/ Housing position

An update was provided about the progress of the Horsham District Local Plan. It was explained that (subject to the precise wording of the constitution) an LDS would be considered by Cabinet in late September before seeking adoption at full Council in October. Should it be approved, it would likely identify that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.

Though not finalised, it was likely that housing numbers would be lower than identified in the draft July 2021 version of the Local Plan that was considered by Cabinet but did not progress further. The housing target would be less than the 911 annual need figure generated by the standard method. This was due to 2 years of minimal approvals, caused by the need for new development to demonstrate water neutrality and the ongoing effect of the water neutrality issue. Currently, the Council cannot demonstrate a five year housing land supply and the position has worsened since the CG Fry case.

As a result, the housing target will be stepped with a relatively low figure for the plan's first five years (circa 500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year. From a position of assisting other authorities with housing supply, HDC will likely be in a shortfall against standard methodology figure going forward. HDC is likely to formally request assistance from other authorities to meet unmet need but through previous discussions with other authorities, the likelihood of assistance is considered low.

Similar to MSDC (see below), Officers are engaging with the Parish Councils throughout September regarding the Local Plan, following a period of member engagement/training that was triggered by the Local Elections. There is currently a speculative large scale, planning application for around 800 homes (Horsham Golf and Fitness), which has underlined the importance to members of getting a Local Plan in place.

2. Mid Sussex Local Plan Update/Housing Position

Regulation 18 Local Plan consulted upon in November and December 2022. Since then, change in Council administration (no overall control but lead by Liberal Democrats with assistance from Independents) has meant need to undertake work with members.

Cross Party Members Working Group established by the Scrutiny Committee is undertaking review of Regulation 18 Local Plan including the omission sites presented to the Council during Regulation 18. Identified a need to better reflect local infrastructure needs necessary to accommodate development. A Regulation 19 version of the Local Plan may be considered by the Scrutiny Committee in October. Likely to still be able to meet housing needs and buffer likely to increase as result of standard methodology update, showing a lower need figure for Mid Sussex, however this is subject to the findings of the Working Group and Scrutiny Committee. As per the NWS SoCG, any over supply of housing would be prioritised in the NWS Housing Market Area.

MSDC are undertaking engagement with Town and Parish Councils throughout September on the Local Plan. A live inquiry on a planning appeal was focusing on five year housing land supply, the first of its kind in Mid Sussex since adoption of the District Plan in 2018. This has highlighted the importance of progressing the Local Plan, even though MSDC's future housing land supply position is looking healthy.

3. Mayfield Market Town

HDC informed MSDC that they were written to by the new promoter of MMT, Berkeley Homes, stating that they were no longer promoting the site through the current Horsham District Local Plan. MSDC explained that Berkeley's were promoting a site in Sayers Common but this is separate and distinct from landholdings relating to MMT.

Noting their previous interest in MMT, HDC explained to MSDC that they would be informing BHCC of Berkeley's position on MMT.

4. Gypsies and Travellers

HDC explained that an updated GTAA had been undertaken. Though need figures were emerging, it appeared that a need of around 100 pitches would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications.

MSDC noted that their identified need is 4 pitches for those who still travel and 12 for those who no longer travel, established by a 2022 study and that this need is likely to be met in the upcoming Local Plan. They noted that an appeal for a Transit site in Slaugham was in progress.

HDC explained that they are likely to seek allocations in strategic sites for G&T pitches. MSDC explained that they had previously used this approach as part of the Northern Arc allocation, and in Regulation 18 Plan on Sustainable Community Allocations.

5. Transport

Noted that A23/A2300 capacity issues were evident at the southbound slip road during work on the Site Allocations DPD. To support the allocation of the Science and Technology Park in this location

in the DPD, MSDC were able to identify three options (varying in cost and complexity) that could mitigate effects of development and that PINS were comfortable with this. Such options were the result of work with partners – including National Highways, WSCC and the site promoters.

Additional development within the draft District Plan may increase pressure at this junction and therefore MSDC will need to consider how a cohesive solution can be found and delivered at this junction. This will require working with National Highways and this can be challenging.

HDC recognise the importance of the junction though note that, particularly due to the reduction of development identified in the forthcoming Horsham District Local Plan, it is unlikely that future growth in Horsham would impact on this junction in any meaningful way. It would nonetheless continue to support MSDC in efforts to attract funding and/or raise the need for improvements to this junction.

6. Employment

Both authorities identified that they were likely to fully address needs for employment uses in their Local Plans and therefore assistance from others were not required.

Both authorities noted, following the alteration to the Use Classes Order, that leisure/commercial uses were coming forward on sites allocated/approved for employment uses.

7. Coastal West Sussex & Greater Brighton

Both authorities expressed frustration at the lack of progress on LSS3. HDC, through undertaking DtC meetings in September, would express this to other CWSGB members and seek to understand the respective positions of others.

As HDC/MSDC were aligned in thinking, it may be that joint communication in relation to CWSGB from both authorities would stimulate progress. A separate discussion will be arranged on this point.

8. Crawley Local Plan

Both authorities had identified concern of the 'shadow policy' in the Crawley Local Plan, which seeks to exert influence on potential allocations (Crabbet Park and West of Ifield) located in other authorities. Both will await MIQs from Inspector before determining any future steps that may be taken however both have continually raised this point formally at Regulation 18/Regulation 19 stages.

9. Joint Statement of Common Ground

Collective recognition that draft, unsigned SoCG does not reflect current situation and that significant revisions would be required. Agreed that it would be preferable to wait to produce SoCG as Plans are still emerging, but that it would be desirable for a signed SoCG to be achieved prior to submission of Local Plans for examination to reflect accurately cross-boundary and strategic matters.

10. Other Statements of Common Ground

Recognise that both authorities have recently signed up to an updated NWS SoCG (two parts) to coincide with CBC's Local Plan submission. Both are also signatories to the Water Neutrality SoCG. It is considered that they both reflect the up-to-date position on such issues and that any bilateral SoCG would be best to cross refer to ensure consistency with other parties.

Appendix C: Meeting with Mole Valley District Council August 2023

Duty to Co-operate Meeting – Horsham District Council and Mole Valley District Council

31 August 2023 10-11.30pm

MS Teams

Meeting Notes

Attendees

Matt Bates, Planning Policy Team Leader HDC
Tal Kleiman, Senior Planning Policy Officer HDC
Duncan Clarke, Planning Policy Manager MVDC
Luke Dickson, Senior Planning Policy Officer MVDC

NB. The following notes record the content of the meeting above by theme. They are not necessarily a chronological account of the meeting.

1. Horsham District Local Plan Update/ Housing position

An update was provided about the progress of the Horsham District Local Plan. It was explained that (subject to the precise wording of the constitution) an LDS would be considered by Cabinet in late September before seeking adoption at full Council in October. Should it be approved, it would likely identify that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.

Though not finalised, it was likely that housing numbers would be lower than identified in the draft July 2021 version of the Local Plan that was considered by Cabinet but did not progress further. The housing target would be less than the 911 annual need figure generated by the standard method. This was due to 2 years of minimal approvals, caused by the need for new development to demonstrate water neutrality and the ongoing effect of the water neutrality issue. Currently, the Council cannot demonstrate a five year housing land supply and the position has worsened since the CG Fry case.

As a result, the housing target will be stepped with a relatively low figure for the plan's first five years (circa 500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year. From a position of assisting other authorities with housing supply, HDC will likely be in a shortfall against standard methodology figure going forward. HDC is likely to formally request assistance from other authorities to meet unmet need but through previous discussions with other authorities, the likelihood of assistance is considered low.

2. Mole Valley Local Plan Update/Housing Position

Local Plan was submitted for examination in February 2022 and hearings have been held. The submitted Local Plan, among other things, sought to remove the Green Belt designation from parts of the district to allocate sites for development. The Plan identified an unmet need of around 1,700 dwellings over the plan period.

MVDC were poised to undertake main modification consultation to submitted Plan until announcements of imminent planning reforms, including in relation to Green Belt, by Government in

December 2022. Inspector has agreed to three examination pauses (December 2022, February 2023 and June 2023).

Related to this, the Council has now formally voted to alter the submitted plan and remove sites currently in the Green Belt from the document. The altered Plan, without any Green Belt, would have a shortfall of around 3,200 dwellings against assessed need over the plan period. MVDC have been advised on dates when reforms would be finalised, but this has slipped. MVDC's latest understanding is that late September will see reforms announced, but this is not confirmed.

3. Statement of Common Ground

Collective recognition that 2021 bilateral SoCG would need updating to reflect current circumstances but that much of the underlying principles remain current. HDC identified that it is not in an immediate need to produce a new version, as the plan-making situation is likely to continue to evolve, but that it would desire a signed updated SoCG in time for submission of its Local Plan for examination.

Topics were discussed in order:

A. Housing Need

Recognise that some elements remain current (e.g. Green Belt designation in Mole Valley, prioritisation towards individual primary housing market areas, etc.) but that elements would need to be updated to reflect unmet needs and latest position in relation to housing delivery.

B. Gypsies and Travellers

HDC explained that an updated GTAA had been undertaken. Though need figures were emerging, it appeared that a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications.

MVDC explained that the submitted Local Plan met the need for the definitional portion of the G&T population but that the altered Local Plan would not meet needs, as some allocations for pitches would be taken out of the plan.

It was therefore noted that the paragraph on G&T provision would need to be updated in a renewed SoCG.

C. Gatwick Airport

It was noted that the agreements within the existing SoCG were largely still accurate but that minor wording would be needed in a renewed SoCG to reflect current status of DCO and that reference to the economic crisis caused by the Covid pandemic was no longer relevant.

D. Transport

It was noted that the agreements to work together, where relevant, on cross boundary transport routes were still relevant. MVDC and HDC noted discussions about emerging work on Dorking/Horsham A24 corridor by the respective county councils, which may merit inclusion in a redrafted SoCG.

E. West of Ifield

HDC informed MVDC that the site, owned by Homes England, is still under active consideration for allocation in the Local Plan for around 3,000 homes. Discussions continue about multi modal

corridor to link A264 and A23 with stakeholders albeit Homes England is reluctant to provide route unless further development were to come forward in the area.

The proposals is not considered likely to generate cross border impacts, but it is recognised that this section of the SoCG would need to be updated to reflect the latest circumstances at the time that it is renewed. Agreed that no change would be needed to the multi modal corridor alignment.

F. Employment

MVDC explained that there was no differentiation between the two versions of the emerging Local Plan that have been drafted. The emerging Local Plan position is generally to protect existing employment land, while allowing two large outdated campus-style office sites to be released for mixed-use development. With uncertainties surrounding employment land trends MVDC has decided to plan on the basis that no new floorspace is required but will re-examine the approach at the Plan's five-year review, when future trends should be clearer to identify. HDC identified that it was likely to meet, in full, its employment needs within the upcoming Local Plan.

G. Other Matters

It was agreed that the other matters noted in the existing SoCG were unlikely to need updating as they cross-boundary issues were not noted. Noted that there are not likely to be any HRA cross boundary issues. HDC did advise that it would likely need to include a section on water neutrality to provide relevant context upon its effect on the Horsham Local Plan.

All agreed further liaison would take place as need arose.

Appendix D: Meeting with Adur & Worthing Councils September 2023

Duty to Co-operate Meeting – Horsham District Council, Adur District Council, Worthing Borough Council

7 September 2023 at 14:00

MS Teams

Meeting Notes

Attendees

Matt Bates, Planning Policy Team Leader HDC

Tal Kleiman, Senior Planning Policy Officer HDC

Moira Hayes, Planning Policy Manager, Adur & Worthing Councils

Chris Jones, Principal Planner, Adur & Worthing Councils

1. Horsham Local Plan update & water neutrality

HDC explained events following Natural England issuing of their Position Statement triggering the water neutrality requirement in Horsham, Crawley (most of) Chichester (part of) and South Downs National Park (part of). Housing delivery has plummeted as a result and Horsham housing land supply now likely to be less than 3 years and falling. The affected authorities have been working on setting up a strategic water offsetting scheme ('SNOWS') which we currently expect to be starting to operate in the first half of 2024, at which point plan-led development can start to come forward. But given the lag and lead-in time for SNOWS, HDC housing supply won't catch up sufficiently to enable Horsham to meet its standard method figure (currently 911). Furthermore there will need to be a 'rationing' between the affected authorities of what level of development can be supported by SNOWS as this is finite. It is expected the LP target will be overall 700-800 dph but with a stepped trajectory that sees much lower deliver (400-500 dph) in the first five years of the Plan period.

The HDC LDS is being considered at Cabinet later in September. HDC is expecting a Reg 19 publication in early 2024 and hoping for submission early summer 2024.

2. Adur LP update

The LP is more than 5 years old and now being reviewed. As stands, the LP target is 177 dpa (representing 54% of the need at that time) however the target for HDT and 5YHLS is now the standard housing calculated figure which is 448 dpa. Recent years have seen strong delivery in the Shoreham Harbour area stemming from the AAP adopted in 2019 (there is a minimum 1,100 allocated but this is very likely to be exceeded). However on other key sites, delivery has been slower than expected e.g. New Monks Farm. Currently have an HDT Action Plan and looking at even very small sites for potential future allocation as every avenue of supply needs exploring.

The LP Review is extremely challenging as there are so few sites left to allocate / identify for future housing supply. As well as additional small site supply, there is a greenfield site that may have potential albeit significant issues with fluctuating groundwater because of tides, and landscape issues relating to the South Downs National Park (Old Salts Farm). Currently commissioning a number of evidence studies, and working on a GI Strategy (which will cover both Adur and Worthing). LDS indicated summer 2024 for a Regulation 18 consultation with submission due by June 2025 – to coincide with proposed deadline for old style plans as identified by Government in its consultation on plan making reforms.

3. Worthing LP update

Worthing LP now adopted – low proportion of SHM calculated need being met (c.26%). Chatsmore Farm JR quashed the permission there and the application will now go back to PINS to re-determine. SPD preparation beginning on affordable housing (for Adur as well as Worthing). Work on a GI Strategy is due to begin before Christmas.

4. Unmet housing needs – respective positions

Positions on meeting housing need were covered under previous items. All recognised that the SoCG will need to be worded to reflect the constraints respectively outlined. Will be picked up as part of SoCG preparation (see below). Confirmed there is no update on the WS&GB joint work (LSS3) – MH will speak further with James Appleton and update HDC on outcome.

5. Unmet G&T need

HDC updated on emerging GTAA update to be published before Reg 19 – subject to confirmation, will be a need identified for c.104 pitches in Horsham District, which can't be met in full through LP allocations. HDC therefore likely to formally request help meeting this need from neighbouring authorities. A&W reported there is a joint GTAA study commissioned together with Arun and Chichester, but timescales for reporting unknown.

6. Other cross-boundary matters

Employment – agreed functional areas are fairly distinct so there are no significant cross-boundary issues.

Transport – HDC have undergone transport modelling for emerging LP (Stantec have led) which has not suggested any impacts in the Adur or Worthing vicinities. Agreed this is not a significant cross-boundary issue.

Green Infrastructure – CJ is leading on A&W GI Strategy starting soon. HDC reported that they are also undertaking preparation of a GI Strategy which is nearing completion. Agreed it will be useful going forward to share information and insight as appropriate.

7. SoCG arrangements

HDC explained they need to form up on their strategy and housing targets / trajectory before substantially agreeing / finalising a SoCG. MB suggested having an early draft very broadly agreed (likely without specific numbers) by end of October, but there is flexibility in these timings. HDC will find it helpful to have SoCG finalised by the time it gets to Reg 19 publication. All agreed action to update / prepare contextual and introduction sections relating to their respective areas, aim for end of Oct 2023. Also agreed it would this time round be a tripartite SoCG – Adur, Worthing, Horsham.

8. AOB

Nothing raised.

Appendix E: Meeting with Waverley Borough Council September 2023

Duty to Co-operate Meeting – Horsham District Council and Waverley Borough Council

8th September 2023 11.30am – 12.30pm

MS Teams

Meeting Notes

Attendees

Matt Bates, Planning Policy Team Leader HDC

Tal Kleiman, Senior Planning Policy Officer HDC

Matthew Ellis, Team Leader (Local Plans and Planning Policy) WBC

Olivia Gorham, Senior Planning Policy Officer WBC

NB. The following notes record the content of the meeting above by theme. They are not necessarily a chronological account of the meeting.

1. Introductions

Introductions were provided.

2. Horsham District Local Plan Update

An update was provided about the progress of the Horsham District Local Plan. It was explained that an LDS would be considered by Cabinet in late September. Should it be approved, it would likely identify that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.

Though not finalised, it was likely that housing numbers would be lower than identified in the draft July 2021 version of the Local Plan that was considered by Cabinet but did not progress further. The housing target would be less than the 911 annual need figure generated by the standard method. This was due to 2 years of minimal approvals, caused by the need for new development to demonstrate water neutrality and the ongoing effect of the water neutrality issue. Currently, the Council cannot demonstrate a five year housing land supply and the position has worsened since the CG Fry case, which had removed some sites approved prior to the water neutrality issue materialising from the five year supply. WBC indicated an awareness of the impact of water neutrality on HDC and other councils and had met with Clark Gordon, the Water Neutrality Project Manager, to discuss any impact on WBC.

As a result, HDC explained the housing target would likely be stepped with a relatively low figure for the plan's first five years (circa 500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year. From a position of assisting other authorities with housing supply, HDC will likely be in a shortfall against standard methodology figure going forward. HDC is likely to formally request assistance from other authorities to meet unmet need but through previous discussions with other authorities, the likelihood of assistance is considered low.

3. Waverley Local Plan Update/Housing Position

Local Plan Part 2 was submitted in early 2022. Following hearings in Summer 2022, WBC were able to adopt document in March 2023.

Following a review in February 2023 the Council has agreed (July 2023) to undertake a comprehensive update of its Local Plan, with an initial timeframe of adoption in 2027. Noting that the planning system is in a state of flux with reforms being put forward by Government, WBC recognises that it will need to be flexible to adapt to changes should they occur.

WBC cannot currently demonstrate a five year housing land supply.

4. *Housing Need*

HDC's position set out in agenda item 2.

WBC are at an early phase of preparing a new Local Plan and will seek to undertake work in relation to housing. Its current standard method figure is 719 – an uplift from the figure of 590 per year set out in its existing Local Plan. It is too early in the process to know whether housing needs could be met in a new Local Plan.

As part of preparing a new Local Plan it will undertake a Housing Needs Assessment, which will set out needs for different housing types. It will also assess whether there are exceptional circumstances which would justify using a housing figure that departs from the standard method.

5. *Gypsies and Travellers*

HDC explained that an updated GTAA had been undertaken. Though need figures were emerging, it appeared that a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications.

WBC explained that its Local Plan met needs from a 2015 Traveller Accommodation Assessment. It was noted that an updated TAA would be needed and that the position for the new Local Plan was therefore not known at this stage. It was noted that a number of appeals for G&T applications were coming forward which have raised questions over whether the Local Plan is meeting Gypsy and Traveller needs.

6. *Employment*

HDC noted that they were likely to fully address their employment needs in the Local Plan. WBC, whilst recognising the need to update information on employment needs, were comfortable with their current position. Economic needs would be assessed as part of the evidence for the update to the Local Plan.

7. *Transport and Infrastructure*

It was noted that the agreements to work together, where relevant, on cross boundary transport routes were still relevant. HDC explained that it had undertaken transport modelling as part of work on its new Local Plan, but had not identified any issues of a cross-border matter. Similarly, WBC noted development occurring in Alfold, Cranleigh and Dunsfold but that no specific cross-border issues were noted. WBC highlighted that they will have a clearer idea of any impacts once housing numbers are established.

8. *Other Matters*

HDC explained that it was continuing work on Green Infrastructure. This was noted.

9. Statement of Common Ground

Collective recognition that 2021 bilateral SoCG would need updating to reflect current circumstances but that much of the underlying principles remain current. HDC identified that it is not in an immediate need to produce a new version, as the plan-making situation is likely to continue to evolve, but that it would desire a signed updated SoCG in time for submission of its Local Plan for examination.

Appendix F: Meeting Notes with Brighton and Hove City Council September 2023

Duty to Co-operate Meeting – Horsham District Council and Brighton and Hove City Council

12th September 2023 2.00 – 3.30pm

MS Teams

Meeting Notes

Attendees

Matt Bates, Planning Policy Team Leader HDC
Tal Kleiman, Senior Planning Policy Officer HDC
Sandra Rogers, Planning Manager (Projects, Policy and Heritage) BHCC
Steve Tremlett, Planning Team Leader (Projects, Policy and Heritage) BHCC
Robert Davidson, Principal Planning Officer BHCC

NB. The following notes record the content of the meeting above by theme. They are not necessarily a chronological account of the meeting.

1. *Horsham District Local Plan Update*

An update was provided about the progress of the Horsham District Local Plan. It was explained that an LDS would be considered by Cabinet in late September. Should it be approved, it would likely identify that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.

Though not finalised, it was likely that housing numbers would be lower than identified in the draft July 2021 version of the Local Plan that was considered by Cabinet but did not progress further. The housing target would be less than the 911 annual need figure generated by the standard method. This was due to 2 years of minimal approvals, caused by the need for new development to demonstrate water neutrality and the ongoing effect of the water neutrality issue. Currently, the Council cannot demonstrate a five year housing land supply and the position has worsened since the CG Fry case, which had removed some sites approved prior to the water neutrality issue materialising from the five year supply.

As a result, HDC explained the housing target would likely be stepped with a relatively low figure for the plan's first five years (circa 500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year. From a position of assisting other authorities with housing supply, HDC will likely be in a shortfall against standard methodology figure going forward. HDC is likely to formally request assistance from other authorities to meet unmet need but through previous discussions with other authorities, the likelihood of assistance is considered low.

2. *BHCC Local Plan Update/Housing Position*

City Plan Part 2 was adopted in October 2022, largely focussing on development management policies.

Work on reviewing the Local Plan has commenced. Undertaking evidence base documents, such as a SHMA, which will look at B&H specific matters – such as accommodation for students, older persons, build-to-rent, co-living and second homes.

Likely that new Local Plan will be brought forward in a new planning system with an issues and options type document pencilled in for March 2024.

Current standard method figure is 2,331 per year. General recognition that this figure is unachievable and currently have a 1.8 year housing land supply. For the new Local Plan, likely to advocate a position of exceptional circumstances to depart from standard method. BHCC have used standard method with inputs from census data which identifies a housing need of approximately 800 per year – the majority of which is likely to be met with B&H.

3. *SoCG Matters*

a. Housing Need

HDC's position set out in agenda item 1 and BHCC in agenda item 2. It was noted that the position as identified in the existing SoCG was outdated and would need to be refreshed in new SoCG.

HDC explained that a large-scale strategic site known as Mayfield was no longer being considered through its Local Plan as the new promoters of the site had made it unavailable.

b. Gypsies and Travellers

HDC explained that an updated GTAA had been undertaken. Though need figures were emerging, it appeared that a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications.

BHCC explained that its GTAA was undertaken in 2019 and did not identify any needs for G&T provision within its boundaries to which they were the planning authority (need exists area where SDNPA are the planning authority). Will undertake updated GTAA for new Local Plan, potentially with other authorities. Given characteristic of BHCC, it is unlikely that any needs could be met in Local Plan.

c. Employment

HDC noted that they were likely to fully address their employment needs in the Local Plan. BHCC are updating their Employment Land Study, with findings likely to be made by Christmas.

4. *Other Matters*

It was noted that there were issues in HDC and elsewhere in West Sussex regarding school place provision, with some students in HDC being bussed to other districts. BHCC noted that it has surplus places in some schools.

Both parties noted the lack of progress on the Greater Brighton and Coastal West Sussex, Local Strategic Statement 3 (LSS3). HDC was considering its next steps in relation to this, given that funds had not been spent. BHCC identified uncertainty with the duty to cooperate and planning reforms as reasons for lack of progress.

5. *Next Steps*

Collective recognition that 2021 bilateral SoCG would need updating to reflect current circumstances. BHCC expressed that it be logical to sign off document after HDC had published its Regulation 19 document to allow it to see the full details of the plan. HDC agreed that it is not in an immediate need to produce a new version, as the plan-making situation is likely to continue to evolve, but that it would desire a signed updated SoCG in time for submission of its Local Plan for examination and would look to begin drafting wording shortly.

Appendix G: Meeting with Chichester District Council September 2023

Duty to Co-operate Meeting – Horsham District Council and Chichester District Council

12 September 2023

MS Teams

Meeting Notes

Attendees

Claire Potts, Planning Policy Team Leader, CDC (CP)

Karen Sinclair, Senior Planning Policy Officer CDC (KS)

Matt Bates, Planning Policy Team Leader, HDC (MB)

Norman Kwan, Senior Neighbourhood Planning Officer, HDC (NK)

Record of meeting

Discussion Area		Actions
Local Plan Update		
HDC	<ul style="list-style-type: none">NK provided an update on the Horsham Local Plan. The expectation that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.Local Development scheme to be taken to Cabinet/Full Council later this month for formal sign off.HDC's standard methodology number is 911. It is unlikely HDC will meet this target figure with Water Neutrality having a significant impact on development coming forward. Further exacerbated by the legal precedent set by CG Fry, the Council five year housing supply is expected to be circa 2.3 housing supply this year although this figure will not be published until the end of 2023 through the AMR.As a result, the housing target will be stepped with a relatively low figure for the plan's first five years (circa 400-500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year.HDC will likely be in a shortfall against standard methodology figure going forward with the Reg 19. The Council is likely to formally request assistance from other authorities to meet unmet need but through previous discussions, it is understood most won't be in a position to assist.	Agreed that written record of respective unmet housing need positions (whether any cross-boundary need can be met) will need to be produced. HDC is likely to write further to CDC to formally request this.

	<p>Chichester District Council</p> <ul style="list-style-type: none"> • CDC is looking to submission of its Regulation 19 plan in November 2023. CP confirm the Council received approximately 2,400 representations from residents and local groups. • Housing delivery at scale will be a challenge in the early years due in part to water neutrality. • CP confirmed there remains a dialogue with National Highways on agreeing a Position of Common Ground between the two parties to reach agreement on the quantum of development that can be mitigated with respect to impacts on the A27. • CDC and National Highways are discussing a ‘Monitor and Manage’ approach for A27. This approach looks at additional/alternative methods of delivering capacity improvements by achieving modal shift through sustainable transport and active travel schemes. A working group is to be set up to steer towards a suite of mitigation measures to be agreed between all parties. • WSCC made reps regarding assessment of northern transport/traffic impact but this is not significant and comments were of a technical nature. Stantec have updated transport assessment for northern plan area to address comments. 	
Gypsies and Travellers		
	<p>Horsham District Council</p> <ul style="list-style-type: none"> • HDC explained that an updated GTAA had been undertaken. • Approximately, a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). • The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications. • HDC explained that they are likely to seek allocations in strategic sites for G&T pitches; intensifications and extensions on other sites. Likely that fewer strategic sites will be allocated than originally thought due to water neutrality, hence less opportunity to meet full G&T need. 	<p>HDC will write to CDC to formally request if any additional G&T requirement can be accommodated in Chichester District.</p>
	<p>Chichester District Council</p> <ul style="list-style-type: none"> • CDC confirmed their requirement amounts to 160 travellers and 40 showpeople. • CP confirm allocations will also be made on large strategic sites and through small scale extensions to existing sites in the emerging local plan. • CDC confirmed they had previously written to HDC to ascertain if we are able to accommodate some of their G&T need (December 2022) 	
Infrastructure and transport		

	<p>Horsham District Council</p> <ul style="list-style-type: none"> • HDC confirmed further work on the evidence base was being carried out with regards housing delivery, HRA, transport and viability. MB provided a brief explanation of the work the Council are undertaking to update the evidence base ready for Reg 19 to be considered by members later this year including a need for improvements to A24 road junctions. Impact of traffic arising from local plan is mitigatable. • HDC confirmed road improvements are planned but would not impact on the CDC's spatial strategy. CDC confirmed road mitigation will occur in the south of the district away from the northern proportion of the district which will see limited growth. 	No further action required.
	<p>Chichester District Council</p> <ul style="list-style-type: none"> • CDC reported back no significant objections from WSCC with regards to areas concerning education or transport in relation to the northern part of the district. • HDC asked what needs would arise for schools places/expansion – some concern over impact on schools in Horsham District. CDC relayed that WSCC do not currently expect any need for new schools in Chichester District – needs can be accommodated on existing sites possibly with some on-site expansions. • Representations are available online for public viewing. 	n/a
HRA/Appropriate Assessment		
	<p>Horsham District Council</p> <ul style="list-style-type: none"> • NK confirmed we had recently commissioned AECOM to undertake further work to update our HRA/AA work to inform our emerging local plan. It was noted CDC have also commissioned AECOM independently to work on their Appropriate Assessment/HRA. The consultant has advised the issue of the cumulative impacts derived from both CDC and HDC local plan growth levels on the Mens SAC. The cumulative impact from emerging plans programs on the Mens SAC with regards to Air Quality impact may require possible mitigation measures. AECOM will clarify the position with Natural England to ascertain if they will be recommending further modelling. • It was agreed that both parties would keep each other informed of emerging details from AECOM. Joint working between the two LPAs on this issue is a possibility but will be subject to information and advice from AECOM. 	It was agreed to share information as AECOM progresses with our respective HRA work for our local plans. CDC will meet further with AECOM and seek clarity on this point. Potential Joint working was discussed if AECOM advises additional further mitigation for air quality measures to protect the Mens SAC.
Joint Statement of Common Ground (general discussion)		
	<ul style="list-style-type: none"> • Both set of officers agreed that previous draft, unsigned SoCG does not reflect current situation and that significant revisions would be required. Agreed that it would be preferable to wait to produce SoCG as Plans are still emerging, but that it would be desirable for a signed SoCG to be achieved prior to submission of Local Plans for examination to reflect accurately cross-boundary and strategic matters. 	CDC to update SoCG and recirculate for comment.
Another Other Business		

	HDC would produce draft minutes of this meeting to circulate to all parties for agreement.	HDC to draft and circulated for comment.
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Appendix H: Meeting with Arun DC in September 2023

Duty to Co-operate Meeting – Horsham District Council and Arun District Council

28th September 2023 2pm – 3.30pm

MS Teams

Meeting Notes

Attendees

Matt Bates, Planning Policy Team Leader HDC
Tal Kleiman, Senior Planning Policy Officer HDC
Kevin Owen, Team Leader Planning Policy & Conservation ADC

NB. The following notes record the content of the meeting above by theme. They are not necessarily a chronological account of the meeting.

1. Horsham District Local Plan Update

An update was provided about the progress of the Horsham District Local Plan. It was explained that an LDS would be considered by Cabinet later that day. Should it be approved [post meeting note – the LDS was approved], it would identify that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.

Though not finalised, it was likely that housing numbers would be lower than identified in the draft July 2021 version of the Local Plan that was considered by Cabinet but did not progress further. The housing target would be less than the 911 annual need figure generated by the standard method. This was due to 2 years of minimal approvals, caused by the need for new development to demonstrate water neutrality and the ongoing effect of the water neutrality issue. Currently, the Council cannot demonstrate a five year housing land supply and the position has worsened since the CG Fry case, which had removed some sites approved prior to the water neutrality issue materialising from the five year supply.

As a result, HDC explained the housing target would likely be stepped with a relatively low figure for the plan's first five years (circa 500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year. From a position of assisting other authorities with housing supply, HDC will likely be in a shortfall against standard methodology figure going forward. HDC is likely to formally request assistance from other authorities to meet unmet need but through previous discussions with other authorities, the likelihood of assistance is considered low.

2. Arun Local Plan position

Councillors had chosen to formally pause, on two separate occasions, the production of a new Local Plan in the context of reforms to national policy and the planning system as a whole.

On 6th June 2023, members agreed to lift the pause on Local Plan preparation and proceed with the preparation of a new Local Plan. On 21st September a new LDS was agreed and it is anticipated

that a draft Direction of Travel document (under Regulation 18) would be taken to a meeting on 28th November with members, with it likely to be made available for comment in Spring 2024.

A draft SCI consultation has commenced and background evidence work has begun (e.g. working with WSCC on infrastructure) to aid progress of the new Local Plan.

3. SoCG matters

a. Housing Need

HDC's position largely set out in agenda item 1. In addition, it was explained that HDC has between a 2 and 3-year housing land supply and that the situation is deteriorating due to the water neutrality situation. The Council is also starting to experience a number of speculative applications, some of which are large in scale.

ADC are at an early phase of preparing a new Local Plan and will seek to undertake work in relation to housing. Its current standard method figure is around 1,400 – an uplift from the figure of 1,000 per year set out in its existing Local Plan. Delivery rates are between 500-600 per year. Accordingly, ADC cannot identify a 5 year housing land supply.

It is too early in the process to know whether housing needs could be met in a new Local Plan and will be guided by the evidence on both need and constraints. To this end, a Housing Needs Assessment has been undertaken which identifies a need of around 11,250 between 2022 and 2041. A Housing Absorption Study (Iceni, 2023), has concluded (in draft) that generally 1,000 homes per year is possible but optimistic but that an upturn in 2 years is likely. It was noted that options for allocating land for housing is limited given that the current Local Plan has extant allocations. A particular physical constraint which limits land availability further is flood risk and surface water flooding, exacerbated by projected climate change impacts.

b. Gypsies and Travellers

HDC explained that an updated GTAA had been undertaken. Though need figures were emerging, it appeared that a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. The exact figure would depend on the outcomes of appeals on some G&T applications.

ADC explained that it is progressing its G&T Local Plan. It has a need for 9 pitches and 14 showpeople plots. A preferred options document was consulted upon in 2020, which suggested allocations on 7 sites (intensification of existing sites) as well as a broad location for remaining needs. Work has been ongoing to overcome objections (including from WSCC) on three sites. Surface water flooding issues may affect the provision of a pitch in a broad location. Looking to go out for publication under Regulation 19 if approved by Council on 28th November.

c. Employment

HDC reported that it is in a good position for meeting in full identified employment needs. They expect to allocate a small number of new employment sites which are mainly expansions of existing employment areas, plus allocate for employment within strategic site allocations. There are also extant commitments. Overall there will be a surplus in supply. As employment growth generally driven by influence of Gatwick & Crawley, HDC wouldn't expect there to be any cross-boundary matters in need of address with Arun.

ADC is looking to provide for its identified employment need, plus a small surplus. Not anticipating exporting any unmet need to other areas but will depend on further local plan work. In particular, there are decisions to be made regarding the degree of employment and economic growth to strategise for.

d. Other Matters

HDC noted ADC's concern with development in Chichester and impacts on the A27 between Chichester Borough and Arun District. There was agreement that there are no cross-boundary strategic transport matters to set out in an updated SoCG

The Coast West Sussex & Greater Brighton Planning Board was discussed, with both parties identifying frustration with lack of progress with LSS3. HDC informed ADC that it was talking with all parties in the group as part of this round of DtC discussions, before determining its approach.

4. Next Steps

Collective recognition that 2021 bilateral SoCG would need updating to reflect current circumstances but that much of the underlying principles remain current. HDC identified that it is not in an immediate need to produce a new version, as the plan-making situation is likely to continue to evolve, but that it would desire a signed updated SoCG in time for submission of its Local Plan for examination and thus would seek to progress an updated officer versions of the SoCG in draft for sharing.

Appendix I: Meeting with South Downs National Park Authority

Duty to Co-operate Meeting – Horsham District Council and South Downs National Park Authority

27 September 2023

MS Teams

Meeting Notes

Attendees

Claire Tester, Planning Policy Manager, SDNPA (CT)
Katharine Stuart, Planning Policy Lead, SDNPA (KS)
Amy Taylor Jones, Planning Policy Lead SDNPA (ATJ)
Natasha Robinson, Planning Policy Officer, HDC (NR)
Norman Kwan, Senior Neighbourhood Planning Officer, HDC (NK)

Record of meeting

Discussion Area		Actions
Local Plan Update		
HDC	<ul style="list-style-type: none">NK provided an update on the Horsham Local Plan. The expectation that a Regulation 19 version of the Local Plan would be taken to Cabinet and Council in December with the intent of publication period commencing soon after.Local Development Scheme to be taken to Cabinet 28 September 2023 for ratification.HDC's standard methodology number is 911. It is unlikely HDC will meet this target figure with Water Neutrality having a significant impact on development coming forward. Further exacerbated by the legal precedent set by CG Fry, the Council five year housing supply is expected to be circa 2.3 housing supply this year although this figure will not be published until the end of 2023 through the AMR.As a result, the housing target will be stepped with a relatively low figure for the plan's first five years (circa 400-500), with a greater target beyond this. It was likely that the overall annualised figure would be between 700 and 750 per year.HDC will likely be in a shortfall against standard methodology figure going forward with the Reg 19. The Council is likely to formally request assistance from other authorities to meet unmet need but through previous discussions, it is understood most won't be in a position to assist.	No further action required
South Downs National Park Authority	<ul style="list-style-type: none">KS explained the Park Authority is at the beginning of the review process as their LP was adopted in July 2019. Expected to review the Local Plan	No further action required

	<p>under the emerging new system. Awaiting further details from DLUHC on process.</p> <ul style="list-style-type: none"> • An emerging draft plan (with site allocations) is intended for member sign off towards the end of 2024, with a Regulation 18 consultation planned for Jan-Mar 2025. • Housing & Economic Development Needs Assessment (HEDNA) and their Land Availability Assessment (LAA) are near completion. Currently commissioning work on other topics including HRA, transport, water cycle study and renewable energy study. • Officers are working on finalising a housing need number across the national park. The Standard Methodology is not applicable to the national park so an alternative methodology is required and being worked on. • Officers are in discussion with members on emerging strategy. KS confirmed workshop 19 October 2023 with members to discuss housing and economic need, emerging land availability assessment conclusions and other aspects of the Local Plan Review. • Following discussion and agreement with Members, SDNPA will hold a workshop with adjacent authorities before the HEDNA is published. 	
Gypsies and Travellers		
	<p>Horsham District Council</p> <ul style="list-style-type: none"> • NK explained that an updated GTAA had been undertaken. • Approximately, a need of around 100 homes would be identified in Horsham (taking into account both definitional and non-definitional components of the population, following the Smith case). • The Local Plan would likely identify allocations that could accommodate around 60 pitches and therefore HDC would likely be seeking assistance from others to help address unmet needs. <u>The exact figure would depend on the outcomes of appeals and on some G&T applications.</u> • HDC explained that they are likely to seek allocations in strategic sites for G&T pitches; intensifications and extensions on other sites. 	<p>HDC will write to SDNPA to formally request if any additional G&T pitches can be accommodated in the national park area. It is unlikely we will make our full need but this is dependent on the outcomes of appeals and live applications. Once the final figure has been realised, we will endeavour to write to the SDNPA.</p>
	<p>South Downs National Park Authority</p> <ul style="list-style-type: none"> • ATJ confirm the National Park Authority are updating their evidence base and are working with Brighton and Hove and Adur and Worthing on Joint Needs Assessment. • ATJ enquired about the status of Greenacres, Small Dole. This is a site which straddles both HDC and SDNPA plan areas. • NK confirmed that he would enquire with his colleagues on the G&T question and the status of Greenacres, Small Dole. 	<p>No further action required.</p>
Infrastructure and transport		
	<p>Horsham District Council</p>	<p>No further action required.</p>

	<ul style="list-style-type: none"> NK confirmed further work on the evidence base was being carried out with regards housing delivery, HRA, transport and viability. 	
	<p>South Downs National Park Authority</p> <ul style="list-style-type: none"> CT confirmed Shoreham Cement Works will now be reintegrated into the Local Plan process instead of through an AAP as originally planned. The Park Authority is currently working with partners to deliver a scheme to focus on employment, tourism and biodiversity gain. There may be some housing onsite to enable development. SDNPA confirmed a planning application may be twin tracked with the emerging LPR. It is envisaged there will not be a major reconfiguration of the local road network due to the impact on the National Park. 	No further action required.
HRA/Appropriate Assessment		
	<p>Horsham District Council</p> <ul style="list-style-type: none"> NK confirmed we had recently commissioned a number of updates to our evidence base including updates to the transport assessment, viability and AECOM to undertake further work to update our HRA/AA work to inform our emerging local plan. The consultant has advised in his discussion with NE, the issue of the cumulative impacts derived from both CDC and HDC local plan growth levels on the Mens SAC has come up. The cumulative impact from emerging plans programs on the Mens SAC with regards to Air Quality impact may require possible mitigation measures. It should be noted this position is not formal position of NE but is a possibility and should be investigated further. 	No further action required
Joint Statement of Common Ground (general discussion)		
	<ul style="list-style-type: none"> HDC stated the previous Statement of Common Ground produced by HDC was signed off in November 2021 by SDNPA. The statement will require updating to reflect current issues between the two authorities. 	HDC to update SoCG and recirculate for comment.
Another Other Business		
	<ul style="list-style-type: none"> HDC would produce draft minutes of this meeting to circulate to all parties for agreement. KS stated previously HDC had sent over a list of sites identified in the Local Plan Review near the National Park boundary for review and comment, and asked if HDC are intending to undertake this again. 	<p>HDC to draft and circulated for comment.</p> <p>HDC to confirm their position on this matter.</p>

Appendix J: Letter to Neighbouring Authorities November 2023

Via email only

Our ref: Strategic Planning
/DtC/

Your ref:

Date: 24 November 2023

Dear,

Horsham District Local Plan: Addressing housing and Gypsy & Traveller Needs

We meet regularly at an officer level to discuss progress on our respective Local Plans. During such conversations we have explained that though our Local Plan was still in production, it looked likely that the Local Plan would be unable to fully accommodate assessed needs for housing and Gypsy & Traveller provision. We are now able to confirm our position in respect of these matters.

Housing

Historically, HDC has been in a position to fully address its own housing needs. Indeed our current Local Plan, the Horsham District Planning Framework (HDPF) not only met our objectively assessed needs, but contributed an additional 150 homes per year to accommodate unmet needs in Crawley Borough.

The process of preparing a new Local Plan for Horsham District began in 2018. By July 2021 a draft Regulation 19 document was considered by our Cabinet which recommended that it should be considered at full Council to allow for the it to be published for a representation period. This draft Regulation 19 document, among other matters, set an annualised housing target of 1,100 per year – a figure beyond HDC's standard methodology number. This figure would meet 50% of your unmet needs, as well as make a small allowance for Sussex coastal areas (with whom we share a secondary housing market area). Such a figure was towards the top end of what our evidence base stated could be delivered at that time.

Prior to our full Council having opportunity to consider the Regulation 19 Plan, the NPPF was revised. Counsel advice was received on these amendments that stated that changes were necessary to make the plan sound and in line with national policy. Subsequently, Cabinet and Council dates were set up for November 2021 to progress an updated version of the Local Plan.

On 14th September 2021, alongside yourselves and Chichester District Council, HDC received a Position Statement from Natural England². An addendum to the Position Statement was subsequently made in November 2022³. Collectively, Natural England assert that water in the district is sourced from the Arun Valley, which includes sites protected by the Habitats Regulations. Natural England further explain that it cannot be concluded that the existing abstraction is not having an impact on these protected sites and that development must not add to this impact.

The result of this Position Statement is that we are currently unable to determine planning applications positively unless water neutrality can be demonstrated. The impact of this has been severe – in the 25 months

² https://www.horsham.gov.uk/_data/assets/pdf_file/0019/106552/Natural-Englands-Position-Statement-for-Applications-within-the-Sussex-North-Water-Supply-Zone-September-2021.pdf

³ https://www.horsham.gov.uk/_data/assets/pdf_file/0012/120315/Addendum-to-Position-Statement-Nov-22.pdf

since September 2021 only 602 homes have been approved. To put this into context, in the three years prior to the Covid pandemic, our average annual housing delivery was just under 1,200 per year.

The impact of the Position Statement on our Local Plan has been similarly severe, as it has taken time to develop an evidence base to understand the effect it would have on future development in the district. Our work on water neutrality, undertaken with our partner authorities and organisations, has now been uploaded to our [evidence base webpage](#). The upshot of such work is that the capacity of Horsham District to deliver development is now limited due to the need for all development to be water neutral.

The lack of recent approvals also means that our housing supply is less than anticipated, accordingly, we expect low delivery over the next five years. Our Housing Delivery evidence (expected to be published in January 2024) also sets out that we will not be able to ensure that our standard method derived figure (911 per year) could be accommodated.

A proposed Regulation 19 Local Plan is being considered by Cabinet and Council on 11th December. Because of the issues highlighted above, the Local Plan will not be able to put forward a strategy that can ensure that we can achieve 911 homes per year. Instead, it will set out an annualised housing target for the period 2024-2040 of around 777, with a stepped trajectory that rises from around 480 in years 2023/24-2027/28 to around 901 in the years 2028/29-2039/40. This means that we will have a shortfall of around 2,275 over the plan period.

At our recent meeting we discussed the ability of your authority to accommodate our housing needs, should they not be able to be fully addressed in our Local Plan. Could you confirm your position in respect of this, in writing?

Gypsy and Traveller Provision

We have discussed the needs for Gypsy and Traveller (G&T) provision and explained that an updated needs assessment was underway in Horsham District. This work is near finalisation and is intended to be published in January 2024 to coincide with the expected Regulation 19 period on our Local Plan. We are now in a position to state that our proposed Regulation 19 document will set out sufficient allocations to meet G&T households meeting the PPTS definition over the first ten years of the plan.

Despite this, we will be unable to fully address our need over the plan period. This is mainly as the assessment identified a large need for pitches for those G&T households that do not meet the PPTS definition of G&T for planning purposes (35 pitches) and the needs of those where it could not be concluded that they met the definition (21 pitches). Together with a shortfall of two pitches for those who meet the PPTS definition, that will mean that we have a shortfall of 58 pitches over the plan period.

We have discussed the ability of your authority to accommodate our gypsy and traveller needs, should they not be able to be fully addressed in our Local Plan. Could you confirm your position in respect of this, in writing?

I hope that the letter is clear. If you require clarification, please contact Tal Kleiman, Senior Planning Policy Officer on 01403 215213 or tal.kleiman@horsham.gov.uk in the first instance. We look forward to receiving your response to the matters referred to in this letter at your earliest convenience.

Yours sincerely,



Catherine Howe
Head of Strategic Planning

Appendix K: Excerpt from Response to Regulation 19 Mid Sussex District Plan Review February 2024

DPH5: Gypsies, Travellers and Travelling Showpeople (p143-145)

As we advised in our letter to you dated 24 November 2023, Horsham District will be unable to fully address our Gypsy and Traveller accommodation need over the plan period. Horsham District has an unmet need of 58 pitches over the plan period. This figure accounts for the change in the Government's Planning Policy for Traveller Sites (PPTS) definition as to who is a member of the gypsy and traveller community for planning purposes. As such, we requested an update from you as to whether Mid Sussex would be in a position to assist in respect of unmet cross-boundary needs within the HMA.

We note from the supporting text that most identified Gypsy, Traveller and Travelling Showpeople needs are met in Mid Sussex from existing commitments/saved policy at the Northern Arc, and residual unmet need is expected to be met by the Significant Site allocations. This is welcomed.

It is noted however that the Significant Sites policies DPSC1 (Land to the West of Burgess Hill/North of Hurstpierpoint) and DPSC2 (Land at Crabbet Park) commit only to the provision of equivalent financial contribution towards off-site provision of Gypsy and Traveller pitches, Whilst it is understood that earlier committed phases of Burgess Hill strategic growth (Northern Arc/Brookleigh) will yield on-site provision, it is not clear how this relates to DPSC1 in respect of the large scale of development across a large land area to be delivered overall, and if there are further opportunities this may present. DPSC3 (Land to the South of Reeds Lane, Sayers Common) on the other hand requires provision of 6 permanent pitches. Therefore, whilst the residual Mid Sussex shortfall of 4 pitches is met at Sayers Common, there is no additional provision made for cross-boundary needs at the other Significant Sites.

Whilst it is acknowledged that the unmet need in Horsham District has only recently been confirmed, we nevertheless feel there is an opportunity to consider whether it is appropriate to allocate for further pitches at strategic sites – in particular DPSC2 (Crabbet Park) on the basis that new provision is being made at the other two strategic sites (including existing commitments/saved policy). DPSC2 is allocated for 2,000 homes and covers a sizeable area. It should (in line with NPPF) provide for a range of housing types and should therefore potentially include provision of Gypsy and Traveller pitches. To do so could make a significant contribution to an identified unmet need within the HMA arising in Horsham District. Therefore, we feel that the **soundness test of positively prepared** may not in this instance have been met. Subject to our exploring this further between our authorities ahead of your submission, and subject to the outcome of further discussions in relation to the evidence around this matter we feel this could potentially be remedied as suggested below.

We make this comment particularly given that the Horsham District Local Plan (Regulation 19) includes a requirement for on-site Gypsy and Traveller provision on each of its three Strategic Site allocations, for either 5 or 15 pitches depending on site area.

Change sought: Make an addition to the second paragraph of DPH5 (under 'Gypsy and Traveller Provision') to read as set out below (or similar wording). Note we have not suggested a specific number of pitches for DPSC1 and DPSC2 in recognition that this will need further discussion in light of site-specific evidence, but would note that the policy requirement for the proposed West of Ifield strategic site, to the west of Crawley (3,000 homes), is for 15 pitches.

"To ensure that enough suitable permanent accommodation for Gypsies, Travellers and Travelling Showpeople is delivered to meet identified needs within an appropriate timescale, and taking into account unmet needs in the Northern West Sussex Housing Market Area, the Council requires that on-site provision is made on Significant Site allocations to contribute to the overall need. This will be as follows:

DPSC1: Land to the West of Burgess Hill/North of Hurstpierpoint – x pitches^[1]

DPSC2: Land at Crabbet Park – x pitches

DPSC3: Land to the South of Reeds Lane, Sayers Common – 6 pitches"

[*] An alternative approach to Policy DPH5 may be appropriate if it can be shown that appropriate provision is already made for Gypsy and Traveller site(s) at Northern Arc/Brookleigh, Burgess Hill which is proportionate to the overall development. Such a change will ideally specify site location and quantum and explain how it relates to the overall scale of the Northern Arc growth.