

Report to:	Cabinet
Date:	25 March 2021
Title:	Interim Policy Statement for Housing Delivery
Report of:	Director of Regeneration and Planning
Cabinet member:	Cllr Emily O'Brien, Cabinet Member for Planning and Infrastructure
Ward(s):	All wards in Lewes District that lie wholly or partially outside of the South Downs National Park
Purpose of report:	To seek Cabinet approval of the Draft Interim Policy Statement for Housing Delivery
Decision type:	Key
Officer recommendation:	That Cabinet approves the Draft Interim Policy Statement for Housing Delivery, as set out at Appendix 1
Reasons for recommendations:	To help provide a clear and consistent approach to the assessment of planning applications for housing development outside of the adopted planning boundaries.
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1 Interim Policy Statement for Housing Delivery (IPS)

- 1.1 The IPS has been prepared in the context of the vision, objectives and policies set out in the adopted Lewes District Local Plan. It also reflects many of the priorities set out in the Council's Corporate Plan, including delivering new homes, promoting access to housing for all groups, encouraging more walking and cycling, increasing biodiversity, putting sustainability at the heart of the planning process, and ensuring an effective and transparent planning service
- 1.2 The Interim Policy Statement for Housing Delivery (IPS) has been drafted to facilitate the delivery of new housing. It seeks to provide clarity and guidance to applicants about how the Council will assess development proposals for housing on sites outside of the settlement planning boundaries. The full text of the draft IPS is set out at Appendix 1 to this report.
- 1.3 The IPS identifies the factors that are considered critical to achieving sustainable development in relation to the provision of housing outside of the settlement planning boundaries, having regard to the policies of the adopted Local Plan and

the NPPF.

- 1.4 It is important to note that the IPS will be published as informal guidance and will not alter the statutory planning framework for the district. Nor does it set out the full range of relevant national or local planning policy and practice that may be applied by the Council when considering applications for housing development outside of the planning boundaries.
- 1.5 It has been prepared to provide guidance and clarity to applicants, and should be read alongside the relevant development plan policies for the area and it will be used as a material consideration in the determination of planning applications.

2 Outcome expected and performance management

- 2.1 The IPS has been produced as a positive and proactive document and it seeks to ensure that new homes are delivered in the right place, and at an appropriate scale, to help meet the local housing needs of the district, as required by national planning policy.
- 2.2 The effectiveness of the IPS will be monitored through the development management process, including appeal decisions. If the IPS fails to provide the necessary clarity and guidance to promote sustainable development, it can be reviewed or withdrawn at a future date.

3 Consultation

- 3.1 As part of the consultation regime all towns and parishes, neighbouring authorities, the national park and the Planning Service Users Group were consulted with all responses received being report to the Local Plan Steering Group and where appropriate constructive amendments to the text of the IPS, have been incorporated in the draft document at Appendix 1 to this report.

4 Financial appraisal

- 4.1 There are no financial implications of approving the IPS as a non-statutory guidance document for development management purposes.

5 Legal implications

- 5.1 The Council has a statutory duty to determine applications in accordance with Section 38(6) of the Planning & Compulsory Purchase Act 2004. This requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. This duty includes taking into account relevant policies of the development plan and the policies of the NPPF.

The policy for the “tilted balance” under paragraph 11d)ii) NPPF 2012 provides that for decision-taking this means:

- d) where there are no relevant development plan policies, or the policies

which are most important for determining the application are out-of-date , granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed

; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Recent case law confirms that decision makers may adopt a holistic approach to the performance of the duty in section 38(6) and provided the statutory duty is complied with, the decision-maker can go about the task in a way that seems suitable in the circumstances of the case and in doing so, relevant policies in the development plan may be taken into account. The Interim Policy Statement for Housing Delivery will help ensure the Council takes a consistent approach to determining development proposals for housing outside the settlement planning boundaries and enable the Council to demonstrate that it has done so.

Legal Implications Provided 22.02.21 JCS – 9928

6 Risk management implications

- 6.1 The IPS represents a pro-active approach to housing delivery in the light of changed circumstances since the adoption of the strategic policies of the Local Plan in 2016. Its implementation is intended to improve the efficiency and effectiveness of the development management process for all parties.

7 Equality analysis

- 7.1 The IPS has been prepared in the context of the vision, objectives and policies of the adopted Lewes District Local Plan Parts 1 and 2, for which EaFA's have already been completed at key stages of publication. No further direct implications for equalities have been identified at this stage.

8 Environmental sustainability implications

- 8.1 The IPS has been prepared within the context set by the vision, objectives and policies of the adopted Lewes District Local Plan, which has been subject to Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment Directive. The IPS identifies the factors that are considered critical to achieving sustainable development in relation to the provision of housing outside of the settlement planning boundaries. Its implementation should therefore contribute towards meeting the target of net zero carbon by 2030.

9 Appendices

- Appendix 1: Draft Interim Policy Statement for Housing Delivery

10 Background papers

The background papers used in compiling this report were as follows:

- [Lewes District Council Five Year Housing Land Supply Position Statement 1 April 2020](#)
- [National Planning Policy Framework](#)
- [Lewes District Council Revised Local Development Scheme](#)
- [Lewes District Local Plan Part 1: Joint Core Strategy](#)
- [Lewes District Local Plan Part 2: Site Allocations and Development Management Policies](#)