

Duty to cooperate: Statement of common ground Cross-boundary working and meeting housing needs

This agreement is between:

- Lewes District Council
- South Downs National Park Authority
- Adur District Council
- Arun District Council
- Brighton and Hove City Council
- Chichester District Council
- Crawley Borough Council
- Eastbourne Borough Council
- Hastings Borough Council
- Horsham District Council
- Mid Sussex District Council
- Rother District Council
- Wealden District Council
- Worthing Borough Council

Map 1: Lewes district in context



boundaries cannot be defined. The extent of this HMA was reconfirmed in the Strategic Housing Market Assessment³ undertaken for the coastal West Sussex authorities in November 2012.

- 3.2 Research by the Department for Communities and Local Government showed that HMAs operate as an overlapping system of tiers and that it is not possible to precisely define the boundary of a specific housing market area due to the variety of methodologies that can be used⁴. Therefore a number of different permutations can potentially exist as Lewes district's HMA.
- 3.3 Within the broad Sussex Coast area a distinct local HMA exists. This is focused on Brighton and Hove and exerts influence across most of Lewes district. Small parts of the district also have some overlap with the Eastbourne, High Weald and Crawley/Gatwick housing market areas, although for the vast majority of the district it is the Sussex Coast HMA that is of relevance⁵.
- 3.4 Two broader strategic HMAs⁶ have also been identified, again focused on Brighton and Hove.
 1. The administrative areas of Brighton and Hove, Lewes, Adur, Worthing, Horsham, Mid Sussex, Crawley, Wealden and Eastbourne.
 2. A broader Coastal Sussex HMA centred on Brighton and Hove stretching from Seaford along the coast to West Wittering and inland into the South Downs National Park to settlements such as Lewes and Midhurst, covering the administrative areas of Lewes, Brighton and Hove, Adur, Worthing, Arun and Chichester.
- 3.5 The District Council and National Park Authority have sought to work with all authorities forming part of the main Sussex Coast HMA, as well as those authorities in HMA's where there is a degree of overlap.

4. Meeting objectively assessed housing needs

- 4.1 Despite extensive work, the Council and SDNPA consider that, due to extensive and well documented environmental and infrastructure constraints, objectively assessed housing needs in Lewes district cannot be met within the sustainable development requirements of the National Planning Policy Framework. This position will be tested at the examination of the Joint Core Strategy.
- 4.2 In seeking to locate the unmet need elsewhere the local level HMA, whereby most of Lewes district relates intimately with Brighton and Hove, was considered first. This was followed by the wider Coastal Sussex HMA, starting with the most directly related authority areas. Unfortunately the other authorities face similar constraints to Lewes district, leaving them unable to

³ <http://www.arun.gov.uk/main.cfm?type=HOUSING#SHMA> 2012

⁴ Geography of Housing Market Areas Final Report, DCLG (2010)

⁵ Housing Market Assessment of Lewes, DTZ (2008)

⁶ Coastal West Sussex Strategic Housing Market Assessment Update, GL Hearn (2012)

- 5.4 The Board has signed a memorandum of understanding⁸ and agreed terms of reference⁹ as a framework for cooperation. It has also a Local Strategic Statement¹⁰ which sets out the long term strategic objectives for the period 2013-2031 and the spatial priorities for delivery in the medium term to support the delivery of regeneration, jobs and homes while protecting the high quality environment. It is proposed that the Local Strategic Statement will be reviewed and refreshed in October 2014.
- 5.5 Collaborative working among planning officers across East Sussex has been long-established through the channels of the Planning Liaison Group (chief planning officers), East Sussex Local Plan Managers Group and the East Sussex Development Management Forum. In addition, the East Sussex Strategic Planning Members Group (ESSPMG) was set up in 2013 to enhance and endorse cooperation at the political level. The group consists of the portfolio holders for planning assisted by officers from all local authorities in East Sussex, including SDNPA.
- 5.6 All ESSPMG member authorities are signatories to a memorandum of understanding, which was drawn up to formalise and give direction to ensure active, constructive and ongoing joint working arrangements. The memorandum of understanding sets out the group's key purposes as raising awareness of cross boundary issues; and to explore any matters of concern to understand how they are affecting development and/or delivery of plans. Although the ESSPMG is primarily for East Sussex authorities, it is recognised that strategic planning issues do not constrain themselves to county boundaries and therefore neighbouring authorities attend meetings of the group if an issue is being explored that is relevant to that authority area.
- 5.7 Additionally the council and SDNPA have instigated or attended many meetings and events specifically or indirectly to address matters relevant to the duty to cooperate. A schedule of key meetings and joint-working, and their key outcomes, with local planning authorities and other organisations subject to the duty to cooperate is set out in Appendix 1 of the Duty to Cooperate Compliance Statement. These have facilitated constructive and active cooperation with the other authorities, in addition to existing mechanisms of cooperation such as consultation responses. These meetings include those held with the purpose of establishing an overall picture of housing need across the sub-region and determining whether any local planning authorities had spare capacity to accommodate unmet needs from areas that were unable to meet their own needs such as Lewes district.
- 5.8 The Duty to Cooperate Compliance Statement has been circulated to all local planning authorities in East and West Sussex and no concerns have been raised.

⁸ <http://www.coastalwestsussex.org.uk/wp-content/uploads/FINAL-CWS-SPB-MoU-Feb-2014-Final-Signed.pdf>

⁹ <http://www.coastalwestsussex.org.uk/wp-content/uploads/CWS-Strategic-Planning-Board-TOR-Oct-13-Final-Version.pdf>

¹⁰ <http://www.coastalwestsussex.org.uk/wp-content/uploads/FINAL-LSS-for-CWS-Gtr-Brighton-30-Jan-14.pdf>

- 6.4 There is agreement between the Coastal West Sussex and Greater Brighton authorities that the evidence shows that, collectively, they are unable to meet the full objectively assessed housing needs. Current evidence implies that it may be feasible to accommodate a maximum of around 75% of the assessed level of need across the sub-region¹³.
- 6.5 The most significant shortfall against objectively assessed needs is expected to arise in the area of the sub-region centred on the City of Brighton and Hove, including Lewes district, Adur and Worthing. This is primarily a function of geography with limited development potential in the areas between the national park and the sea.
- 6.6 This situation persists from that which existed during the preparation of the South East Plan (now revoked), which resulted in the South East Plan's housing requirements for the authorities in the Sussex Coast HMA being set at least 27-30% below demographic projections¹⁴.
- 6.7 In August 2013 a meeting took place between the Council, SDNPA, the West Sussex district/borough councils and Brighton and Hove City Council. The purpose of the meeting was to discuss a way forward, in accordance with the duty to cooperate, regarding seeking to meet the sub-region's housing needs in the light of the levels of provision likely to be achieved through the recently adopted and emerging Local Plans. It was acknowledged that most LPAs are unable to meet their objectively assessed housing needs in their Local Plans because of recognised capacity constraints. Those authorities that anticipated being able to meet their own housing needs also experience capacity constraints such that they are unlikely to be in a position to accommodate the anticipated shortfalls arising in the other authority areas.
- 6.8 It was agreed that the authorities would continue to work together in order to identify, if possible, longer term strategic solutions to the identified shortfall of housing provision across the sub-region, including necessary strategic infrastructure and appropriate delivery mechanisms. This work would be undertaken on the understanding that each authority would look to meet future housing needs within their own local housing market area(s) first before looking at options beyond their market area(s) if necessary. Subsequently the Coastal West Sussex and Greater Brighton authorities signed a memorandum of understanding and produced its Local Strategic Statement, setting out the commitment and framework through which they will actively cooperate in seeking to address the sub-region's housing needs on an ongoing basis.
- 6.9 Wealden and Mid Sussex are neighbouring districts to Lewes but are not significant constituents of the Sussex Coast HMA. To date neither authority has identified that it may have capacity to help meet some of Lewes district's unmet housing needs. Mid Sussex is currently working on a revised District Plan. Before setting its proposed housing target, Mid Sussex is undertaking

¹³ Housing Study (Duty to Cooperate), GL Hearn (2013)

¹⁴ Housing Study (Duty to Cooperate), GL Hearn (2013)

for any local variations. As the majority of the issues being explored are detailed in nature, this work is of greater relevance to the Development Management policies each planning authority is preparing.

Lewes District Council:

Signed:

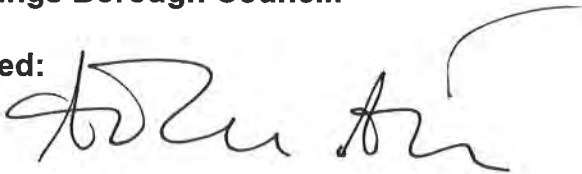


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Date: 17 October 2014

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Date: 19th December 2014