

Subject to approval at the next Subcommittee meeting

## LOCAL PLAN SUBCOMMITTEE

30 October 2014 at 6.00 p.m.

Present : Councillors Haymes (Chairman), Bower (Vice-Chairman), Bicknell, Brooks, Mrs Brown, Charles, Mrs Hall and Mrs Maconachie.

### 14. Apologies for Absence

Apologies for absence had been received from Councillors Chapman, Cooper, Mrs Goad and Nash.

### 15. Declarations of Interest

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

#### Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests so, by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

There were no declarations of interest made.

### 16. Minutes

The Minutes of the meeting held on 31 July 2014 were approved by the Subcommittee and signed by the Chairman as a correct record.

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17. Arun Local Plan Update

Prior to consideration of the report and the accompanying background papers, the Principal Planner provided the Subcommittee with a verbal update on the current status of the Transport Studies. She advised that the Enterprise Bognor Regis Felpham link study had been completed and was available on the Council's website. The results had favoured Option 1, which would remain east of the railway line and so a bridge would not be required and would cost significantly less than the Option 2 route.

With regard to the Employment and Enterprise Validation Study the Principal Planner was able to advise that this was nearing completion and would be uploaded to the website in the near future.

The Chairman then sought the Subcommittee's approval to consider and vote on Parts A, B, C and D as separate entities, which was duly agreed.

**Part A:** An evidence base update which presented the Authorities Monitoring Report; Housing and Economic Land Availability Assessment; Housing Land Supply; and Housing Implementation Strategy.

- Authorities Monitoring Report –The Head of Planning Policy & Conservation advised that information was still awaited from the County Council regarding Commercial Delivery and from the Sussex Biodiversity Records Centre on the Sussex Biodiversity report.
- Housing & Economic Land Availability Assessment (HELAA) Sites,- The Head of Planning Policy & Conservation advised that this paper merged the Housing and Employment Sites Assessment into one resource, in line with best practice and planning policy guidance. The Subcommittee was also informed that, following the successful Yapton Neighbourhood Plan referendum, the density figures of two sites would be increased (Items 6 and 8 on page 44 of the agenda) and two would be deleted (items 7 and 9), with the net result being an uplift in numbers which would help with the Council's housing land supply. The changes would be made to the HEELA and related documents following Full Council on 5 November 2014.
- Housing Land Supply – The Head of Planning Policy & Conservation advised that this was a critically important aspect of the Authorities Monitoring Report and differed to that previously presented due to changes in planning policy guidance, with the key outcomes being detailed on page 57 of the agenda.
- Housing Implementation Strategy - The Head of Planning Policy & Conservation advised that the purpose of this paper was to show what contingencies had been made to underpin the Local Plan should any sites not come forward or come forward less quickly in the future.

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**Part B:** Assessments to support the soundness of the Local Plan, namely the Equalities Impact Assessment and an assessment required under Section 17 of the Crime & Disorder Act.

- Equality Impact Assessment - As the Council had adopted an Equality Impact Assessment procedure, it was considered that every policy in the Local Plan should be assessed. Most policies were scored neutrally, with the housing score being positive in policy areas such as affordable housing but with a negative score for Travellers until the Traveller Site Specific Development Plan was adopted.
- Section 17 of the Crime & Disorder Act – The Head of Planning Policy & Conservation advised that the policies in the Local Plan had been assessed against crime and disorder issues. The Safer Arun Partnership had worked with the Council throughout the development of the plan and had formally endorsed this assessment on 1 September 2014.

**Part C:** Draft Duty to Cooperate Statement; and Duty to Cooperate Correspondence.

Draft Duty to Cooperate Statement – The Senior Environmental Assessment Officer presented this paper and stated that, as part of the Localism Act, the authority needed to produce a Statement about how it would meet the requirement for the Duty to Cooperate. It was further stated that what was on the table was very much in draft form and it would be brought up to date prior to the Examination in Public. Members were requested to feed back their comments to Charlotte Hardy, the Senior Environmental Assessment Officer.

Members participated in some debate on this matter, particularly around attracting people from the wider area back into Arun and cutting down on travel to outside of the District by providing high quality jobs and regenerating areas within Arun. There was also some debate over issues relating to housing, incorporating the acknowledgement that the 'Duty' was a complex matter which did not recognise administrative boundaries.

Duty to Cooperate Correspondence – Part A – Memorandum of Understanding between Arun District Council and Mid Sussex District Council. The Head of Planning Policy & Conservation advised that the relevant Portfolio Holders had met and agreed the MoU in principal. The Council was not committed to anything in signing the MoU but it was equally beneficial for Arun and Mid Sussex to formalise their collaboration.

Part B – Officer response to Crawley Borough Council's Duty to Cooperate letter. The Head of Planning Policy & Conservation

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advised that a response was necessary to Crawley's request for help with their employment and housing needs.

Part C – Statement of Common Ground with Lewes – officers were of the view that it would be beneficial for the Council to sign up to this and agreed with the evidence that was being put forward.

**Part D:** Response to Crawley Submission Local Plan and Planning & Traveller Consultation.

- Response to Crawley Submission Local Plan – The Head of Planning Policy & Conservation stated that it was considered that the approach being taken by Crawley Borough Council was a sensible one.
- Planning & Traveller Consultation – The Principal Planner introduced the consultation by saying that on 14 September 2014 the Government had published proposed changes to the national planning policy for Traveller Sites. She explained that the consultation particularly focussed on the following themes:-
  - Promoting fairness in the planning system – the consultation aims to achieve this by amending the definition of ‘gypsies and travellers’ and ‘travelling showpeople’ by removing “or permanently” from the sentence “Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently.....”
  - Protecting sensitive areas and the Green Belt – the consultation aims to achieve this by providing additional protection to sensitive areas including Green Belt and National Parks
  - Addressing the Unauthorised Occupation of Land – the consultation aims to achieve this by requiring that unauthorised occupation of land is used as a material consideration against an applicant when they make an application
  - Finally, the consultation requests comments on the Draft Planning Guidance for Travellers, to be included in the Planning Practice Guidance

It was reported that the draft officer response had been prepared in consultation with the Development Control Team Leaders for the Eastern and Western Areas as they had experience in dealing with Gypsy and Traveller applications and had an understanding of the sites in the District.

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The Principal Planner directed Members to the draft response to Question 1 with regard to the proposed amendment to the definition of Travellers. She highlighted that the proposed amendment could add unnecessary complexity to the planning process; could lead to delays to the decision making process; and could result in an increase in enforcement cases. Furthermore, the definition could lead to increased uncertainty for traveller families who intended to continue to travel but their circumstances, such as integrating children into local schools, prevented them from travelling.

The Subcommittee was requested to consider the officer's draft consultation response and, in the course of discussion, Member comment was made regarding Section 2 within Annex A – Draft Planning Guidance for Travellers” which stated that “Local Authorities should take account of travellers specific accommodation needs which related to their preference for mixed use caravan sites” and it was agreed that, as this term was not clear that would be noted in the consultation response. It was also agreed that Question 1 relating to the deletion of the words “or permanently” from the planning definition of travellers, should be left unanswered as it was not clear what the implications would be either with or without it.

The Subcommittee then

RECOMMEND TO FULL COUNCIL – That

PART A

(1)

- (a) Authorities Monitoring Report be agreed
- (b) the updated sites within the Housing and Employment Land Availability Assessment be agreed and that the most up to date HELAA database is made available on the website
- (c) the 2014-2019 Housing Land Supply Assessment be adopted;
- (d) the Housing Implementation Strategy be agreed; and
- (e) the evidence base updates provided for the Transport Studies and Employment and Enterprise Validation Study be noted;

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PART B

(2) the Equalities Impact Assessment and the Section 17 Crime & Disorder report be agreed;

PART C

(3)

(a) the progress made on the draft Duty to Cooperate Statement being prepared to support the Local Plan be noted:

(b) the Duty to Cooperate Memorandum of Understanding with Mid Sussex District Council be agreed

(c) the position set out in the officer's response to Crawley Borough Council's Duty to Cooperate letter be agreed;

(d) the Lewes District Council Statement of Common Ground be agreed;

PART D

(4)

(a) the officer response to Crawley Borough Council's statutory submission consultation (1 September – 13 October 2014), together with any minor changes to be agreed by the Portfolio Holder for Planning & Infrastructure and the Assistant Director of Planning & Economic Regeneration, be agreed;

(b) the officer response to the Government's proposed amendments to "Planning Policy for Traveller Sites" (March 2012), subject to Question 1 being left unanswered, together with any minor changes to be agreed by the Portfolio Holder for Planning & Infrastructure and the Assistant Director of Planning & Economic Regeneration, be agreed;

(5) any minor changes to documents in Parts A, B, C and D be delegated to the Portfolio Holder for Planning & Infrastructure and the Assistant Director of Planning & Economic Regeneration.

+(The meeting concluded at 7.00 pm)