



Arun District Council
Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Tel: (01903 737500)
Fax: (01903) 730442
DX: 57406 Littlehampton
Minicom: 01903 732765

e-mail: committees@arun.gov.uk

Committee Manager: Carrie O'Connor (Ext 37614)

18 October 2017

LOCAL PLAN SUBCOMMITTEE

A meeting of the Local Plan Subcommittee will be held in Committee Room 1 (the Pink Room) at the Arun Civic Centre, Maltravers Road, Littlehampton on **Monday 30 October 2017 at 6.00 p.m.** and you are requested to attend.

Members: Councillors Bower (Chairman), Charles (Vice-Chairman), Mrs Bence, Bicknell, Mrs Brown, Chapman, Cooper, Elkins, Mrs Hall, Haymes, Oppler, Mrs Rapnik and Mrs Stainton [+ 1 Conservative vacancy].

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declaration of personal and/or prejudicial/pecuniary interests that they may have in relation to items on this agenda.

You should declare your interest by stating:

- a) the item you have the interest in
- b) whether it is a personal interest and the nature of the interest
- c) whether it is also a prejudicial/pecuniary interest
- d) if it is a prejudicial/pecuniary interest, whether you will be exercising your right to speak under the normal procedure rules applicable to the Committee

You then need to re-declare your prejudicial/pecuniary interest at the commencement of the item or when the interest becomes apparent.

3 MINUTES

To approve as a correct record the Minutes of the meeting held on 31 August 2017 (attached).

4 ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

5 ARUN LOCAL PLAN - ACTION PLAN AND MAIN MODIFICATIONS

This report considers the matters raised by the Inspector following the Local Plan Examination Hearings which were held between 18 - 28 September 2017. The Subcommittee is requested to agree to the responses provided within the Actions Log for submission to the Local Plan Inspector.

6 PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES: CONSULTATION RESPONSE

On 14 September 2017, the Government published 'Planning for the right homes in the right places'. This report provides the Council's response to the matters raised in this consultation.

7 FOLLOW UP REPORT TO CLARIFY POSITION OF THE COUNCIL AFTER THE DECISION OF LOCAL PLAN SUBCOMMITTEE ON 6 DECEMBER 2016

In December 2016, Local Plan Sub Committee (and subsequently Full Council in January 2017) resolved to invite planning applications on sites identified as 'deliverable' within the Housing & Economic Land Availability Assessment (HELAA). This report confirms that this decision will continue to be a material consideration in the determination of planning applications for any planning applications submitted up to the date of adoption of the Local Plan.

8 RECOMMENDATIONS FROM THE WEST SUSSEX & GREATER BRIGHTON STRATEGIC PLANNING BOARD

The Strategic Planning Board has made a number of recommendations regarding how strategic planning matters should be addressed within the Board area in the future. This includes the production of a Local Strategic Statement 3 and the necessary resourcing to deliver the required outcomes.

9 LOCAL PLAN SUBCOMMITTEE TERMS OF REFERENCE

As part of the ongoing review of the Constitution, the next section that has been agreed with the Constitution Working Party will be reviewed is the Terms of Reference for Committees and Sub-Committees.

Note: *Indicates report is attached for all Members of the Subcommittee only and the press (excluding exempt items). Reports can be accessed through the Council's website at www.arun.gov.uk

Note: Members are also reminded that if they have any detailed questions, would they please inform the Chairman and/or relevant Lead Officer in advance of the meeting.

Subject to approval at the next Subcommittee meeting

LOCAL PLAN SUBCOMMITTEE

31 August 2017 at 6.00 p.m.

Present : Councillors Bower (Chairman), Charles (Vice-Chairman), Mrs Bence, Mrs Brown, Cooper, Mrs Hall, Haymes and Oppler.

Councillor Ambler was also in attendance at the meeting.

8. Apologies for Absence

Apologies for absence had been received from Councillor Elkins.

9. 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.

10. Minutes

The Minutes of the meeting held on 3 July 2017 were approved by the Subcommittee and signed by the Chairman as a correct record.

11. Housing and Economic Land Availability Assessment (HELAA)

The Principal Conservation Officer presented a report which provided the detail of the review that had been undertaken to update the Economic

Subject to approval at the next Subcommittee meeting

Land Availability Assessment (HELAA), which provided the Council with a database of potential development sites within the District.

The Subcommittee was informed that 13 new sites had been submitted to the Council as part of a Call for Sites exercise in April/May 2017 and of those new sites 6 had been identified as being deliverable whilst the remaining 7 sites were assessed as being not currently developable. The new sites had the potential to accommodate 229 units. Information relating to the sites would be kept up to date, e.g. should their status change due to planning permission being refused.

The Chairman advised that a planning application at Climping had been refused by the Development Control Committee last week and the HELAA would be updated accordingly.

Councillor Haymes wished it to be recorded that, whilst he agreed with the HELAA at the present time, as a member of the Development Control Committee he reserved his position when any particular site was considered by that Committee in the future.

The Subcommittee

RESOLVED – That

(1) the HELAA (Housing & Employment Land Availability Assessment), as part of the evidence base for the Local Plan and any future Development Plan document, be noted; and

(2) officers to update the contents of the HELAA (Housing & Employment Land Availability Assessment), subject to an annual report of the key findings.

12. Arun Local Plan – Evidence Base Update

In the absence of the Planning Policy Team Leader, the Principal Conservation Officer presented this update report on the Arun Local Plan (2011-2031).

The Subcommittee also received a verbal update that additional Matters and Issues had been received today (31 August 2017) and these had been uploaded to the website. All interested parties would be contacted by the Programme Officer to inform them of the additional questions.

As officers were currently preparing individual Statements of Common Ground with all of the strategic site promoters, which would set out areas of agreement between the Council and the relevant developer/site promoter, the intention was to submit these to the Inspector at the same time as the relevant Matters and Issues documentation.

Subject to approval at the next Subcommittee meeting

Memorandums of Understanding would also be presented to the Inspector when the examination hearings reconvened.

A question was asked around the changes and amendments being made to the Local Plan and whether these were significant or were just for clarification. Confirmation was given that the actual thrust of the policies remained the same but in some cases the wording had been simplified and/or clarified.

The Subcommittee then

RESOLVED

That the update provided on the progress of the Arun Local Plan (2011-2031), be noted.

(The meeting concluded at 6.15 pm)

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 30 OCTOBER 2017

Subject : Arun Local Plan - Action Plan and Main Modifications

Report by : Martyn White, Principal Planning Officer

Report date : 16 October, 2017

EXECUTIVE SUMMARY

The Local Plan Examination Hearings were held between 18 and 28 September 2017, and have been formally closed by the Inspector. Through the examination a number of matters were raised that the Inspector has asked the Council to consider. These matters have been incorporated into ADCED72 where a daily log of issues has been collated. A formal response to all of these issues will be added to this agenda prior to the meeting. This completed Actions Log, along the relevant Main Modifications, will be sent to the Inspector on 31 October 2017.

The Council has also received Interim Findings from the Inspector (IDED42) following the examination hearing sessions. The purpose of the note is twofold: firstly to provide preliminary findings on some key issues, and secondly to provide his views on the further Main Modifications that are likely to make the Local Plan sound following the hearing sessions.

Once the Inspector has confirmed that the proposed additional Main Modifications (MMs) are acceptable, the Council will be required to 'test' these modifications through an addendum to the Sustainability Appraisal (SA). Once this has been completed, the Council will be able to consult on these additional modifications.

The results of the consultation will be passed to the Inspector to inform his final assessment of the Plan.

RECOMMENDATION

It is recommended that:

- 1) Local Plan Sub-Committee agree to the responses provided within the Actions Log for submission to the Local Plan Inspector;
- 2) The Director of Place be authorised to prepare a detailed schedule of further Main Modifications and necessary documentation for submission to the Local Plan Inspector;

- 3) Following receipt of the Inspectors letter, the Director of Place be authorised to publish the schedule of further proposed Main Modifications and necessary documentation for publication and a 6-week representation period in accordance with the Inspectors guidance;
- 4) Following this 6-week representation period, that the representations to these further proposed modifications be submitted to the Planning Inspector for review before a final report is sent to the Council;
- 5) That the Director of Place be authorised to produce and submit any supplementary information and documentation to the Planning Inspector as required.

1.0 BACKGROUND

- 1.1 The Local Plan examination hearings took place for the weeks commencing 18 and 25 September 2017, and concluded on Thursday 28th September when the Inspector formally closed the examination.
- 1.2 The last hearing session (no. 14) was dedicated to the next stages in the preparation/examination of the Local Plan. During the discussion it was agreed that there are a number of steps to be followed prior to the adoption of the Local Plan. This report provides an update on the preparation of the Local Plan, including the Inspectors interim findings, information related to additional Main Modification (MMs) and an additional period of consultation.

Actions Arising Through the Examination Hearings

- 1.3 Through the examination a number of matters were raised that the Inspector has asked the Council to consider. These were confirmed at the end of each hearing session and presented in an 'Actions Log' which has been uploaded to the examination website (document ADCED72).
- 1.4 The matters range in nature from uploading additional documents to the examination web page through to considering the preparation of further modifications to the Local Plan.
- 1.5 Officers are working to provide a formal response to each of these as part of the Actions Log and this will result in either further Modifications to the Plan, an explanation as to why we don't propose any action, or confirm that an action/task has been completed.
- 1.6 The completed Log will be provided to Members prior to the meeting and will be sent to the Inspector along with an accompanying updated list of additional Main Modifications following this committee meeting.

Inspector's Interim Findings Following Hearing Sessions

- 1.7 The Council has received Interim Findings from the Inspector following the examination hearing sessions (IDED42). The purpose of the note is twofold: firstly to provide preliminary findings on some key issues, and secondly to

provide his views on the further Main Modifications that are likely to make the Local Plan sound following the hearing sessions.

- 1.8 In addition, the note seeks clarification/further information from the Council on some matters following the hearings, particularly in relation to documentation that was submitted just before or during the hearings.
- 1.9 The Inspectors conclusions regarding soundness and procedural compliance will be set out in the final report. However, as part of the interim report, the Inspector provides brief explanations of his findings, having regard to the criteria for soundness. The key issues raised include:
- The Inspector is satisfied that the Council has engaged constructively and complied with the Duty to Cooperate;
 - He also considers that the Council has met the requirements in the regulations with respect to consultation (relating to the publication of the modified plan, seeking and considering representations and submitting documents to the Secretary of State);
 - The Council should consider if the Angmering / Worthing and the Felpham / Bognor Regis gaps are justified;
 - The size of the employment allocation at Angmering (site 7) has been questioned, and a reduced size suggested;
 - The supply from non-strategic housing sites should be reviewed, with a commitment to begin working on the Development Plan Document soon after the adoption of the Local plan;
 - The capacity of the Yapton allocation (SD7) should be amended to state 'at least 500 dwellings';
 - Further information related to the Angmering North Allocation (SD9) has been requested to justify its soundness in terms of landscape impact;
 - The County Council is requested to provide further information related to the provision of education associated with the strategic allocations;
 - The Inspector suggests that the best approach related to Infrastructure provision would be to include within the Local Plan, a commitment to progress a CIL Charging Schedule immediately after the adoption of the LP (assuming that CIL is retained in some form at national level).
- 1.10 Officers are currently reviewing the information provided by the Inspector and are preparing a formal response to each issue raised. This will require officers to prepare further modifications to the Plan, which will need to be the subject of Sustainability Appraisal and consultation.

Further Modifications to the Local Plan

- 1.11 The Council is in the process of preparing further Modifications to the Plan. The list of Modifications will include those:
- prepared following the end of the Main Modifications consultation (May 2017);

- main modifications that arose before the examination as a result of the Inspectors initial questions to the Council in August 2017 (ADCED49),
- that arose as a result of the Matters and Issues statements;
- that arose as a result of the examination hearings themselves (ADCED72),
- that arise in response to the Inspectors Interim Findings (IDED42)

1.12 It is worth noting that the Inspector is only concerned with those changes to the Plan's policies and supporting text that are required to make the document 'sound'. These changes are termed 'Main Modifications'. It is not the Inspector's role to recommend other changes which would generally improve the Plan. However, it should be noted that a number of Minor Modifications have been prepared by the Council which are considered relevant. These are referred to as Additional Modifications, but do not affect the soundness of the Plan. As a consequence, they are of no interest to the Inspector. However, for completeness the Council will ensure that these are passed to the Inspector as well.

1.13 Following receipt of these modifications from the Council, the Inspector will then have the opportunity to review them. He will then respond confirming if he approves of them. In addition, he will inform the Council if there are any substantial issues that he would like to see addressed that would require further work or testing.

1.14 Once the Inspector has confirmed that the proposed additional Main Modifications are acceptable, the Council will be required to 'test' these modifications through an addendum to the Sustainability Appraisal (SA). Once this has been completed, the Council will be able to consult on these modifications.

Consultation

1.15 The additional period of consultation (referred to above) enables the Inspector to understand the views of all interested parties' on these proposed Main Modifications before he reaches his final conclusions on the Plan.

1.16 It is stressed that the consultation will only relate to the further main modifications (see para 1.11 above), and no other element of the Plan, as these have previously been consulted upon.

1.17 The Committee is asked to approve the publication of the schedule of further proposed Main Modifications for public consultation following receipt of the Inspectors letter. The consultation period will be a minimum of 6 weeks and commence in December 2017/January 2018.

1.18 At the end of the consultation, all of the responses received will be collated, summarised and passed on to the Inspector, for review. Following this, the Council will be sent a final report from the Inspector setting out his final conclusions on the soundness of the Plan, along with any recommendations.

Timetable

1.19 The timetable for the remainder of the examination is anticipated as follows (based on the Inspectors availability to work on the Local Plan):

- October 2017 – The schedule of MMs are provided to Inspector.
- November 2017 – The Inspector provides comments on the schedule and the Council provides a response to the post hearing note.
- End of November 2017 – The Council finalise the Schedule of MMs taking into account the Inspector’s comments and any issues raised in the Interim Findings note.
- December 2017 – The Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) are updated as necessary to take into account the Proposed MMs.
- December 2017/January/February 2018 – Publicity/consultation is undertaken on the MMs alongside the updated SA/HRA for a 6 week period.
- February 2018 – The Council considers representations on the MMs and passes them on to the Inspector for consideration.
- March 2018 – The Inspector finalises his report. The report will be subject to QA and a LPA fact check.

Adoption

1.20 When the Inspectors final report is received by the Council (assuming that it is favorable), a fully revised version of the Local Plan will be prepared incorporating his recommended Main Modifications (and Additional Modifications). It is likely that there will be some further minor adjustments to the Plan (such as formatting and typographical changes) when the final version of the document is prepared prior to adoption. The final version of the Local plan will be presented to this committee with the request that it be recommended to Full Council for adoption.

2.0 RELEVANT DOCUMENTS

- Local Plan Examination Action Log:
[ADCED72 Action Log updated 27.9.17.pdf \[pdf\] 72KB](#)
- IDED42: Inspector’s Interim Findings Following Hearing Sessions

3.0 BACKGROUND DOCUMENTS

Background documents are located on the Local plan examination web page:
<https://www.arun.gov.uk/local-plan-examination>

Contact: Martyn White
Telephone ext.: 37785
E-mail: Martyn.White@arun.gov.uk

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 30 OCTOBER 2017

Subject : Planning for the right homes in the right places: consultation response

Report by : Neil Crowther

Report date: 16 October 2017

EXECUTIVE SUMMARY

On 14 September 2017, the Government published 'Planning for the right homes in the right places'. This report provides the Council's response to the matters raised in this consultation.

RECOMMENDATIONS

Members are requested to recommend to Full Council that;

The response to the questions raised through this consultation (to be attached) be submitted as the response from Arun District Council before 9 November 2017.

1.0 INTRODUCTION

- 1.1 On 14 September 2017, the Government published a consultation document entitled 'Planning for the right homes in the right places: consultation proposals'. The consultation comprises 19 questions to respond to by 9 November 2017. Officers are currently working on preparing a response to these questions and this will be circulated to members of the Committee and published prior to the meeting.
- 1.2 The consultation follows the publication of the housing White Paper published in February 2017 and precedes a proposal to revise the National Planning Policy Framework in Spring 2018.
- 1.3 The consultation paper set sets out a number of additional proposals to 'reform the planning system to increase the supply of new homes and increase local authority capacity to manage growth'. Proposals include:
- a standard method for calculating local authorities' housing need

- how neighbourhood planning groups can have greater certainty on the level of housing need to plan for
 - a statement of common ground to improve how local authorities work together to meet housing and other needs across boundaries
 - making the use of viability assessments simpler, quicker and more transparent
 - increased planning application fees in those areas where local planning authorities are delivering the homes their communities need
- 1.4 The document defines a standard methodology for determining housing requirements and includes a suggested assessment of housing need for every authority over the period 2016 to 2026. It is stated to be based on three key principles, to be: simple, based on publicly available data; and realistic. The standardised methodology uses the latest household projections as the demographic baseline should be the annual average household growth over a 10 year period. It is proposed that an adjustment is made to take account of market signals, where appropriate, based on affordability (the latest information on workplace-based median house price to median earnings ratios). A calculation is proposed, which determines a level of uplift, that seeks to ensure more homes are delivered in the locations where affordability is worst.
- 1.5 The consultation is accompanied by a ‘Housing need consultation data table’ that sets out the housing need for each local planning authority using the proposed standard method, how many homes every place in the country is currently planning for, and, where available, how many homes they believe they need. For Arun, this shows a significant increase in housing needs from the current 919 dwellings/year to 1,199 dwellings/year.
- 1.6 Overall, as a result of the proposals contained within the consultation, Arun would be faced with a 30% increase in objectively assessed housing need. The increase over West Sussex would be 4%. To put this in context, when preparing the next Local Plan, if it were for a 20 year period, sites for an additional 5,600 dwellings would be required.
- 1.7 The Housing White Paper also proposed that after 31st March 2018, the new method for calculating the local housing need would apply as a baseline for assessing five year housing land supply.
- 1.8 The consultation paper also includes the following proposals;

| | |
|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Statement of common ground | The government proposes to require a statement of common ground alongside local plan preparation, coinciding with key stages of the plan’s progress. All local authorities will need to prepare such a statement within twelve months of the publication of the revised NPPF. |
| Planning for a mix of housing | Local authorities should plan for different types and tenures of housing needs. The total housing need figure should, therefore, |

| | |
|--------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| needs | be disaggregated into different types and tenures through the local plan process. This will specifically include the need to plan for housing for older people. |
| Neighbourhood planning | Requiring local planning authorities to provide neighbourhood planning groups with a housing figure on which their neighbourhood plan should be based. |
| Proposed assessment to viability | Local plans will be required to more robustly assess viability at a plan level and should set out the types and thresholds of affordable housing contributions, the infrastructure needed to deliver the plan and expectations for how these will be funded and the contributions that developers will be expected to make. Such assumptions will be tested at examination to ensure that plans are deliverable and viable. Government will also update planning guidance to help make viability assessments simpler, quicker and more transparent. |
| Planning fees | Reiterates the government's intention to introduce the necessary regulations to increase planning application fees by 20% at the earliest possible opportunity. |
| Revisiting responses to the Housing White Paper | With particular reference to 5 year land supply and housing delivery test. |

- 1.9 A proposed response to the questions posed within the consultation document will be finalised by officers and circulated/published prior to the meeting.

Background Papers:

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>

Contact: Neil Crowther, Group Head of Planning. x 37839

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 30 OCTOBER 2017

Subject : Follow up report to clarify position of the Council after the decision of Local Plan Sub-Committee on 6 December 2016.

Report by : Neil Crowther

Report date: 25 September 2017

EXECUTIVE SUMMARY

In December 2016, Local Plan Sub Committee (and subsequently Full Council in January 2017) resolved to invite planning applications on sites identified as 'deliverable' within the Housing & Economic Land Availability Assessment (HELAA). This report confirms that this decision will continue to be a material consideration in the determination of planning applications for any planning applications submitted up to the date of adoption of the Local Plan.

RECOMMENDATIONS

Members are requested to recommend to Full Council that;

The decision of Full Council in January 2017 in respect of inviting planning applications on 'deliverable' HELAA sites will relate to applications submitted 'until the Local Plan is adopted'.

1.0 INTRODUCTION

1.1 On 6 December Local Plan Sub-Committee resolved to invite planning applications on sites identified as 'deliverable' in the HELAA in an attempt to boost the supply of housing in the short term. This was in response to a shortage of housing supply and the need to take steps to boost the supply, especially in view of the forthcoming Local Plan examination. The full resolution was;

- 2) *Recommend to Full Council that, in order to secure a sound Plan at the time of the Local Plan examination and in order to boost the short term housing supply, the housing approach set out under Option 1 (a) and (b) within the report be agreed. This would invite planning applications in the following circumstances:-*

- i) *On sites identified as being 'deliverable' by the HELAA where they are considered sustainable and will not prejudice the emerging local plan and / or infrastructure delivery;*
- ii) *For the first phases of sites being investigated as potential strategic allocations, where these phases do not adversely affect the delivery of either the whole allocation or the emerging Local Plan and that any infrastructure requirements can be delivered proportionately without adversely affecting the delivery of infrastructure required for the potential allocation or emerging Local Plan as a whole.*

- 1.2 The above resolution was agreed by Full Council on 11 January 2017.
- 1.3 Since this time, there have been a large number of applications submitted on smaller scale (non-strategic) sites as well as numerous first phases (and more) on at least five proposed strategic sites. Undoubtedly this has had a positive impact on the submission of applications in order to boost the supply of housing in the District.
- 1.4 The purpose of this report is to clarify the Council's position in respect of this resolution now that the Local Plan is nearing adoption. Following adoption of the Local Plan, there will be an adequate supply of housing land and policies within the Local Plan (and Neighbourhood Plans) will be 'up to date' and benefit from full weight.
- 1.5 The resolution outlined in para 1.1 was time limited to 'until the Local Plan is adopted'. However, the officer report was not clear as to whether this related to the time of determination or submission. There is therefore a need to publically clarify this resolution.
- 1.6 There are a number of applications that have been submitted that are underdetermined at this time that have been submitted following the decision of Full Council in January 2017. These have obviously been submitted in good faith as the Council has 'invited' them. That does not automatically mean that planning permission will be granted.
- 1.7 However, with the adoption of the Local Plan hopefully only months away now, it is reasonable to clarify that the decision of Full Council in January 2017 will relate to applications submitted 'until the Local Plan is adopted' as opposed to determined 'until the Local Plan is adopted'. Therefore, applicants for current planning applications will have some comfort that the resolution of Full Council will continue to be a material consideration after the status of the development plan changes and the maximum opportunity is taken to boost housing supply in the short term.

Background Papers: Local Plan Sub-Committee agenda papers 6 December 2017

Contact: Neil Crowther, Group Head of Planning. x 37839

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB COMMITTEE – 30 OCTOBER 2017

Subject : Recommendations from the West Sussex & Greater Brighton Strategic Planning Board

Report by : Karl Roberts

Report date: 16 October 2017

EXECUTIVE SUMMARY:

The Strategic Planning Board has made a number of recommendations regarding how strategic planning matters should be addressed within the Board area in the future. This includes the production of a Local Strategic Statement 3 and the necessary resourcing to deliver the required outcomes.

RECOMMENDATIONS

Members are requested to recommend to Full Council the approval of the following decisions made by the West Sussex & Greater Brighton Strategic Planning Board

1. That the Board agrees to robustly and creatively explore options for meeting the unmet needs across the Board area, starting by leaving 'no stone unturned' within the respective administrative boundary for the period up to 2030 and for these options to inform Local Plan reviews
2. That the Board agrees to prepare a Local Strategic Statement 3 covering the period 2030 to 2050 with an appropriate level of stakeholder participation to ensure that all those with an interest in LSS3 have an opportunity to engage in the development of the strategy
3. That the Board agrees to commission work to provide an evidence base for the preparation of a Local Strategic Statement 3 which covers the following,
 - A baseline of current growth proposals and an understanding of any shortfall in housing, employment and infrastructure provision;
 - A common methodology for determining the 'no stone unturned' approach to identifying possible locations to meet any unmet need.
 - The capacity of the Board area to absorb further growth in this period;

- The likely required level of growth between 2030 and 2050;
 - The strategic options available to deliver additional growth;
 - The investment necessary (in infrastructure) to ensure the successful delivery of appropriate growth.
4. That the Board agrees to continue with the current governance arrangements and provide Leaders/Chairman and Chief Executives with a quarterly report.
 5. The Board supports the appointment of an 'Advisor' to the Board from April 2018 for a three-year period subject to funding being agreed and for a constituent member to be the employing body.
 6. That the Board agrees to request each full member of the Board to contribute the sum of £15,000 per annum for three years support the cost of employing the Board's Advisor and to fund the commissioning of technical work unless cost is met by the West Sussex Business Rate Pool.
 7. The Board reviews the Terms of Reference to ensure that they remain fit for purpose having regard to the proposed changes.
 8. Representative of the Board engage with representative of the Gatwick Diamond Strategic Planning Board to co-ordinate work programmes.
 9. That the Board agrees the responses to the recommendations to the report prepared by Catriona Riddell Associates as set out in background paper.

1.0 INTRODUCTION

- 1.1 The Council is a constituent member of the West Sussex & Greater Brighton Strategic Planning Board which was set up in 2012 to explore and address strategic planning issues. Since then the number of constituent authorities has increased so that the Board now includes all the authorities in West Sussex, Brighton & Hove City Council, Lewes DC, East Sussex CC and the South Downs NPA.
- 1.2 The Board met recently to discuss the way forward in strategic planning terms and considered the paper attached at Appendix A. The Board supported all the recommendations but since the Board is only an advisory Board all of the decisions are in fact recommendations to each of the constituent authorities.
- 1.3 The Sub-Committee is invited to confirm their support for the decisions of the Strategic Planning Board.

Background Papers: Report to West Sussex & Greater Brighton Strategic Planning Board – 4 September 2017

Contact: (Karl Roberts, Director of Place ext: 37760)

Appendix A

WEST SUSSEX & GREATER BRIGHTON STRATEGIC PLANNING BOARD

Title: Future direction and role of the Strategic Planning Board

Paper prepared on behalf of the officer group supporting the Strategic Planning Board

Purpose: The intention of this paper is to clarify the role and function of the Board in the delivery of strategic planning for the board area.

1. At the last meeting of the Board, members considered a report produced by GL Hearn that reviewed the geographic extent of both the Housing Market Area and the Functional Economic Market Area. This report highlighted that there were three identifiable functional areas operating within the current Strategic Planning Board area, with some overlap between functional areas within the Board area but also stretching beyond it (see box below).
2. Therefore in high level planning terms it made sense that all the authorities covered by the 'Western' And 'Coastal' functional areas together with those authorities in the West Sussex part of the 'Inland' functional area come together to discuss the 'larger than local' issues with the objective of finding common solutions. However, it is also important to recognise that the 'Inland' functional area also includes authorities in Surrey and therefore the 'Gatwick Diamond Strategic Planning Board' will take the lead on work for this area. However, it is important that representatives of this Board engage extensively and proactively with representative of the Gatwick Diamond Strategic Planning Board to co-ordinate work programmes.

| West Sussex & Greater Brighton Strategic Planning Board | | Gatwick Diamond Strategic Planning Board |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Western | Coastal | Inland |
| Chichester Part of Arun Part of SDNPA Part of WSCC | Arun Worthing Adur Brighton & Hove Lewes Part of Mid Sussex Part of Horsham Part of SDNPA Part of WSCC & ESCC | Horsham Mid Sussex Crawley Part of WSCC Part of SDNPA ----- Various Surrey Councils |

3. To this end, Crawley Borough Council (CBC) has initially agreed to join the Board with the status of an as an observer similar to ESCC. It is hoped that in due course they become a full Board member.

4. Thus, having established that from a strategic planning perspective all of the relevant authorities are involved it is important that the Board (and the constituent authorities) determine firstly what the future role and function of the Board should be going forward and secondly how might this be successfully implemented.
5. Members may recall that last year the Board considered a discussion paper prepared by an external consultant on the future of strategic planning in the Board area. The decision at that time was to postpone consideration of the paper until the question of the geographical coverage of the Board had been addressed and the Housing White Paper had been released. With the first issue having now been resolved, and the White Paper having now been released, it is now considered time to reconsider the discussion paper.
6. The Housing White Paper expresses the Government's view that Local Plans will need to be kept up to date and to that end should be reviewed every 5 years. The paper also advises that the Government would like to see more and better joint working where planning issues go beyond individual authorities, building on the existing duty to co-operate. This comment would on face value seem to support the concept of strategic planning. However, instead the paper suggests that in future each local planning authority will be required to maintain a set of key strategic policies, with flexibility over whether these are in a plan produced by an individual authority, in a joint local plan produced by a group of authorities, or in a spatial development strategy produced by a combined authority.
7. It is noted that areas not subject to combined authority status will not have the ability to produce spatial development strategies. However, that might change once the responses to the paper are considered. What has been suggested is that in a strengthening of the Duty to Cooperate, authorities are required to produce a Statement of Common Ground setting out how authorities intend to work together to meet housing requirements that cut across authority boundaries. Producing such a document will be an opportunity for the constituent authorities of the Board to demonstrate their willingness to work collaboratively on strategic planning matters.
8. For the Board area, a combined authority approaches remain in development, for the Greater Brighton area¹. The outcome for this initiative plus the supporting activity developing economic strategies, investment prospectuses, and infrastructure delivery programmes across the whole area will also inform the strategic planning of the Board area.
9. All of the above, plus the acquired learning from individual Local Plan examinations is providing a context for the Board to inform its consideration of how it wishes to develop in order to effectively meet the challenges ahead.
10. The purpose of the paper is therefore to consider how the authorities that make up the Board can positively tackle the need for improved cross boundary working to

¹ Work on a different combined authority approach for a large part of the Board area is currently suspended.

address the many 'larger than local issues' that we collectively face. It is important to stress that this is not just a question of housing supply and delivery, but also about delivering an improved economy and the required infrastructure to support all forms of growth, whilst at the same time protecting the environment.

11. The Board has championed the creation of a Local Strategic Statement (LSS) to set out our collective high level objectives and spatial priorities. The original award winning document has recently been updated to reflect not only the passage of time and changing priorities but also the growth in the Board membership (and thus area). However, LSS2 remains very much a document which brings together the respective work of individual areas. For example it does not set out any mechanisms for addressing the under provision of housing in certain areas when measured against the Objectively Assessed Needs of individual authorities. This is a significant risk for all the authorities in the Board area for either the soundness of the plans they are working on or any reviews which are undertaken.
12. The challenge for the future is to create an approach which allows all the authorities in the Board to work collectively on developing a new high level plan which will seek to address the 'larger than local' issues that are currently holding back the potential of the sub region. From this new strategic plan (referred to as LSS3) each individual authority would be able to prepare their own plans to not only address their own local issues but also set out how they intend to address the cross boundary issues set out in the LSS3.
13. It is recognised that some authorities may find the concept of working across the three Housing Market Areas a very challenging principle to accept because of a concern that they might be faced with taking on additional growth beyond their own needs. However, it is important that the authorities have a forum to enable them to work together collaboratively to address the high level pressures that we all face and to ensure that we can work together in a consensual manner. The LSS3 will facilitate this discussion to reassure authorities that every authority has done everything it can to meet their own housing needs within their own administrative area in the first instance. It will then enable discussions to take place, around joint evidence, to consider how the unmet need remaining within an authority can be met elsewhere.
14. Being part of the Board allows all the authorities to help shape the key decisions of the Board. The alternative is to withdraw or fragment into the separate HMA areas. However, such approaches also has risks, notably that the very notion of taking such an approach could be misinterpreted in respect of the authorities' willingness to work together and the danger of losing influence over the future. Current Local Plan Examinations have highlighted the need for a mechanism to be in place to review and seek to deliver unmet housing need within the identified housing market areas across the area.
15. One of the many challenges in successfully achieving a collective approach to strategic planning this is that not all authorities are working to a common timeline

with some having had their plans adopted, whilst others are due to be examined in 2017 and 2018, whilst others have yet to reach that stage. For any collective approach to work it is vital that all accept that the Board needs to work with a dual focus. Firstly, all need to commit towards working on the joint commissioning of evidence to deliver the required outputs and more importantly joint solutions in the form of a new strategic plan (LSS3) and secondly, all need to assist, and recognise that individual authorities will need to progress the completion of their current plans or any reviews that have commenced. The alignment of plans to a common time horizon is an outcome which will take time to achieve and therefore the creation of LSS3 will inevitably be an evolutionary process.

16. The Government view is that all Local Plans should be reviewed every 5 years and therefore it is suggested that the conclusions drawn to support the preparation of a LSS3 also be also expressed in 5 year time horizons.
17. The diagram attached as Appendix 1 shows the intended lifetime of each of the current adopted or emerging plans. Some authorities have already commenced their reviews. Therefore, whilst it is recommended that the Board should focus the core of its work on the 20 year period beyond 2030 covering the period up to 2050 it must be recognised that there may be implications arising from the work which impacts upon the period up to 2030. This may be of assistance for any authorities with a shortfall in their OAN who are undertaking a review of their plan.
18. To illustrate how a LSS3 might help address larger than local issues between 2030 and 2050, consideration could be given for example to, in consultation with the NHS, the location of any expanded or new acute health provision, informed by decisions around the likely distribution of any housing growth for the period. Whilst, planning for health provision does happen at a local scale within individual areas there is currently no systematic approach to addressing the 'larger than local' issues such as acute hospital provision.
19. To inform the creation of a LSS3, work will need to be commissioned to understand and answer the following:
 - i. A baseline of current growth proposals and an understanding of any shortfall in housing, employment and infrastructure provision;
 - ii. The capacity of the Board area to absorb further growth in this period
 - iii. Undertake a rigorous assessment of every potential site within each authority to meet existing and future needs;
 - iv. The likely required level of growth between 2030 and 2050 having regard to any under provision of need up to 2030;
 - v. The strategic options available to deliver additional growth;
 - vi. The investment necessary (in infrastructure) to ensure the successful delivery of appropriate growth.
20. In undertaking the work to resolve points i – iv above this work could be undertaken separately within each of the identified Housing Market Areas. However, if this were

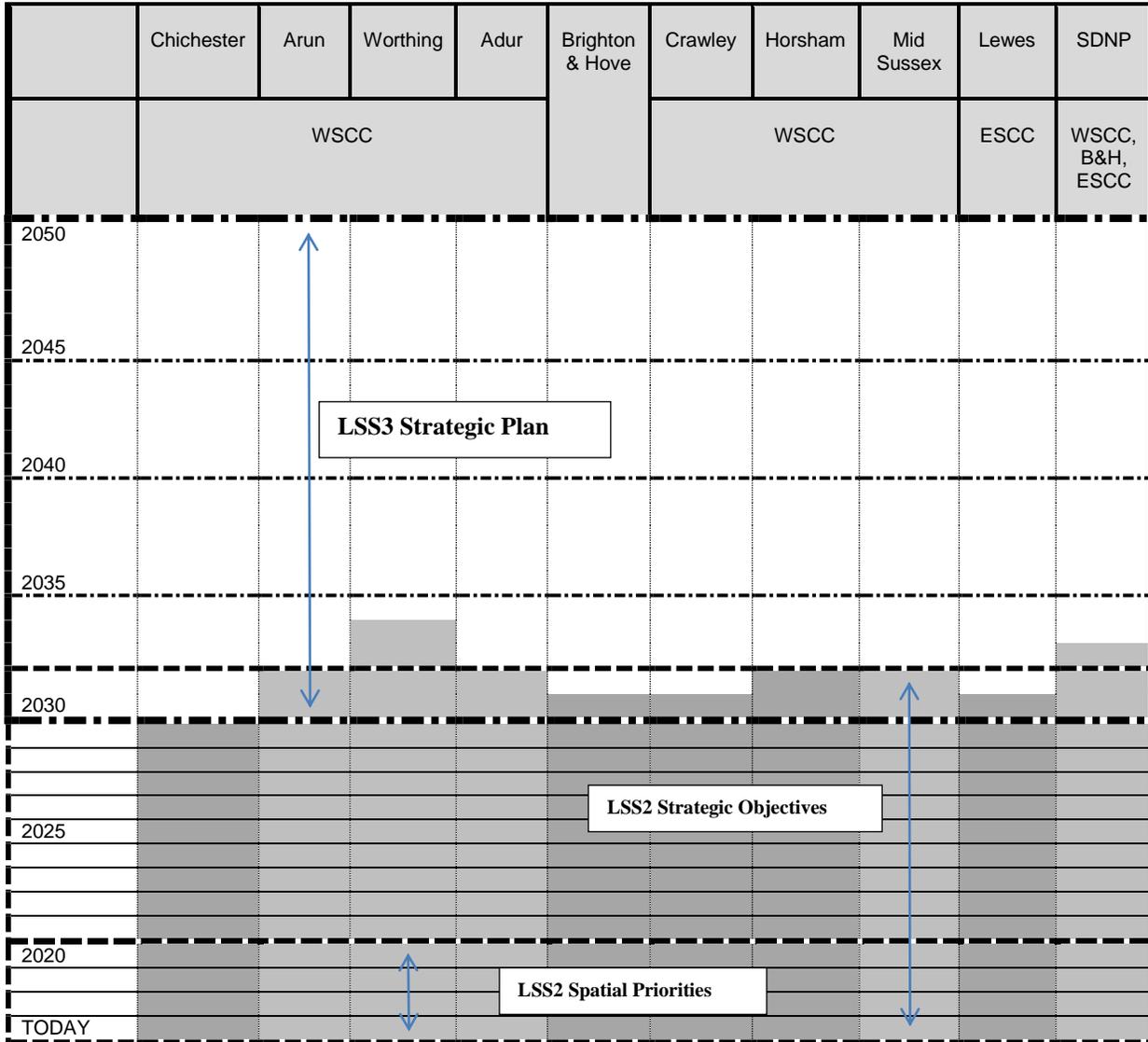
to be done it would only be a robust analysis if the work was undertaken using an agreed methodology and a consistent approach so that the overall conclusions could be used to inform a future LSS3 across the wider Board area. Inevitably there will be a tension where different authorities have reached different points in the Local Plan preparation cycle. Compromise will be needed from all parties for joint working to be effective. Those who are at an early stage will need to be prepared to take the initiative in developing and seeking agreement on the use of common methodologies for other to use.

21. If the principle of such an approach is agreed then the Board needs to determine what governance arrangements would best suit the intended approach and how the work of the Board will be funded.
22. With the continuing uncertainty regarding the Government's approach to strategic planning it is considered that the most appropriate way forward for the present is to maintain the 'status quo', with the Board making recommendations to the constituent authorities to consider. To assist the Leaders and Chairman of the SDNPA together with the Chief Executives of each authority to understand how these important strategic issues are being addressed by the Board it is also recommended that they receive a quarterly report from the Board.
23. At present the work of the Board is supported by officers from the constituent authorities and some funding has been provided by the same authorities to support individual commissions of work. However, officers are unable to sustain that level of support in the long term and dedicated support is needed to deliver the required outcomes. Furthermore, the current budget reserves are limited (approximately £55k) and could not fund any future work of significance. Therefore, the Board ideally needs to consider both the funding of an 'Advisor' and the resourcing of a fund to commission technical work as and when required.
24. If each constituent member was to commit to the sum of £15k per annum for an initial 3-year period, this would be sufficient to fund both the advisor (including on-costs) and commission an initial programme of technical work. This approach would also allow the administrative burden of running the Board to transfer from the Coastal West Sussex Partnership to the role of the Board's advisor.
25. It is recognised that Council budgets are under significant financial pressure at present. However, such costs could be funded from the recent approval given to each authority to increase their planning fees by 20% or in the case of the West Sussex Councils from the Business Rates Pool. In any event, the cost of committing to this approach cumulatively is likely to be less than that each authority would incur undertaking the same work individually.
26. It is important that the Board makes a firm recommendation on this matter at the meeting in order to inform the budget setting process for 2018/19. Any expenditure would not be incurred until April 2018.

Recommendations

1. That the Board agrees to robustly and creatively explore options for meeting the unmet needs across the Board area, starting by leaving 'no stone unturned' within the respective administrative boundary for the period up to 2030 and for these options to inform Local Plan reviews
2. That the Board agrees to prepare a Local Strategic Statement 3 covering the period 2030 to 2050 with an appropriate level of stakeholder participation to ensure that all those with an interest in LSS3 have an opportunity to engage in the development of the strategy
3. That the Board agrees to commission work to provide an evidence base for the preparation of a Local Strategic Statement 3 which covers the following,
 - A baseline of current growth proposals and an understanding of any shortfall in housing, employment and infrastructure provision;
 - A common methodology for determining the 'no stone unturned' approach to identifying possible locations to meet any unmet need.
 - The capacity of the Board area to absorb further growth in this period;
 - The likely required level of growth between 2030 and 2050;
 - The strategic options available to deliver additional growth;
 - The investment necessary (in infrastructure) to ensure the successful delivery of appropriate growth.
4. That the Board agrees to continue with the current governance arrangements and provide Leaders/Chairman and Chief Executives with a quarterly report.
5. The Board supports the appointment of an 'Advisor' to the Board from April 2018 for a three-year period subject to funding being agreed and for a constituent member to be the employing body.
6. That the Board agrees to request each full member of the Board to contribute the sum of £15,000 per annum for three years support the cost of employing the Board's Advisor and to fund the commissioning of technical work.
7. The Board reviews the Terms of Reference to ensure that they remain fit for purpose having regard to the proposed changes.
8. Representative of the Board engage with representative of the Gatwick Diamond Strategic Planning Board to co-ordinate work programmes.
9. That the Board agrees the responses to the recommendations to the report prepared by Catriona Riddell Associates as set out in Appendix II below.

Appendix I



Note: Shading relates to current Local Plan timescales. Dark grey signifies the plan has been adopted, light grey signifies the anticipated end date.

Appendix II

Catriona Riddell Associates Report Recommendations

Recommendation 1

It is recommended that the status of LSS3 continues to be non-statutory but that mechanisms are put in place to ensure that there is a high level of confidence that the strategic priorities will be collectively developed, supported and delivered. The recommended mechanisms include:

- Strong governance and working arrangements to ensure that LSS3 has the highest level of commitment and ownership from local authorities, and that key partners have a much more integral role in its development and implementation.
- A robust strategic evidence base to develop the spatial options and ensure that LSS3 provides a framework capable of supporting local plans through their examination testing process.
- An appropriate level of stakeholder and public participation to ensure that all those with an interest in LSS3 have an opportunity to engage in the development of the strategy.

The underlying sentiments behind this recommendation are noted. However, it is recommended that the work required and steps undertaken to produce a LSS3 should be based on the future possibility that the document might be a statutory document.

Recommendation 2

There are two, potentially significant, factors in the form and content of LSS3 that remain unknown; the outcome of the Expert Panel's recommendations and of the devolution negotiations. It is therefore further recommended that a risk management assessment is embedded into the work of LSS3 to ensure that it can adapt to changing circumstances as it evolves.

Agreed.

Recommendation 3

A new governance structure is put in place to support work on LSS3 ensuring that there is clear corporate commitment and ownership to help build consensus around the long term spatial strategy and strategic priorities. This should be supported by strong officer working arrangements, including a project board comprising members of the Strategic Leadership from each authority and a project sponsor. A suggested structure is set out in the diagram below.

The covering report recommends retaining the current governance arrangements pending clarity on the Government's position on Strategic Planning. However, to ensure that Leaders and Chief Executives are suitably informed about the work of the Board and its progress on addressing strategic planning issues it is

recommended that they receive a quarterly report. The board would welcome an opportunity for a representative of the Board to be able to make an annual presentation to both the West Sussex Leaders Group and the Greater Brighton Economic Board.

Recommendation 4

A project manager and project assistant should be appointed as soon as possible either through an internal secondment(s) or through a competitive tender / external appointment process.

At this time, it is proposed to only recommend the creation of a Board Advisor post from April 2018 for a 3-year period. In due course the Board can consider the need for possible secondments to support the work of the Board.

Recommendation 5

A workshop for Leaders, Chief Executives and the SPB should be arranged as soon as practically possible (after the April 18th meeting) to outline the SPB's recommendations for taking forward work on LSS3 and agree the governance arrangements.

At the time the report was initially considered in 2016 there didn't appear to be a significant desire to hold such a workshop. It is considered that this position hasn't changed.

Recommendation 6

Local authority membership should be reviewed as part of the new governance and working arrangements to ensure all the relevant authorities are involved. Specifically, East Sussex County Council should be invited to participate in the LSS3 process.

Agreed. Both East Sussex CC and Crawley BC currently have observer status.

Recommendation 7

A budget is agreed to cover the full LSS3 expenses including evidence base and external support. This should be procured at the start of the process and reviewed every 6 months to ensure that adequate resources are available to cover the costs on a shared basis.

Agreed

Recommendation 8

A full review of evidence should be undertaken at the start of the process to identify what is already available, where the gaps are and potential opportunities to work in partnership to develop new evidence.

Agreed

Recommendation 9

A project plan and timetable should be prepared as soon as possible following a decision on LSS3. This should reflect the urgent need to move forward with LSS3 but also

recognises the need to get all the right arrangements in place to ensure the process is owned and effective, and the need to have a robust evidence base in place.

Agreed

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 30 OCTOBER 2017

Subject : Local Plan Sub-Committee Terms of Reference

Report by : Neil Crowther Report date: 16 October 2017

EXECUTIVE SUMMARY

As part of the ongoing review of the Constitution, the next section that has been agreed with the Constitution Working Party will be reviewed is the Terms of Reference for Committees and Sub-Committees.

RECOMMENDATIONS

That Local Plan Sub-Committee recommend to Full Council that they agree to the amended terms of reference attached at Appendix 1.

1.0 INTRODUCTION

- 1.1 As part of a comprehensive review of the Council's Constitution, all of the Terms of Reference for Committees and Sub-Committees are being reviewed.
- 1.2 The attached amended Terms of Reference (Appendix 1) reflect the same functions of the committee and make reference to the relevant planning legislation. However, they are now simpler and concise and remove some of the unnecessary text.
- 1.3 The main change relates to specific reference to Planning Policy documents as opposed to only Local Plan documents. This will allow the sub-committee to consider other policy documents that will be required following the adoption of the Local Plan.
- 1.4 Your Committee is asked to agree the updated terms of reference to Local Plan Sub-Committee.

Background Papers:

Contact: Neil Crowther
Group Head of Planning

Appendix 1

5.6 Local Plan Sub-Committee

The Local Plan Sub-Committee reports to Full Council and meets when required and not on a fixed basis.

Membership consists of 14 members appointed by political group leaders on the basis of political balance.

5.6.1 The functions of the Local Plan Sub-Committee are:

- To consider draft ~~Local Plan~~ Planning Policy documents and review them
- To authorise public consultation on draft ~~Local Plan~~ Planning Policy documents and material produced for public consultation reports
- To consider responses from public consultation and amend reports accordingly
- To make recommendations to Full Council for approval of ~~Local Plan~~ Planning Policy documents
- Except so far as provided by Part 4 Section 2 Paragraph 5.0 (Director of Place) to make recommendations to Full Council in relation to the Council's functions for Neighbourhood Development Plans.

5.6.2 The Local Plan Sub-Committee has delegated authority for decisions in terms of:

- Approving any expenditure within agreed budgets or public consultation
- Agreement to consult on certain stages of plans/proposals
- Agreement on ~~such matters which do not fundamentally change the Council's adopted development plan policies (such as Housing and Employment Land Availability Assessment and Supplementary Planning Documents and other evidential documents)~~ Supplementary Planning Documents and background evidence base documents
- Approving consultation responses
- Monitoring of progress against agreed action plans and any necessary actions to address problems pursuant to Paragraph 5.6.1 above

5.6.3 The Sub-Committee can invite such other bodies as it requires in order to consider specific issues (e.g. a representative from the Environment Agency to talk about flooding issues) to attend and make presentations to the Sub-Committee on ~~local plan~~ planning policy matters.

5.6.4 No Member may serve on the Local Plan Sub-Committee in any capacity unless all of the required training determined to be necessary by the Director of Place in consultation with the Cabinet Member for Planning has been undertaken.