

Subject to approval at the next Subcommittee meeting

## LOCAL PLAN SUBCOMMITTEE

30 October 2017 at 6.00 p.m.

Present : Councillors Bower (Chairman), Charles (Vice-Chairman), Mrs Bence, Bicknell, Mrs Brown, Chapman, Elkins, Haymes and Mrs Stainton.

[Note: Councillor Bicknell was absent from the meeting during consideration of the matters referred to in Minutes 13 to 15.]

Councillors Ambler and Bence were also in attendance at the meeting.

### 13. Apologies for Absence

Apologies for absence had been received from Councillors Cooper, Mrs Hall and Oppler.

### 14. 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.

### 15. Minutes

The Minutes of the meeting held on 31 August 2017 were approved by the Subcommittee and signed by the Chairman as a correct record.

16. Arun Local Plan – Action Plan and Main Modifications

The Group Head of Planning introduced this item by paying tribute to the officers for their contribution in representing the Council at the Local Plan Examination held between 18-25 September 2017, which went very well.

During the Examination a number of issues were raised either by the Inspector or those attending the sessions and an Actions Log was maintained to ensure that all the matters were addressed either during the Examination or after it. The additional papers circulated to Members prior to the meeting included the Actions Log, with the Council's responses now included, together with a full schedule of further Main Modifications that amalgamated the Inspector's suggestions pre-examination and those that had subsequently arisen through the Examination. (Members would be taken through the document following the introduction).

Since closing of the Examination, the Inspector had also written to the Council setting out some of his Interim Findings. These were summarised at paragraph 1.9 of the report. The Group Head of Planning was pleased to advise that the Inspector had already concluded that the Council had complied with the Duty to Co-operate and had met the consultation requirements. He also made more comments on specific matters such as strategic gaps, employment allocations, infrastructure and a few of the proposed housing allocations.

Officers had now instructed some additional work on matters such as employment and landscape and were awaiting further comments from the County Council on infrastructure. As some of these matters could potentially result in fairly significant changes to some policies, a special meeting of the Subcommittee had been arranged for 20 November 2017 to agree the Council's response. The meeting previously scheduled for 7 December 2017 had therefore been cancelled.

In terms of going forward, Members heard that the Council needed to provide a response by the end of October to the modifications that had come about following the Examination and then needed to submit a further response on his interim findings by 22 November. Officers would then have a full schedule of additional Main Modifications that further evidence base work could consider, if necessary. Once that was done, there would be a further round of consultation. The consultation would be undertaken on these further modifications only and would run for a minimum of 6 weeks. By the end of February 2018, the Council would collate any representations submitted through the consultation and in March 2018 the Inspector would publish his final report.

The Group Head of Planning advised that, due to a further meeting now being timetabled for 20 November 2017, recommendations 3, 4 and 5 contained in the report should be more appropriately considered at that meeting. Recommendations 1 and 2 were requested to be determined as follows:-

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(1) Resolve to agree the responses provided within the Actions Log, along with the draft schedule of further Main Modifications for submission to the Local Plan Inspector to review; and

(2) Recommend to Full Council that authority be delegated to the Local Plan Subcommittee to agree the response to the Inspector's interim Findings Note at its meeting on 20 November 2017, including any further Main Modifications that arise as a result.

The Principal Conservation Officer then referred Members to the document that had been circulated prior to the meeting (available on the Council's website) which detailed the Interim Findings of the Inspector and provided an explanatory note on the daily action sheet and the Main Modifications. He advised that not all of the modifications were being presented at this meeting – further modifications would be considered by the Subcommittee once the Inspector's Interim Findings Note had been actioned.

The Chairman then took the Subcommittee through the tables to provide Members with an opportunity to make comment.

A number of comments were made and responded to by officers. With regard to MM49 it was agreed that the additional text should have the words "as appropriate" at the end of that sentence. It would therefore read:-

"There may be circumstances where the public benefit from the proposed development outweighs any proposed harm. In such circumstances, the proposal will need to be justified by the applicant **as appropriate.**"

In turning to the report, under paragraph 1.9, comment was made that the Angmering/Worthing and the Felpham/Bognor Regis gaps should not be removed and were justified.

The Subcommittee then

RESOLVED - That

(1) the responses provided within the Actions Log and as amended at the meeting, along with the draft schedule of further Main Modifications for submission to the Local Plan Inspector to review, be agreed; and

RECOMMEND TO FULL COUNCIL

That authority be delegated to the Local Plan Subcommittee to agree the response to the Inspector's interim Findings Note at its meeting on 20 November 2017, including any further Main Modifications that arise as a result.

17. Planning for the Right Homes in the Right Places: Consultation Response

The Group Head of Planning advised that on 14 September 2017, the Government published a consultation document entitled; Planning for the right homes in the right places. This set out a number of proposed changes to planning, as summarised in paragraph 1.3 of the report. These followed on from the Housing White Paper in February 2017.

A supplementary document had been circulated to Members prior to the meeting (which had also been uploaded to the Council's website), and this set out the Council's proposed draft response to the consultation for submission to the DCLG (Department of Communities and Local Government).

The Government first mooted the proposal for a standard approach to assessing local housing need in the Housing White Paper. It argued that such an approach would be simpler, quicker and more transparent and would speed up the time taken to prepare Local Plans.

It was felt that standardised assessment models could bring value by reducing uncertainty and increasing data transparency. However, any standardised approach to assessing housing requirements needed to genuinely reflect local conditions, capture the complexities of different housing markets and not set national housing targets on Councils and local communities. The proposed methodology started with 10 years' worth of household projections and then used a multiplier which was greater for less affordable areas.

The Group Head of Planning advised that, for Arun, the proposed standard methodology would mean that the baseline housing requirement would increase by 30 to 1,199 per annum. Other authorities in West Sussex such as Worthing and Horsham would have similar increases but areas such as Brighton, Crawley and Lewes would see a decrease in numbers.

The consultation placed more emphasis on statements of common ground with neighbouring authorities. It was proposed that all local planning authorities should produce a statement of common ground setting out cross-boundary matters, including the housing need for the area, distribution and proposals for meeting any shortfalls and record where agreement had, and had not, been reached. This would provide evidence as to how a local planning authority had met the duty to co-operate with a view to enabling examination of Local Plans to progress more quickly.

The Government was proposing a formula based approach, apportioning housing need figures in local authority areas to neighbourhoods by percentage of population (as a starting point).

The consultation confirmed that it would bring forward regulations at the earliest opportunity to enable local authorities to increase planning

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application fees by 20 per cent, to honour the commitment in the Housing White Paper. Furthermore, views were also being sought on additional criteria that local authorities could be required to meet to allow them to increase fees by a further 20 per cent. The Housing White Paper suggested that this could be applied to those authorities who were delivering the homes their communities needed.

In considering the response tabled, the following comments were made

**Question 1(a)** – For consistency the answer should read “No”. 3<sup>rd</sup> paragraph, last sentence, should refer to infrastructure as well as environmental constraints.

**Question 8** – need to involve infrastructure providers within the Local Strategic Statement.

**Question 18(b)** – Not sure response answers the question. It was agreed to amend the response to read “Yes. The proposed criteria are outside the control of the local planning authority. The local planning authority is in control of keeping an up to date Local Plan and ensuring that sufficient planning permissions are granted and these are more appropriate criteria.”

Following consideration, the Subcommittee

#### RECOMMEND TO FULL COUNCIL

The response to the questions raised through the “Planning for the Right Homes in the Right Places” consultation, subject to the amendments made, be submitted as the Council’s response before 9 November 2017

#### 18. Follow Up to Clarify Position of the Council after the Decision of Local Plan Subcommittee on 6 December 2016

The Group Head of Planning reminded the Subcommittee that in December 2016, it considered a report to increase housing land supply in the short term. One of the resolutions was to invite planning applications on sites identified as ‘deliverable’ within the HELAA. This decision was on the basis that applications were to be submitted ‘until the Local Plan is adopted’.

What that report did not do was make it clear about whether that decision related to submissions made or applications determined up to the point when the Local Plan was adopted. The report on the table clarified that it related to applications submitted up to the point where the Local Plan was adopted and to make it clear that the resolution would remain a consideration to those applications that were undetermined at that time.

In considering the matter, a number of questions were asked, which the Group Head of Planning responded to at the meeting.

The Subcommittee then

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## RECOMMEND TO FULL COUNCIL

That the decision taken by 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.

### 19. Recommendation from the West Sussex & Greater Brighton Strategic Planning Board

Arun had been a member of the Strategic Planning Board for a number of years and the Subcommittee was advised by way of this report that the Board had recently met to discuss a way forward for Strategic Planning through the Local Strategic Statement 3. The papers attached to the report set out what had been discussed and the recommendations of the Board.

Following consideration, the Subcommittee

## RECOMMEND TO FULL COUNCIL

That the following decision made by the West Sussex & Greater Brighton Strategic Planning Board be approved:-

1. 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. 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. 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;

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- The strategic options available to deliver additional growth;
- The investment necessary (in infrastructure) to ensure the successful delivery of appropriate growth.

4. 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. The Board agrees to request each full member of the Board to contribute the sum of £15,000 per annum for three years to 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. The Board agrees the responses to the recommendations to the report prepared by Catriona Riddell Associates as set out in background paper.

20. Local Plan Subcommittee Terms of Reference

The Group Head of Planning presented this report which made some very minor changes to the Terms of Reference for the Subcommittee. Essentially these replaced the specific reference to Local Plan documents with reference to Planning Policy documents. This would broaden the Terms of Reference and would include consideration of documents such as Supplementary Planning Documents in future years.

The Subcommittee

RECOMMEND TO FULL COUNCIL

That the amended Terms of Reference for the Local Plan Subcommittee, attached at appendix 1 to the report, be agreed.

(The meeting concluded at 7.20 pm)