

Committee Manager: Carrie O'Connor (Ext 37614)

22 June 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 3 July 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, Mrs Maconachie, Oppler, Mrs Rapnik and Mrs Stainton.

A G E N D A

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 meetings held on 9 and 6 March 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 START TIMES

To agree the start times of meetings for the remainder of 2017/18.

6 CONSULTATION ON MAIN MODIFICATIONS OF THE LOCAL PLAN

This report will present a summary of the representations that have been received to the consultation on the Main Modifications to the Local Plan.

Please note that work is still ongoing to the Appendix to this report – Summary of Consultation Responses - so this will be circulated under separate cover prior to the meeting.

7 HOUSING & ECONOMIC LAND AVAILABILITY ASSESSMENT (UPDATE 2017)

The Council undertook a review of the Housing and Economic Land Availability Assessment (HELAA), which it published in December 2016. It is good practice for HELAA's to be updated on an annual basis to ensure that they remain current.

The Council is undertaking a review of the HELAA, including undertaking a call for sites exercise which took place between April and May, 2017. This report provides an update of the HELAA as well as some basic details of new sites submitted to the council.

A final completed 2017 HELAA document will be presented to members at the next LPSC committee meeting.

8 BROWNFIELD LAND REGISTER

All local planning authorities are now required to prepare and maintain Brownfield Land Registers and allow for the granting of permission in principle sites allocated for housing-led development. They are expected to have compiled their registers by 31st December 2017.

Brownfield Land Registers will provide up-to-date, publicly available information on all brownfield sites that are suitable for residential-led development. Brownfield Land Registers are to be kept in 2 parts and be updated annually.

Officers are progressing this work, whilst waiting for statutory guidance to be published by the Government. The intention is for this to be produced by the summer 2017.

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

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.

LOCAL PLAN SUBCOMMITTEE

9 March 2017 at 6.00 p.m.

Present : Councillors Charles (Chairman), Bower (Vice-Chairman), Ambler, Mrs Bence, Bicknell, Brooks, Chapman, Cooper, Elkins, Gammon (substituting for Councillor Mrs Maconachie), Mrs Hall, Oppler, Mrs Stainton and Wensley (substituting for Councillor Mrs Brown).

[Note: Councillor Bicknell was absent from the meeting during consideration of the matters referred to in Minutes 39 and 40.]

Councillors Bence, Oliver-Redgate and Warren were also present at the meeting.

39. Apologies for Absence

Apologies for absence had been received from Councillors Mrs Brown and Mrs Maconachie.

40. 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.

Councillor Oppler declared a personal interest as follows:-

“I wish to make the Local Plan Subcommittee aware that I have made various public statements, including in my recent political campaign material, that I am opposed to some of the strategic development sites in the Arun District Council Draft Local Plan, including those at Pagham and Bersted. These were my views that I held at that time. However, I am at this meeting tonight to consider all the information before me at this time and reach a decision with an open mind.

Whilst I have reservations about some of the sites, I have an open mind regarding this item and I will listen and consider all the relevant issues and interests presented to this Subcommittee tonight and I confirm that I will reach my decision on merit and not bias.

For the record, I ask that this declaration be recorded in the Minutes of this meeting, together with the following statement:-

I accept and understand

- Since Section 25 of the Localism Act 2011 came into force, predetermination on its own is not to be taken as having a closed mind.
- Public bodies should make decisions dispassionately according to the law and the materials before them.
- If a Councillor campaigns for one outcome or another and that Councillor then participates in the decision making process and that Councillor is shown to have been biased and/or as having a closed mind, that interest in the matter puts the Council’s decision making process at risk of legal challenge.
- Where a Councillor does indicate their view on a matter prior to a decision on the same matter, then the onus is on that Councillor to demonstrate very clearly at all meetings when a decision is taken on that matter, that they do not have a closed mind and they are clearly considering all the relevant issues and interests and they have reached their decision on merit and not bias.

I confirm that I understand these responsibilities and I will carry out my duties with an open mind for the Arun District Council Draft Local Plan and all other matters.

Councillor Elkins also declared a personal interest as a member of the Littlehampton Harbour Board in the event of any discussion taking place on any matter relating to the Harbour Board.

(Prior to consideration of the following item, Councillor Bicknell declared a personal interest as an employee of Southern Water.)

41. Arun Local Plan – Publication of Proposed Modifications following Suspension of the Examination in Public

Prior to presenting this item, the Head of Planning Policy & Strategic Development reminded the meeting that, following the meeting held on 6

March 2017, Members would only be considering Chapters 5 (Key Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery), together with the Housing Implementation Strategy and recommendations (3) to (7) as detailed in the report and which dealt with progressing the modified Plan, consultation and submission of the Plan for examination. (Recommendations (1) and (2) had been dealt with in part on 6 March 2017.)

The Head of Planning Policy & Strategic Development then gave a detailed presentation, as summarised below:-

CHAPTER 12 – HOUSING & HOUSING IMPLEMENTATION STRATEGY

The modifications required were due to the significant increase in housing required for the District, resulting in the re-writing of this chapter. A new over-arching Strategic Housing Development Policy (H SP2) had been developed to illustrate how the allocation as a whole would be delivered; all sites would contribute to secondary school provision through this policy. Strategic sites would need to contribute over 50% of the total housing supply for 2011-2032, with completions and commitments contributing 35% of the total supply. There was, therefore, a shortfall of some 1,250 dwellings which would have to come from non-strategic sites.

A number of sites had already been allocated and identified in the submitted Local Plan and officers had been testing the cumulative impact of a long list of sites to deliver up to 1,000 dwellings per annum. Sites already approved by Full Council were:

- Barnham/Eastergate/Westergate - being proposed for 2,300 (3,000)
- West Bank 1,000
- Angmering 250
- Ford 1,500
- Fontwell 400

New allocations as main modifications sites were being proposed at:

- West Bersted 2,500
- Angmering (N) 800
- Pagham (S) 800
- Pagham (N) 400
- Yapton 400
- Climping 300

The Head of Planning Policy & Strategic Development then went through each site and highlighted the issues that had to be taken into consideration for each of them.

He then turned to the need for small scale sites to provide housing and he advised on the discussions that were being held with Town and Parish

Councils and the Neighbourhood Plan Groups as to where and how they could be provided. In the event that adequate numbers were not forthcoming, there was a commitment within the submitted Plan to prepare a DPD (Development Plan Document) and that work would commence when it was clear to what extent new and modified Neighbourhood Plans would be able to contribute to the requirements.

Members were advised that the Council had to demonstrate a 5 year housing land supply (HSL) at the time of adoption and, against a requirement of 919, this presently stood at 1.92 years as a policy off position. As at 31 March 2016, there was a shortfall of 1,548 dwelling with completions averaging 609 over the past 5 years and projected completions for the 5 years 2016-2021 accounting for 5,622 dwellings, of which only 50% were from strategic allocations. The Council had to catch up with its under delivery of housing in the District in order to demonstrate that the Plan was sound.

The Duty to Cooperate (DTC) also impacted on the housing requirement and officers had tested housing numbers that resulted in a contribution of 1,600 dwellings over the Plan period for unmet needs of other authorities.

CHAPTER 15 – TRANSPORT

The modifications relating to Transport made a new reference to Ford Railway Crossing (T SP3); reference to a new junction if the Arundel By Pass proceeded; and reference to support for railway crossings.

CHAPTER 22 – INFRASTRUCTURE

The modifications relating to Infrastructure made reference to a new secondary school; a new policy was required; and cross reference made to highways requirements in Chapter 12.

In opening up the debate, the Chairman welcomed Mr Parfitt to the meeting as a representative of County Highways, who was in attendance to answer any questions Members might have with regard to transport issues.

A number of questions were asked, summarised as follows:-

- Health care facilities – officers had engaged with the NHS over several months and the likely population increase had been identified, resulting in the need for new health facilities on 3 sites which the NHS would then have to equip and staff.
- Localised impact of development on the transport network – the Transport Assessment which accompanied the Plan looked at the strategic highway network and the mitigation required. However, it was not a full and comprehensive list of the only requirements and, for example, a Pagham Joint Transport Assessment with the County Council would provide a more

refined level of detail and additional requirements for the local network could be identified through that work.

- A guarantee was sought that additional health care facilities and schools would be provided rather than just extending present facilities, particularly in the case of schools. However, that guarantee could not be given as need might well be different in 5 years' time.
- It was asked whether the Council had a robust case for a stepped housing target and a response given that both legal advice and advice from the Planning Advisory Service had been sought and it was felt that it was as robust as it could be.
- Due to the complexity of the delivery of the housing and infrastructure required, a concern was raised as to how disruption could be minimised. A response was given that all of the service providers had been identified, together with requirements prior to any developments taking place and it was felt that none were so significant as to cause major issues. The detail would be negotiated at the planning application stage.
- Neighbourhood Plans - with regard to non-strategic sites and the NP process, a number of meetings had already been held with the NP groups, with another scheduled in April, and all parties were aware of the need to find additional numbers for housing. Preparation of a DPD was required and it was hoped that the Town and Parish Councils would take part in the process.
- Neighbourhood Plans - a question was asked relating to the mechanism for Towns and Parishes to put forward new sites and advice given that the Government was setting out legislation that NPs could be modified so amendments could be dealt with. A further query was raised with regard to additional funding for the work that would now be required to identify the extra housing in the NPs and the Director of Place advised that there was a recognition of the significant resource implications. The Government had been written to on a number of occasions and a response was awaited to the most recent representation made. The Neighbourhood Plan Bill was going through at the moment and there might be additional funding made available – the Council would be at the forefront of asking for a share of that.
- Consultation had been undertaken with all the utility providers and none had come back with any issues in relation to the scale of the development required. It was highlighted that Southern Water was a separate case as it had to develop an overall strategy rather than deal with matters on a site by site basis; that strategy had now been discussed with officers and would, hopefully, be published by the end of the month.
- Affordable Housing - comment was made that it was pleasing to see that there was a relatively high provision of affordable housing within the Plan and it was asked if there was scope to adjust the ratio of 75% for rent and 25% market housing to assist people to get on the housing ladder, particularly due to

the many schemes that were around. A response was given that as planning applications were dealt with, local circumstances would be taken account of and dealt with through negotiation on specific local issues.

In the course of some general discussion, comment was made with regard to the need for additional health service provision and concern was expressed that adequate space should be allocated in the Plan for new and/or expanding services. The Director of Place advised that officers would be trying to negotiate much more multi-functional facilities as there were much broader aspects to health care and other providers would need to be catered for.

The Head of Planning Policy & Strategic Development undertook to provide Members of the Subcommittee with an update of further modifications following this meeting and the special meeting of Full Council on 22 March 2017.

It was highlighted that Members had attended many briefings over a period of time to acquaint themselves with all the information that had to be taken account of in their consideration of the Local Plan and these were listed in the Statement of Consultation that had been published on the web site.

A member view was expressed that, whilst recognising the need to have a robust Local Plan in place, a number of opportunities had been lost in the past to have a much lower housing number. Consequently, Chalcraft Lane in Bognor Regis faced a development of 2,500 houses and Pagham 1,200, which would have a severe impact on the residents who already lived in the area. As such he stated that he was finding it difficult to support the draft Local Plan.

In concluding the debate, the Chairman thanked the Local Plan team for their hard work under difficult circumstances and felt they were owed a debt of gratitude for all they had done.

In turning to the recommendations, Members were advised that recommendation (2) had been amended to take account of a specific policy relating to secondary school provision in chapter 22 and completion of the Monitoring Framework in chapter 26. The Subcommittee then

RESOLVED

That the Evidence Base report and Background Document, Housing Implementation Strategy, be noted; and

RECOMMEND TO FULL COUNCIL – That

(1) the proposed modifications to the Arun Local Plan, which are provided as Appendices 1 and 2 to this report be approved in so far as they relate to Chapters 5 (Key

Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery);

(2) the Director of Place, in consultation with the Chairman of the Local Plan Subcommittee and Portfolio Holder for Planning and Infrastructure, be given delegated authority to make any further non-material amendments to the proposed modifications arising from this meeting or as required prior to publication. This will include the insertion of a specific policy to relate to secondary school provision in chapter 22 and completion of the Monitoring Framework in chapter 26;

(3) should recommendation (1) be accepted, the Director of Place be authorised to publish the modified Arun Local Plan;

(4) the Director of Place be authorised to complete a detailed schedule(s) of modifications and necessary documentation for publication and a six week representation period in accordance with the requirements of the appointed Planning Inspector and relevant procedural guidance;

(5) following the 6 week representation period, the representations to these proposed modifications be submitted to the Planning Inspector as part of his Examination of the Arun Local Plan; and

(6) the Director of Place be authorised to produce and submit any supplementary information and documentation to the Planning Inspector to assist the Examination-in-Public, as required.

A request had been received that the voting be recorded. Those voting for the recommendations were Councillors Ambler, Mrs Bence, Bicknell, Bower, Brooks, Chapman, Charles, Cooper, Elkins, Gammon, Mrs Hall, Mrs Stainton and Wensley (13). Councillor Oppler voted against (1) and there were no abstentions.

42. LOCAL DEVELOPMENT SCHEME

The Principal Conservation Officer advised by way of this report that the Local Development Scheme (LDS) identified which Local Development Documents the Council intended to produce during a rolling three year period, including the emerging Local Plan. Whilst the initial key milestones of publishing the emerging Local Plan had been met, the suspension period had necessitated the revision of the LDS.

The revised LDS, as appended to the report, reflected the implications of the suspension period and, also, incorporated a review of the other documents that the Council would be preparing, such as a Gypsy and Traveller Sites Development Plan Document (DPD).

Following consideration, the Subcommittee

RECOMMEND TO FULL COUNCIL

That the Local Development Scheme 2017-2020 be approved.

(The meeting concluded at 7.15 pm)

LOCAL PLAN SUBCOMMITTEE

6 March 2017 at 6.00 p.m.

Present : Councillors Charles (Chairman), Bower (Vice-Chairman), Ambler, Mrs Bence, Mrs Brown, Chapman, Cooper, Elkins, Mrs Hall, Oppler and Mrs Stainton.

Councillors Dingemans and Haymes were also present at the meeting.

35. Apologies for Absence

Apologies for absence had been received from Councillors Bicknell, Brooks and Mrs Maconachie.

36. 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.

Councillor Oppler declared a personal interest as follows:-

"I wish to make the Local Plan Subcommittee aware that I have made various public statements, including in my recent political campaign material, that I am opposed to some of the strategic development sites in the Arun District Council Draft Local Plan, including those at Pagham and Bersted. These were my views that I held at that time. However, I am at this meeting tonight to consider all the information before me at this time and reach a decision with an open mind.

Whilst I have reservations about some of the sites, I have an open mind regarding this item and I will listen and consider all the relevant issues and interests presented to this Subcommittee tonight and I confirm that I will reach my decision on merit and not bias.

For the record, I ask that this declaration be recorded in the Minutes of this meeting, together with the following statement:-

I accept and understand

- Since Section 25 of the Localism Act 2011 came into force, predetermination on its own is not to be taken as having a closed mind.
- Public bodies should make decisions dispassionately according to the law and the materials before them.
- If a Councillor campaigns for one outcome or another and that Councillor then participates in the decision making process and that Councillor is shown to have been biased and/or as having a closed mind, that interest in the matter puts the Council's decision making process at risk of legal challenge.
- Where a Councillor does indicate their view on a matter prior to a decision on the same matter, then the onus is on that Councillor to demonstrate very clearly at all meetings when a decision is taken on that matter, that they do not have a closed mind and they are clearly considering all the relevant issues and interests and they have reached their decision on merit and not bias.

I confirm that I understand these responsibilities and I will carry out my duties with an open mind for the Arun District Council Draft Local Plan and all other matters.

Councillor Elkins also declared a personal interest as a member of the Littlehampton Harbour Board in the event of any discussion taking place on any matter relating to the Harbour Board.

37. Minutes

The Minutes of the meeting held on 15 February 2017 were approved by the Subcommittee as a correct record and signed by the Chairman, subject to correction of the reference to the A27 Crocker Hill Roundabout to the A27 Crocker Hill Junction under Minute 34, Arun Local Plan Evidence Base Update.

38. Arun Local Plan – Publication of Proposed Modifications following Suspension of the Examination in Public

Prior to presenting this item, the Head of Planning Policy & Strategic Development advised the meeting that the Subcommittee was being asked tonight to recommend to the Special Full Council on 22 March 2017 approval of the proposed modifications as they related to all chapters, with the

exception of Chapters 5 (Key Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery). Any consequential amendments to those chapters required as a result of the resolution of the Subcommittee on 9 March 2017 would be delegated to the Director of Place, in consultation with the Chairman of the Local Plan Subcommittee and the Portfolio Holder for Planning and Infrastructure. In addition, the Subcommittee would be requested to note the Evidence Base reports and Background Documents listed but excluding the Housing Implementation Strategy, which would be considered at the meeting on 9 March 2017. The remaining recommendations as detailed in the report would also be dealt with at the meeting on 9 March 2017.

The Head of Planning Policy & Strategic Development reminded the meeting that the Arun Local Plan submitted to the Secretary of State for Examination-in-Public on 30 January 2015 had been suspended by the Planning Inspector in February 2016 to enable the Council to undertake further work and produce proposed modifications in response to a range of observations and concerns identified by the Inspector. The report on the table now presented the proposed modifications to the Arun Local Plan (as detailed at Appendix 1) which, if approved, would be published for a six week period of consultation. Following that consultation, the modifications, together with representations received and all other supporting documentation produced by the Council, would be submitted to the appointed Planning Inspector to enable the Examination-in-Public of the Arun Local Plan to continue. It was therefore highlighted that the Plan itself was not being considered but, rather, the proposed modifications.

With regard to the evidence base reports and background documents that supported the modifications to the Local Plan, the Head of Planning Policy & Strategic Development advised that:-

Sustainability Appraisal A new Sustainability Appraisal had been carried out following criticism from the Inspector and it assessed strategic options (housing and employment) and modified policies against 15 sustainability objectives. It concluded that negative impacts of development were appropriately mitigated by policies in the Local Plan.

Habitats Regulation Assessment This assessed the Plan against designated European Sites, namely Arun Valley SPA and the Pagham Harbour SPA. It concluded that there would be no adverse effect on these sites as a result of mitigation within the policies. The Local Plan would be compliant with Habitats Regulations.

Sequential and Exception Test This was required to inform site selection and was informed by the Strategic Flood Risk Assessment. The Sequential Test aimed to ensure development was steered to low risk flood areas whilst the Exception Test would be triggered when it was not possible to locate in Zone 1. Areas that had passed the Sequential Test were Climping, Fontwell, Ford and Bersted. 7 sites were subject to the Exception Test, being

Angmering; Barnham/Eastergate/Westergate; Pagham North; Pagham South; Yapton and Littlehampton.

Equalities Impact Assessment This new assessment related to the proposed modifications and considered positive and negative impacts, concluding that there was justification for inclusion of modified policies supported by evidence and policies.

Consultation Statement This advised on how information had been made available to the public and how stakeholders had been included and engaged throughout the period of suspension; and how the Council had responded to the Inspector's comments.

List of Superseded Policies The following made Neighbourhood Development Plans (NPD) contained policies that would be in conflict (in part) with the Local Plan:-

Aldingbourne – Policy EH3: Development on Agricultural Land (in part)
 Angmering – Policy CLW2: Protection of Local Green Spaces (in part)(area 2)
 Barnham & Eastergate – Policy ES3: The Local Gap/Green Infrastructure Corridor
 Bersted – Policy CLW7: Local Open Spaces (in part)(area1) and Policy ES3: Protecting the Strategic Gap.

Employment Background Paper The identified allocations provided sufficient capacity to accommodate growth in the economy of the District, although there was a need to ensure an adequate choice of types of site to provide flexibility to meet the demands of different sectors, e.g. industrial/office. It was highlighted that adjoining authorities had insufficient supply of employment land.

In turning to the modifications, a table had been included in the report which set out the main changes and Members were also advised that the minor modifications related to small text changes; deletions; removal of repetitions; and updated references. The Head of Planning Policy & Strategic Development provided a brief summary of the modifications.

The Chairman thanked the Head of Planning Policy & Strategic Development for his presentation and turned to Members for their comment.

A question was asked in relation to the potential for conflict between the need for housing and employment land and whether the policies were strong enough to ensure that the Council could hold on to its employment allocations. An officer response was given that, although the employment allocations were aspirational and challenging, the strategy within the Plan was considered to be sound, justifiable and robust.

The Subcommittee then

RECOMMEND TO THE SPECIAL FULL COUNCIL ON 22
MARCH 2017

That the proposed modifications to the Arun Local Plan at Appendices 1 and 2 to the report be approved in so far as they relate to all chapters with the exception of Chapters 5 (Key Diagram), 12 (Housing Delivery), 15 (Transport) and 22 (Infrastructure Delivery). Any consequential amendments to those chapters required as a result of the resolution of the Subcommittee on 9 March 2017 would be delegated to the Director of Place, in consultation with the Chairman of the Local Plan Subcommittee and the Portfolio Holder for Planning and Infrastructure; and

RESOLVED

That the Evidence Base report and Background Documents listed be noted:

- Sustainability Appraisal
- Habitat Regulations Assessment
- Sequential and Exception Test to inform the Main Modifications
- Equalities Impact Assessment
- Consultation Statement
- List of Superseded Policies
- Employment Background Paper

(The meeting concluded at 6.25 pm)

ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 3 JULY 2017

Subject : Consultation on Main Modifications of the Local Plan

Report by : Julia Dawe, Planning Policy Team Leader

Report date : 19 June 2017

EXECUTIVE SUMMARY

This report will present a summary of the representations that have been received to the consultation on the Main Modifications to the Local Plan.

RECOMMENDATION

The following actions are recommended:

That the update on the Local Plan process, including the summary of representation received, be noted.

1. BACKGROUND

- 1.1 The Arun Local Plan (2011-2031) was subject to public consultation on the Main Modifications for a seven week period from 10th April until 5pm on 30th May 2017.
- 1.2 The Main Modifications have been informed through the production of a substantial amount of additional evidence by the Council since the formal suspension of the Local Plan Examination in Public in February 2016 following an a Procedural Meeting and initial hearings.
- 1.3 The Main Modifications are supported by Sustainability Appraisal; Habitat Regulations Assessment; Infrastructure Delivery Plan; Housing Implementation Strategy.
- 1.4 The consultation was on the Main Modifications proposed to the Submitted Arun Local Plan (October 2014). All previous comments made in the past are still with the Inspector and will be taken into account alongside these additional comments. The consultation was not a statutory stage in the process of producing a Local Plan however

it followed the general format of a statutory round of consultation and guidance from the Planning Inspector.

- 1.5 During the consultation period, all Local Plan documents including the representation form and a statement of representations procedure was available on the Council's website and Arun Civic Centre and Bognor Regis Town Hall. Electronic versions of all the documents could be accessed at all local libraries within the District.
- 1.6 The ways in which people could comment were through a form an online survey and the usual consultation portal. These could be submitted on line; by email; and by post.

2. CONSULTATION UPDATE

- 2.1 Upon completion of the consultation period, the representations received were consolidated onto the electronic database Objective Online. The comments as well as a short summary of each are required to be sent to the Inspector which has now been undertaken. These are also able to be viewed by the public and will be available as part of the Examination Library for the Local Plan.
- 2.2 The consultation was structured around 73 Main Modifications to the Local Plan covering the issues. In total 370¹ individuals/organisations or groups commented. From these there were 900 comments made on the Main Modifications which is available as appendix 1.
- 2.3 The largest number of comments were received from the general public opposing the specific housing allocations. The majority of the comments opposed the allocation outright and did not suggest alternatives or amendments as required by the consultation. The reasons for opposing the allocations included loss of countryside, increased traffic congestion and lack of infrastructure. Of those who opposed the allocations and suggested alternatives most of these were that development should take place on previously developed land and some suggestions that the Ford airfield would be a suitable site.
- 2.4 Almost all developers and those representing landowners supported the allocations as well as the housing target and the phased delivery approach. Those developers who opposed the particular strategy promoted alternative sites.
- 2.5 The Main Modifications that were made to address issues raised previously by statutory consultees such as the Environment Agency, South Downs National Park, Sport England were generally supported with minor changes requested mainly for clarification an updating

¹ The numbers are being verified at the time of the report being written and can be confirmed at the LPSC.

purposes. These could be addressed as minor amendments and will be suggested to the Inspector.

- 2.6 As many of the modifications were for similar issues they are listed as a percentage of the comments made in summary below according to chapter and modifications;

| Ch No. | Topic | Main Modification | Comments made % rounded |
|--|---|--|--------------------------------|
| 5. | Key Diagram | Updated diagram | 6 |
| 6. | Sustainable Place | New Policy SP SD1a | 10 (81 responses) |
| 7. | Settlement Structure & Green Infrastructure | Mainly minor text changes to policy C SP1 to remove reference to broad locations | 2 |
| 8. | Employment & Enterprise | New policy EMP SP1 Merged economic regeneration policy EMP SP2 | 7 |
| 12. | Housing Delivery | Introduction which sets out an Objectively assessed housing need (OAN) of 919. | 5 |
| | | New policy HSP1 setting housing target of 20,000 and phased target | 4 |
| | | New policy H SP2, an overarching policy for strategic housing allocations | 2 |
| New policies relating to site allocations | | | |
| | Greater Bognor Regis Area | Pagham (SD1 Pagham south and SD2 Pagham north), west of Bersted (SD3 west of Bersted) | 21 (170 responses) |
| | Greater Littlehampton | Littlehampton – West Bank (SD4) LEGA | 1 |
| | Inland Arun | Barnham/Eastergate/Westergate (SD5) | 12 (96 responses) |
| | | Revised affordable housing mix H SP2 and Other parts of Chapter 12 | 1 |
| 13. | Design | Amendmentst to policies | 1 |
| 14. | Health, Recreation & Leisure | Updated list of strategic priorities Updated open space requirements OSR DM1 | 1.4 |
| 15. | Transport | Amended policies to reflect updated road schemes New reference to Ford Railway Bridge T SP3 | 6 |

| | | | |
|-----|----------------------------|--|------|
| 17. | Natural Environment | Updated policies such as ENV DM2 includes reference to Pagham Harbour mitigation | 2 |
| 18. | Water | Updated policies | 1 |
| 19. | Natural Resources | Updated policies | 0.25 |
| 20. | Waste Management | Updated policy | 0 |
| 21. | Quality of the Environment | Updated policies | 1 |
| 22. | Infrastructure | Updated polices including new policy for secondary school | 2 |
| 25. | Monitoring and Methodology | Remove methodolgy section and update monitoring | 0 |
| | | Sustainablity Appraisal | 3 |
| | | Consultiaton | 8 |

2.7 A number of representations were received about the consultation process itself which was not part of this consultation. These have been collated separately and will be sent to the Inspector for his consideration.

2.8 We received a few representations after the consultation period had closed. These will also be sent to the Inspector along with the other representations, but it will be the decision of the Inspector as to whether he takes them into account or not.

3. NEXT STEPS

3.1 The Inspector now has the Main Modifications representations and all other supporting documentation. The Council has been informed by the Inspector that he will take around one month to consider these and whether to reopen his Examination into the submitted Local Plan. We are aware that he is currently busy with other local plans through the summer so if he decides that the Main Modifications address his concerns, the Examination in Public of the Arun Local Plan will resume in the autumn.

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ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 3 JULY 2017

Subject : Housing and Economic Land Availability Assessment (Update 2017)

Report by : Martyn White, Principal Conservation Officer

Report date : 19 June 2017

EXECUTIVE SUMMARY

The Council undertook a review of the Housing and Economic Land Availability Assessment (HELAA), which it published in December 2016.

It is good practice for HELAA's to be updated on an annual basis to ensure that they remain current. The Council is undertaking a review of the HELAA, including undertaking a call for sites exercise which took place between April and May, 2017. This report provides an update of the HELAA as well as some basic details of new sites submitted to the council.

A final completed 2017 HELAA document will be presented to members at the next LPSC committee meeting.

RECOMMENDATION

It is recommended that:

1. The Local Plan Sub-Committee notes the progress on the Housing and Employment Land Availability Assessment as part of the evidence base for the Local Plan.
2. The Local Plan Sub-Committee notes that officers will update the Housing and Employment Land Availability Assessment, and present the 2017 version of the assessment to this Sub-Committee.

1.0 BACKGROUND

- 1.1 The Council prepared an updated version of the Housing and Economic Land Availability Assessment (HELAA), which it published at the end of last year.

- 1.2 The HELAA is an important element of the Council's housing evidence base for the identification of a sufficient supply of housing and employment sites. It is particularly used to identify and provide five years' worth of deliverable housing and suitable developable sites or broad locations for years 6-10 and 11-15 where possible (from the base date the assessment was reviewed), as required by paragraph 47 of the NPPF.
- 1.3 Officers are now undertaking an annual review of this assessment in order to ensure the council has an up to date position regarding the availability of land/sites within the District for when the Local Plan examination recommences. The review includes a check of the information held on all of the individual sites.
- 1.4 The HEELA is not yet complete in its identification of the five year housing land supply as ADC have not yet received the housing completions data from WSCC. This is normally not expected until August.
- 1.5 The intention of this report is to provide focus on information related to the additional sites that have been submitted to the council.
- 1.6 A complete revised version of the HELAA will be presented to members in August which will include the sites where there have been completions.

Newly Submitted Sites

- 1.7 An opportunity for landowners, site promoters and interested parties to comment on the information or details within the assessment took place between 12 April and 12 May 2017. In addition, this was an opportunity for new sites to be submitted for consideration by the Council.
- 1.8 A number of new sites were submitted to the as part of the Call for Sites Exercise. These sites are being reviewed as part of the annual review.

Site Assessment

- 1.9 All of the new sites will be subject to assessment. The Site assessment draws out further information about each site and its potential suitability for housing/employment development.
- 1.10 Sites are classified in the HELAA as either deliverable, developable or Not currently developable.
- 1.11 The result of the site assessments will be presented in the main HELAA report according to their HELAA status when it is presented at the next LPSC meeting.
- 1.12 The Council has received 44 letters from local residents regarding one particular site in Hoe Land Flansham. Local residents wish for the site to be removed from the assessment. In addition, the local residents have requested that additional protection be afforded to the local area. It is worth remembering

that any site promoted to the Council will be included in the HELAA so that it can be assessed for its potential to accommodate development; sites cannot be excluded due to local opposition. The conclusions on this site are not known at present.

Key Issues to Note

1.13 It is important to note that the HELAA:

- Does not form part of the Development Plan and does not allocate sites for development nor preclude those sites not identified from coming forward for planning permission in the future
- Does not provide a relative assessment of sites against each other and does not provide any ranking or order of preference. Each site is appraised on its own merits.
- Does not indicate that planning permission will be granted for housing development if a site is included in the HELAA. It is not intended to preempt any plan making or other planning related decisions and does not indicate that planning permission should be granted or not granted for housing or any other use on any identified site.

2.0 Background Documents

Housing and Economic Land Availability Assessment (November 2016)
Housing and Economic Land Availability - Mid Examination Topic Paper and HELAA Update Methodology (May 2016)

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ARUN DISTRICT COUNCIL

LOCAL PLAN SUB-COMMITTEE – 3 JULY 2017

Subject : Brownfield Land Register

Report by : Kathryn Banks

Report date : 19 June 2017

EXECUTIVE SUMMARY

All local planning authorities are now required to prepare and maintain Brownfield Land Registers and allow for the granting of permission in principle sites allocated for housing-led development. They are expected to have compiled their registers by 31st December 2017.

Brownfield Land Registers will provide up-to-date, publicly available information on all brownfield sites that are suitable for residential-led development. Brownfield Land Registers are to be kept in 2 parts and be updated annually.

Officers are progressing this work, whilst waiting for statutory guidance to be published by the Government. The intention is for this to be produced by the summer 2017.

RECOMMENDATION

It is recommended that the Local Plan Sub Committee (LPSC) notes the requirement to produce a Brownfield Land Register and that the Register will be considered by LPSC before the end of the year.

1. BACKGROUND

- 1.1 Under the Town and Country Planning (Brownfield Land Register) Regulations 2017 and the Town and Country Planning (Permission in Principle) Order 2017 which came into force on 16th April 2017, all local planning authorities are now required to prepare and maintain registers of previously developed land suitable for housing (Brownfield Land Registers) and allow for the granting of permission in principle sites allocated for housing-led development.

- 1.2 Local planning authorities will be expected to have compiled their registers by 31st December 2017.

2. BROWNFIELD LAND REGISTER (PART 1)

- 2.1 Brownfield Land Registers will provide up-to-date, publicly available information on all brownfield sites that are suitable for residential-led development (provision of housing is the main purpose of the development). This will provide more certainty for communities and developers.
- 2.2 Brownfield Land Registers must be kept in 2 parts and local planning authorities are required to update the information relating to each entry and review the sites on their registers at least once a year.
- 2.3 Part 1 of the Brownfield Land Register is a comprehensive list of all brownfield sites in a local authority area that are suitable for housing, irrespective of their planning status.
- 2.4 Brownfield Land Registers are to be prepared using evidence within the Strategic Housing Land Availability Assessment (SHLAA), as well as any other relevant sources of information, including the call for sites process.
- 2.5 The criteria for identifying sites are set out within the Regulations and reflect the SHLAA process i.e. land must have an area of 0.25ha, or is capable of supporting 5 dwellings (local planning authorities may enter land below the threshold where it fulfils the other criteria); and the land must be suitable, available and achievable. Land that no longer meets the criteria must be removed from Part 1.
- 2.6 The information that needs to be included is set out in Schedule 2 of the Regulations such as a reference number, the site area in hectares and the ownership of the land.
- 2.7 Consultation is discretionary when local planning authorities enter sites in Part 1 of the Brownfield Land Register.
- 2.8 Brownfield Land Registers are also a vehicle for granting permission in principle for suitable sites. If the authority considers that permission in principle should be granted for a site, then it is required to enter that site in Part 2 of the Brownfield Land Register. Therefore, Part 2 is a sub-set of Part 1 and will only include those sites for which permission in principle has been granted.

3. PERMISSION IN PRINCIPLE AND TECHNICAL DETAILS CONSENT (PART 2)

Permission in Principle (PiP)

- 3.1 Part 2 of the Register will identify those sites where Permission in Principle is to be granted. Permission in principle (PiP) is a new route to planning permission (all other routes remain). One of its aims is to help make the planning system more certain and efficient. It also has the potential to increase the number of suitable sites that are developed for much needed housing.
- 3.2 PiP can be granted on brownfield land that is available for housing or housing-led development on suitable sites entered on Brownfield Land Registers only. There are a number of exclusions that apply i.e. Environmental Impact Assessment development e.g. airports; and development that would be prohibited under habitats protection legislation e.g. those that require Appropriate Assessment.
- 3.3 PiP is a two stage process. Firstly the permission in principle stage will settle the fundamental principles of development for the brownfield site (location, land use and amount of development expressed as a range). Granting PiP is the decision of the local planning authority.
- 3.4 Secondly, the technical details consent (TDC) stage where the local planning authority assess the detailed design, ensure appropriate mitigation of impacts and that any contributions to essential infrastructure are secured. TDC is required to be obtained before developers can proceed with development. (Permission in Principle (PiP) + Technical Detailed Consent (TDC) = Permission to Build).
- 3.5 Consultation is mandatory for sites where local planning authorities intend to grant permission in principle and enter them on Part 2

Technical Details Consent (TDC)

- 3.6 Both PiP and TDC must be determined in accordance with the local development plan, the National Planning Policy Framework and any other material considerations.
- 3.7 On applications for TDC, local planning authorities are required to undertake publicity and must also consult statutory bodies in cases where they identify the need for further consultation at the PiP stage.
- 3.8 There is a 5 or 10 week determination period for minor and major development respectively and TDC can be refused if the detail is not acceptable. The local planning authority, however, will not be allowed to revisit the decision on the fundamental principles of development as they have been settled at the PiP stage.

4. NEXT STEPS

- 4.1 Officers are progressing this work, whilst waiting for statutory guidance to be published by DCLG to explain the policy for Brownfield Land

Registers in more detail. The intention is for this to be produced by the summer 2017.

- 4.2 Local planning authorities are to receive new burdens grant payments to fulfil the new requirements, the amount of which will be kept under review. The completed Register will be presented to LPSC before the end of the year.

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