



Public Document Pack

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7 December 2020

PLANNING POLICY SUB-COMMITTEE

A virtual meeting of the Planning Policy Sub-Committee will be held on **Tuesday 15 December 2020 at 6.00 pm** and you are requested to attend.

Members: Councillors Mrs Yeates (Chairman), Jones (Vice-Chairman), Bower, Chapman, Charles, Mrs Daniells, Dixon, Elkins, Hughes, Huntley, Lury, Oppler, Ms Thurston and Tilbrook

PLEASE NOTE: *This meeting will be a 'virtual meeting' and any member of the press and public may listen-in and view the proceedings via a weblink which will be publicised on the Council website at least 24 hours before the meeting.*

Different meeting arrangements are in place for the period running from 4 April 2020 to 7 May 2021 from the provisions of the Coronavirus Act 2020 and the meeting regulations 2020, to allow formal 'virtual meetings'.

This Council's revised Rules of Procedures for 'virtual meetings' can be viewed here [click here](#)

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and officers should make their declaration by stating:

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial
- c) the nature of the interest

3. MINUTES (Pages 1 - 4)

To agree as a correct record the Minutes of the meeting held on 22 September 2020 as 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. COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE (Pages 5 - 30)

This report sets out the proposed governance arrangements for apportioning, prioritising and agreeing the spend of Community Infrastructure Levy (CIL) monies on infrastructure schemes that mitigate the impact of cumulative growth in the Arun District.

6. WEST SUSSEX COUNTY COUNCIL TRANSPORT PLAN REVIEW CONSULTATION AND POTENTIAL UPDATES ON THE A259 BOGNOR REGIS TO LITTLEHAMPTON ENHANCEMENT SCHEME (Pages 31 - 46)

This report provides an update to the West Sussex Transport Plan (WSTP) review, which has recently commenced.

The current WSTP 2011-2026 period needs to be reviewed to take account of changes to national and local policy, such as the Government's legally-binding commitment to achieve net zero carbon by 2050.

The first step in the WSTP review is to ask stakeholders to complete a survey, which will identify key issues and priorities. The survey results will help to shape the draft version of the plan, which is due to be published for consultation in summer 2021.

This report provides the response to the survey, which will be submitted to West Sussex County Council.

It was anticipated that this report would also include an update on the Strategic Outline Business Case for the A259 Bognor Regis to Littlehampton Corridor Enhancement Scheme, for noting. An update on this matter has been slightly delayed, due unforeseen changes to timescales at

West Sussex County Council. However, if key milestones are met in the next week, an update can be presented to Planning Policy Sub Committee, as an urgent item.

7. ARUN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (Pages 47 - 52)

On 30 June 2020, the Planning Policy Sub-Committee agreed that the Draft Arun Design Guide should progress to Public Participation stage (under Regulation 12b of The Town and Country Planning ((Local Planning) (England) Regulations 2012). This stage commenced on 16 September for four weeks ending on 14 October 2020.

Following the public participation period, this report sets out the further representations received and the proposed response to be agreed and then the final draft Design Guide will be referred to Full Council on 13 January 2021 for Adoption.

8. RAISING ACCESSIBILITY STANDARDS FOR NEW HOMES CONSULTATION (Pages 53 - 58)

This report is to brief Councillors on the response to the Government's consultation on Raising Accessibility Standards for New Homes. The consultation seeks views on five options to raise the 'accessible and adaptable' standard for homes (known as M4(2) in Part M of the Building Regulations) and the 'wheelchair user' standard (known as M4(3)) which are currently used as optional technical standards. The consultation was from 8 September until 1 December 2020.

9. REGULATION 18 (II) GYPSY & TRAVELLER AND TRAVELLING SHOWMEN SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTIONS (Pages 59 - 80)

On 22 September 2020, the Planning Policy Sub-Committee agreed that the Regulation 18 (II) Draft Gypsy & Traveller and Traveller Showperson Site Allocation Preferred Options Development Plan Document (DPD) should commence to public consultation in October 2020 for 8 weeks. The consultation commenced on 1 October 2020 and closed on 26 November 2020.

Following the public consultation period, this report sets out the representations received and the proposed response to be agreed and it outlines the next steps.

10. BROWNFIELD LAND REGISTER 2020 (Pages 81 - 86)

The production of a Brownfield Land Register is a requirement under the Town & Country Planning (Brownfield Land Register) Regulations, 2017. The Register is to be established in two parts (i.e. Part 1 and Part 2 explained below) and is to include all brownfield sites that are suitable for residential development. The Register is to be updated at least annually.

The Council published its first Brownfield Land Register (Part 1) in December 2017 which comprises all brownfield sites that meet the criteria set out in the Brownfield Land Regulations. This report provides a 2020 update to the 2019 Register. There are 26 sites on the register (no new sites which meet the criteria have been identified for addition) and 7 sites have been removed because they have been implemented or are not available.

11. AUTHORITY MONITORING REPORT (Pages 87 - 90)

This report presents the Arun Local Planning Authority's Monitoring Report 2019/20. The full report is provided as Background Paper 1 (published on the Council's web site - link Background paper 1).

12. HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT (HELAA 2020 UPDATE) (Pages 91 - 96)

The Council has reviewed and updated its Housing and Economic Land Availability Assessment (HELAA) for 2020. This document provides the Council with a database of sites within the District. Each site within the database has been assessed to determine whether it is deliverable, developable or not currently developable according to the HELAA methodology. It is important to note that whilst the HELAA is a useful resource, it does not allocate sites, nor does it grant planning permission. Its principal purpose is to provide evidence at a high level, identifying the best performing sites with potential to consider for further assessment as part of plan making. The HELAA is not intended to be used for development management decisions, as set out in national guidance.

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

Note : Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link - [Filming Policy](#)

PLANNING POLICY SUB-COMMITTEE

22 September 2020 at 6.00 pm

Present: Councillors Mrs Yeates (Chairman), Bower, Chapman, Charles, Dixon, Edwards (Substitute for Councillor Hughes), Elkins, Lury, Ms Thurston and Tilbrook

11. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Hughes, Huntley, Jones and Oppler.

12. DECLARATIONS OF INTEREST

There were no declarations of interest made.

13. MINUTES

The Minutes of the meeting held on 30 June 2020 were approved by the Subcommittee as a correct record and would be signed by the Chairman as soon as possible following the Council's resumption of normal working.

14. ARUN DISTRICT COUNCIL INFRASTRUCTURE FUNDING STATEMENT (IFS) 2019/20

(In the course of discussion on this matter, Councillor Elkins declared a personal interest as a member of West Sussex County Council. He remained in the meeting and took part in the debate and vote.)

The Planning Policy Team Leader introduced this report which set out the detail of why an Infrastructure Funding Statement (IFS) was now required to be prepared and published by all planning obligation collecting authorities on an annual basis and the content of such a statement. The main aim of this change to the CIL (Community Infrastructure Levy) Regulations was to provide a way to make developer contributions fully transparent to enable anyone to ascertain how much an individual development site had contributed to infrastructure provision.

In discussing the item, Members commended the report and welcomed this approach as providing transparency to the public. They participated in a full general debate to improve their understanding, with the Principal Planning Officer responding to any queries raised. A particular point was put forward with regard to GIS mapping and the benefit that could have on illustrating infrastructure contributions from sites with planning permissions. As this was an issue not strictly pertinent to the item on the table, the Group Head of Planning encouraged Members to review the current GIS

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system on the Council's website and feedback comments to officers to enable further consideration of the matter.

The Subcommittee

RECOMMEND TO FULL COUNCIL

That the Arun Infrastructure Funding Statement 2019/20 be approved and published on the Council's website in accordance with Regulation 121A of the Community Infrastructure Levy Regulations 2010 (as amended).

15. GYPSY & TRAVELLER & TRAVELLING SHOWMEN SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTIONS

(In the course of discussion on this matter, Councillor Elkins declared a personal interest as a member of West Sussex County Council. He remained in the meeting and took part in the debate and vote.)

The Planning Policy Team Leader presented this report which sought approval to undertake a Regulation 18 Draft Gypsy & Traveller and Travelling Showmen Site Allocation Development Plan Document (Draft DPD) 'Preferred Options' public consultation.

Members were appraised of the background and detail as to how the preferred options had been arrived at and particularly highlighted that a new location at Bilsham Corner had been identified for inclusion towards the end of the Plan period as it might offer scope for accommodating a range of Gypsy & Traveller (G&T) pitches and Traveller Showmen (TSM) plots and thus provide a degree of contingency and flexibility should delivery not progress in accordance with the plan accommodation requirements. The Planning Policy Team Leader also clarified that Climate Change and flooding matters had been raised by the Environment Agency and West Sussex County Council (e.g. the Caravan site and Little Meadow Bilsham Corner). However, officers were confident the planning permission and level 2 Flood Risk Assessments at the Caravan Site showed that technical solutions on the ground were possible and the proposed Little Meadow broad location allocation towards the end of the plan period to accommodate a plot shortfall and contingency period was, similarly, likely to offer scope to mitigate risks and vulnerability to meet national policy requirements. There was little to choose from between sites according to the 'G&T Site Identification Study', the 'Sustainability Appraisal' and limited capacity and so the plan should progress to consultation which might generate further evidence and possible options.

Unfortunately, the Planning Policy Team Leader had to report that 5 existing sites that should have been included in the document for safeguarding as G&T and TSM sites on the policies map (these are separate from and not sites proposed for intensification) had been omitted due to a gremlin in the system but would be added and ARU044 2 Wyndham Acres should also have been listed in the safeguarding policy but was correctly shown on the policies map. These were:-

ARU030 Ryebank Caravan Park G&T
ARU052 Cottage Piggeries G&T
ARU045 The Paddocks G&T
ARU022 The Drive TSM
ARU023 Fairfield Eastergate Lane TSM

In debating the matter, questions were asked relating to the consultation process and the Planning Team Leader advised Members of the steps that would be taken to ensure that the consultation was in line with Regulation 18 and, particularly, to take account of the effect that the pandemic might have on accessibility. In fact, the consultation period had been extended to 8 weeks from 6 weeks specifically because of the pandemic.

Further debate centred around suitability and sustainability of sites; social cohesion and social harmony; and site notices, all of which were addressed at the meeting by the Planning Team Leader.

The Subcommittee

RESOLVED – That

- (1) The consultation Draft Gypsy & Traveller and Travelling Showmen Site Allocations Development Plan Document 'Preferred Options' be agreed for an eight week public consultation in October 2020; and
- (2) The Group Head of Planning, in consultation with the Planning Portfolio Holder and the Chairman be granted delegated authority to finalise the draft Preferred Options DPD and accompanying consultation documentation.

(The meeting concluded at 7.22 pm)

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB-COMMITTEE ON 15 DECEMBER 2020

SUBJECT: Community Infrastructure Levy Governance

REPORT AUTHOR: Nicki Faulkner, Principal Officer

DATE: November 2020

EXTN: x 37654

PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

This report sets out the proposed governance arrangements for apportioning, prioritising and agreeing the spend of Community Infrastructure Levy (CIL) monies on infrastructure schemes that mitigate the impact of cumulative growth in Arun District.

RECOMMENDATIONS:

That Planning Policy Sub Committee notes that the Principal Planning Officer will prepare a report to the Constitution Working Party to recommend changes to New Constitution (Committee System) as set out in paragraph 7.5 of this report; and recommends that Full Council approves:-

- 1) the CIL arrangements set out in sections 4 to 7 (inclusive) of the report, and CIL District Pot apportionment set out under paragraph 4.3;
- 2) that the first Infrastructure Investment Plan (2022-2025), which sets out CIL spending priorities over the three year period, will be completed, subject to Full Council approval, by December 2021 and will last for a period of 3 years.
- 3) That Planning Policy Committee (PPC) is granted delegated authority to approve bids for funding infrastructure projects that are not listed on the Infrastructure Investment Plan (IIP) (subject to the correct application process being undertaken in accordance with processes set out in Background Paper 3).
- 4) That the Group Head of Planning in consultation with the Group Head of Corporate Support, is granted delegated authority to authorise money to be passed to infrastructure providers to spend on CIL projects on the IIP. Where projects are not listed within the IIP, spending will be subject to Planning Policy Committee approval.
- 5) To execute all necessary documentation to ensure CIL is passed to service providers, and spent in accordance with the council's Infrastructure Investment Plan.

BACKGROUND

- 1.1 The Arun Local Plan 2011-2031 was adopted in July 2018 and the Arun Community Infrastructure Levy (CIL) Charging schedule, was approved by Full Council on 15 January. The Charging Schedule came into effect on 1st April 2020.
- 1.2 The Council now has the responsibility for the collection and monitoring of CIL receipts and the allocation of CIL monies to key infrastructure projects. It must do this by preparing:
 - Governance arrangements for prioritisation of infrastructure projects and the process for spending CIL; and
 - an Infrastructure Investment Plan (IIP) setting out infrastructure spending priorities over the next three years; and
 - prepare an Infrastructure Funding Statement annually (which monitors CIL and s.106 income and expenditure).
- 1.3 There will be a need to amend and revise the Council's Constitution in order to apportion the governance functions for CIL. This will take place subject to the principles set out in this paper, being approved.
- 2. How does CIL change the Council's use of s.106 Developer Contributions?**
 - 2.1 With the introduction of CIL, the council's historic approach to the use of s.106 developer contributions will be scaled back, on 'non-strategic sites' to address site specific infrastructure provision e.g. on-site provision of open space or affordable housing. Strategic housing allocations will continue to pay s.106 to deliver all mitigating infrastructure.
 - 2.2 Therefore, all 'CIL liable sites' (sites which are charged a specific amount of CIL per square metre) will generate CIL receipts (upon commencement) which can be spent on infrastructure projects anywhere in the district. CIL can be used to fund a wide range of infrastructure, including transport, flood defences, play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and schools, district heating schemes, police stations and other community safety facilities.
 - 2.3 The implementation of CIL is estimated to generate circa £30m over the lifetime of the current adopted Arun Local Plan (2011-2031). However, this income may be somewhat slowed due to the current Covid-19 pandemic which may delay the commencement of development.
 - 2.4 This means that over the first 6 months from 1st April 2020 to the time of writing, CIL income has been minimal, and may only begin to increase in the next 3 years.
 - 2.5 As a result, it is realistic to schedule the preparation of the first Infrastructure Investment Plan (IIP) to begin in early 2021, with the aim of publishing the first IIP by January 2022. This is to ensure that sufficient CIL income can be saved to allow

spending to commence from 2022. Where CIL receipts are raised in the intervening time period, only the town and parish proportion will be passed across to those councils. The amount of CIL that can be spent by the district will be saved until the IIP has been approved.

3. What can the Council spend CIL on?

3.1 In accordance with CIL Regulations 2010 (as amended), Part 7, CIL income must:

- i. fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area (see para 2.2 above); and
- ii. the provision, improvement, replacement, operation or maintenance of infrastructure outside its area where to do so would support the development of its area.
- iii. Pass to every local council (i.e. Parish or Town Council) within its area a proportion of CIL receipts (either 15% or 25% of CIL receipts generated in the local council area, depending on whether the local council has a neighbourhood development plan in place, in relation to the relevant area on the day when planning permission first permits that development)¹.

3.2 The CIL Regulations also allow CIL charging authorities to apply CIL the administrative expenses incurred by it in connection with CIL (up to 5% of CIL receipts).

3.3 Given the strict requirements on spending CIL, it is important at this stage to emphasise that CIL can only be spent on projects that are shown to support the development of the area, by providing evidence to support the prioritisation of the project.

3.4 Evidence may include, details to show that the project is linked to the delivery of the Local Plan's strategic objectives and infrastructure policies as supported by the Arun Infrastructure Capacity Study and Delivery Plan (ICSDP 2017).

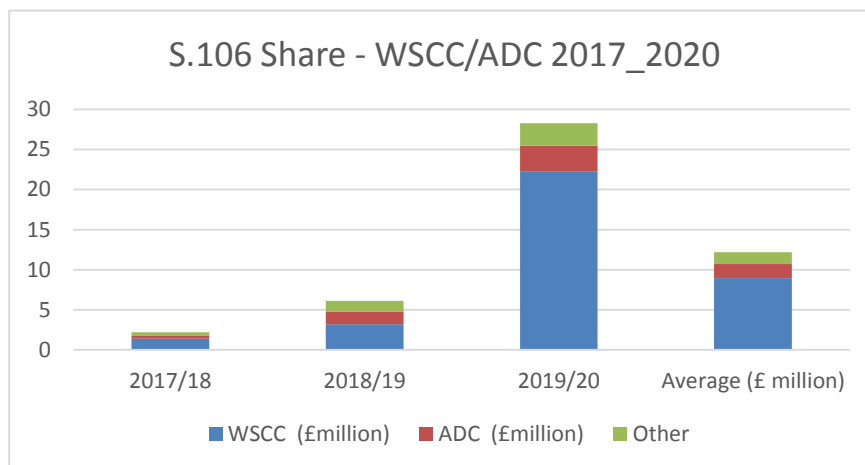
3.5 The first CIL 'infrastructure list' is set out in the Arun CIL Charging Schedule and the accompanying Infrastructure Funding Statement for 2019/20. This is a high level list of CIL spending priorities, but more detailed projects must now be collated to support the determination of spending priorities for the council.

4. How will the CIL pot be shared?

4.1 Most projects required to support development of the district will ultimately be projects that are the responsibility of the County Council, such as roads/transport projects, waste management, libraries, the fire service and schools. Therefore, a large proportion of the CIL money received will justifiably be allocated to the County Council to spend on strategic infrastructure projects.

¹ Regulation 59A paragraph (3) of the CIL Regulations 2010 (as amended) states "In England, where all or part of a chargeable development is within an area that has a neighbourhood development plan in place the charging authority must pass 25% of the relevant CIL receipts to the parish council for that area". There is nothing in the regulations to indicate that a Neighbourhood Development Plan could not be considered to be 'in place' if some policies in it were not up to date, or if the Plan was undergoing a review.

4.2 A review of s.106 income over the last three full financial years, (excluding strategic sites), illustrates the amount of s.106 which was spent on County Council projects, and may now need to be covered by CIL receipts. The chart below shows that on average, WSCC typically receives 70%, Arun District Council (ADC) 20% and other service providers e.g. the NHS and Sussex Police 10% of s.106 income from development sites.



4.3 This report therefore, proposes that the best way to ensure that the right amount of CIL is ringfenced for County Council projects is to allocate the District CIL pot in a way that reflects current s.106 spending². Therefore, for the preparation of the first Arun IIP, the division of CIL will be as follows:

CIL Pot 100% CIL received from developer. This is broken down into:-

- i. The 'CIL Administration pot' – 5% to fund the CIL Officer post, system administration for IT and CIL software etc³.
- ii. 'Parish Proportion' 15-25% of CIL received (this is passed to the parishes twice a year on 28 October and 28 April)⁴

The 'District Pot' (70% of total CIL income). Shared as follows:

- i. 70% - WSCC projects
- ii. 20% - ADC

² It should also be noted here that there is always the potential for town and parish councils to work with the county and district councils to discuss putting the local proportion towards jointly funded projects. This is something that can be considered as part of the IIP process. Local councils must note that Regulation 59A (12) makes allowance for part or the whole of its CIL to be retained by the district council.

³ The CIL Regulations allow for 5% of the average amount of the first three year's CIL income to be used to cover administrative expenses. However, due to the uncertainty of future CIL income, this is a challenge. An estimate of the 5% will be taken in years one and two. By year three a much more accurate figure, to be spent on CIL administrative expenses will be known.

⁴ Where a parish does not have a Neighbourhood Development Plan in place and their proportion of CIL is 15% (capped at £100 per council tax dwelling), the amount passed to the "District Pot" will be slightly larger. This amount will then be distributed across the different categories of WSC, ADC and Other.

iii. 10% - other

5. How will the Arun Infrastructure Investment Plan be Prepared?

- 5.1 The purpose of the Council preparing a CIL Infrastructure Investment Plan (IIP) is to ensure that all infrastructure projects identified are agreed by the council, in consultation, with the service providers who will be spending CIL to deliver their projects. A business planning approach provides certainty to infrastructure providers and spending managers, as well as a transparent approach for residents.
- 5.2 As mentioned above, there must be evidence to support the funding of an infrastructure project. Therefore, a clear methodology for preparing the IIP is important. The full methodology can be found in Background Paper 1.
- 5.3 The starting point for preparing the IIP will be the Arun Local Plan and Infrastructure Capacity Study and Development Plan 2017. These documents indicate whether the projects are critical to the delivery of development, and therefore will have greater priority.
- 5.3 Secondly, in preparing the IIP, it is important to identify projects that can be fully funded and delivered within the timeframe covered by the plan. The IIP will therefore include CIL income trajectories which link up to service providers delivery timescales.
- 5.4 Finally, as part of the preparation of the IIP, officers will engage with all service providers, including the town and parish councils (who will receive a proportion of CIL) to ensure that spending is aligned with their spending strategies.

6. Governance - Approving the Infrastructure Investment Plan and Spending CIL.

- 6.1 It should be noted that by the time this process is used to prepare the IIP, the council's overall administration would have shifted to a 'committee system'. Therefore, the following process is explained as if Planning Policy Sub-Committee has been replaced by the Planning Policy Committee. The methodology for preparing the Infrastructure Investment Plan (IIP) is set out in Background Paper 1 and the overall decision making process regarding CIL spend, is provided in Background Paper 2.
- 6.2 The overall preparation of the IIP will commence with officers discussing infrastructure projects and opening a consultation event. The event would request that service and infrastructure providers comment on the original Local Plan infrastructure list, by providing additional supporting information; and also submit further applications for CIL funding to be considered as part of the IIP.
- 6.3 Using the responses to this consultation, officers will score the infrastructure projects, as part of a screening, and early prioritisation process, and commence the preparation of the IIP infrastructure list, in discussion with infrastructure providers and West Sussex County Council officers in early 2021. This list will then be reviewed and discussed by an informal meeting of Arun District Council and West Sussex officers and members, at the "Arun Officer and Member CIL Liaison Meeting".

6.4 This meeting will consider the infrastructure projects that have been submitted by infrastructure providers, and will review the scoring that has been carried out by officers, to date. Attendees of this meeting are listed below, and the group will meet in May and September each year (further meetings may be arranged, if required):

- Director of Place,
- Group Head of Planning,
- Group Head of Economy
- Planning Policy Team Leader
- Group Head of Corporate Support
- Group Head of Neighbourhood Services
- Group Head of Community Wellbeing
- Chair of Planning Policy Committee
- Team Leader of Planning Policy and Infrastructure (WSSC)
- WSSC member – as nominated by the Leader of WSSC.

6.3 Following the meeting in May, an information item will be added to the Planning Policy Committee agenda in the spring. This item will provide the committee with an update on the IIP and also provide an opportunity for members of the committee to request to meet informally with officers to discuss the emerging IIP priorities. These meetings will take place following the Committee meeting, and would be expected to take place from June – August.

6.4 Consultation with infrastructure providers will also continue throughout this time to ensure that the IIP is as up to date as possible. Only schemes that meet particular criteria, and have scored the highest, will be added to the final IIP short-list (set out in Background Paper 1).

6.5 Following a further Arun CIL Officer and Member Liaison meeting in September, the final IIP will be submitted to Planning Policy Committee. Subject to approval by Full Council, the final plan will establish which infrastructure projects will be delivered between 2022-2025.

6.6 The adoption of the IIP 2022-2025 would trigger the preparation of master contracts with the service providers responsible for the projects listed on the plan. These will be drawn up between Arun District Council, and the infrastructure provider, that has a project identified on the approved IIP. The contract will clearly set out that CIL money will be passed to them, upon receipt of a formal application and, subject to them meeting certain conditions. The contract will also set out that CIL money will only be spent on the approved item within the IIP.

7. How Will CIL Money Be Passed to Service Providers?

7.1 The Flowchart in Background Paper 3 shows that there are two ways that the Council may receive a request for CIL money, as follows below.

7.2 The preferred method would be that a service provider requests money for a CIL project that is listed on the IIP. In which case, they would have already entered into a CIL master-contract with the council. Therefore, they would simply complete a proforma to request the CIL money, setting out the details of the project (including cost,

timescales and evidence to show that a contract is in place/imminently in place for the works). Once checked and approved, the proforma would be appended as a supporting document to the master-contract. Upon completion of the contract, the Group Head of Planning would have authority to pass that CIL money to the service provider, in accordance with the CIL spending contract.

7.3 It is important to note that there is always a possibility that numerous requests for CIL money may be received at the same time for projects listed on the IIP. This highlights the importance of very careful preparation of the IIP, including detailed consultation with service providers. Taking time to prepare the IIP, will ensure that project delivery schedules align with CIL income, and do not overlap in a way that would make funding numerous projects simultaneously unachievable.

7.4 If a request is made, for a project that is not on the IIP, then a different process will be used, as shown in Background Paper 3. It is proposed that Planning Policy Committee would be able to approve spending on projects that are not included on the IIP, subject to the schemes meeting certain criteria. However, if the project is over the value of £25,000, Planning Policy would have to make a recommendation to Full Council to approve the spend or not. Subject to this spending approval, a master contract and proforma will need to be entered into. This is a much lengthier process, and would not be the preferred route for CIL spending.

7.5 Both spending processes described above will require two specific updates to the Council's Constitution as follows:

- That Planning Policy Committee has the authority to approve funding for infrastructure projects, which are not on the IIP and are under a value of under £25,000 (requests will only be considered if there is £50,000 available in the CIL 'other' pot as shown in paragraph 3.3 vi above); and
- that the Group Head of Planning, in consultation with the Group Head of Corporate Support, is granted authority to pass CIL to service providers where they have entered into a CIL spending contract (to include the master-contract and appended proforma) with the council (the value would be unlimited, due to the fact that Full Council would have already approved the spend via the IIP, and through the signing of master-contracts).

8. Next Steps

8.1 Subject to agreement of the proposals set out above, in section 4 to 7 (inclusive) a number of actions will need to be taken:-

- Set up the first CIL Officer and Member Liaison Meeting for spring 2021.
- Commence preparation of the Infrastructure Investment Plan
- Prepare the master contract template for CIL spending and CIL request proforma.
- Recommend updates to the Constitution in relation to the terms of reference for Planning Policy Committee and the Financial Procedure Rules, in relation to the Group Head of Planning's authority to spend CIL.

8.2 Further reports may be brought before Planning Policy Committee to consider further matters regarding CIL governance relating to more detailed processes.		
9. OPTIONS:		
9.1 The following options are available:		
<ul style="list-style-type: none"> To agree the recommendations of the report in order to secure the allocation of CIL monies to key infrastructure providers; or not to agree the report and fail to deliver appropriate Governance for the implementation of CIL and allocation of CIL monies towards necessary infrastructure. 		
10. CONSULTATION:		
<p>This report has been prepared in consultation with Legal Services to discuss the principle of preparing a master-contract, to be entered into by all service providers, responsible for the delivery of infrastructure projects listed on the IIP.</p> <p>Officers have engaged with town and parish councils regarding infrastructure lists so that they are aware of the importance of preparing lists that may sit alongside, and inform (where possible) the council's Infrastructure Investment Plan.</p> <p>The report has also been prepared in liaison with the Team Leader of Planning Policy and Infrastructure at West Sussex County Council.</p> <p>The report has also been prepared in consultation with the Director of Place, Group Head of Planning and Team Leader of Planning Policy and Conservation.</p>		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors		x
Other groups/persons (please specify): West Sussex County Council -	X	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	x	
Legal	x	
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Other (please explain) listed above	X	

6. IMPLICATIONS:

The recommendations of the report will require amendments to the Council's constitution, legal and financial arrangements to ensure contracts are in place, and that processes meet financial regularity and probity.

7. REASON FOR THE DECISION:

To ensure that development in the Arun Planning Authority area mitigates its impact through setting a transparent and equitable Governance and implementation process for the allocation of CIL monies towards key infrastructure priorities.

8. EFFECTIVE DATE OF THE DECISION: *Committee Services to insert*

9. BACKGROUND PAPERS:

BP1: Infrastructure Investment Plan (IIP) Methodology

BP2: CIL Governance Process – Process Flowchart 1 – Preparation and Approval of the Arun Infrastructure Investment Plan 2022-2025

BP3: CIL Spending Flowchart I

BP3: CIL Spending Flowchart II

Background Paper 1 - Preparation of the Arun Infrastructure Investment Plan – Overview and Methodology

1. The prioritisation of CIL spending will take place via the preparation of the Arun Infrastructure Investment Plan (IIP) to ensure that CIL money is spent on projects that support the development of the area.
2. The IIP will be formally reviewed every three years. But a light touch ‘fact check’ will be undertaken each year to ensure that the delivery of the IIP is on track.
3. Firstly, it is important to set out how CIL income will be split. The following shows that 70% of the total CIL income received by the district will need to be spent on prioritised projects:

CIL Pot 100% CIL received from developer. This is broken down into:

- i. The ‘CIL Administration pot’ – 5% to fund the CIL Officer post, system administration for IT and CIL software etc.
 - ii. ‘Parish Proportion’ 15-25% of CIL received
 - iii. The ‘District Pot’ is therefore 70% of total CIL income. This is broken down into:
 - iv. 70% - WSCC projects
 - v. 20% - ADC
 - vi. 10% - other
4. To ensure transparency of CIL spending, the IIP will be prepared using a specific methodology and will be based on the most up to date available evidence on CIL income forecasting and infrastructure project prioritisation and delivery timescales.

When will CIL income be received

5. As a starting point, the IIP will set out the forecasted CIL income for a period of 3 years. This will draw on monitoring information for housing supply including commitments (since 1 April 2020) and that linked with the housing land availability assessment (the HELAA). However, it should be remembered that the HELAA can only provide an estimate as it is not used for decision making.
6. There are also a number of assumptions to be made when forecasting the CIL income for the next 3 years:
 - % relief that may be granted e.g. sites over 11 units may apply for social housing relief from CIL, if they are providing affordable housing.
 - Estimating the floorspace for a typical housing unit on an outline consent or a HELAA site.
 - The CIL zone that the development is taking place in
 - That the development delivers the number of units in the years quoted in the planning permission or HELAA site; and
 - That the HELAA, 2019 is the most up to date available evidence. Trajectories will be updated each year as the HELAA is reviewed. Therefore

the table provided below must be taken as a rough estimate of CIL income. Income trajectories will become increasingly accurate as the council charges CIL for longer and an average annual figure becomes available.

7. Subject to considering all points set out in paragraph 6 above, the first draft of the CIL income trajectory (using 2019 HELAA data) (and not including the 5% CIL set aside for administration, and the parish proportion) shows the following forecast trajectory for the District CIL spending pot 2022 - 2025:

Table 1 – Indicative CIL Income Trajectory (source: Deliverable and Developable sites - HELAA, 2019)			
Date	2022/23 (including total for 2020-2022)	2023/24	2024/25
Total District CIL (not including parish proportion or 5% admin.)	£4,166,932	£4,858,568	£6,628,809
70% WSCC	£2,916,852	£3,400,997	£4,640,166
20% ADC	£833,386	£971,713	£1,325,761
10% Other	£416,693	£485,856	£662,880

8. Alongside the preparation of the CIL trajectory, it is important to establish a methodology for the prioritisation of CIL spending.
9. The method is set out below and will be used to prepare the first Arun Infrastructure Investment Plan 2022-2025.

Methodology for Preparing the Infrastructure Investment Plan:

A. Identifying Infrastructure Schemes for the Investment Plan -The baseline:

In order to prepare the list of infrastructure items, it is first important to consult the infrastructure evidence that supports the Arun Local Plan. This includes:

- The Arun Infrastructure Delivery Plan (IDP)
- Arun Local Plan Evidence Base
- The CIL Charging Schedule Infrastructure List and funding gap update evidence paper; and
- Town and Parish infrastructure lists, where available.

These documents support the preparation of the baseline list of infrastructure projects.

An indicative list is provided in Table 2 below.

Table 2 – Baseline CIL Infrastructure List							
Type	Project	Rating given through IDP.	Cost (£)	Funding Secured (£)	Propose Funding Arrangement	Phasing Period	Delivery Partners
Green Infrastructure	Arundel to Littlehampton Corridor Leisure Route	E	£4.5 million £130,000 per annum maintenance	£0	CIL and other contributions tbc	tbc	Economic Development; Greenspace; Town and Parish Councils; Environment Agency
	Felpham Rife Countyside Park – links to BEW rife parkland and old canal	E	£3.5 million £115,000 per annum maintenance	£0	CIL and other contributions tbc	Tbc -in line with BEW Rife parkland	Greenspace; BEW site promoters; landowners; Environment Agency
	Urban Greening Project North Bersted	E	£1-1.5 million £45,000 per annum	£0	CIL and parish CIL tbc	Tbc	Greenspace, National Trust?
	Urban Greening Project Wick, Littlehampton	E	£1-1.5 million £45,000 per annum	£0	CIL and parish CIL tbc	Tbc	Greenspace, National Trust?
Waste Management	Reconfiguration of Westhampnett transfer station/household waste recycling site to increase capacity to meet future demand. 100% of Arun's residual waste is bulked up for onward treatment/disposal.	HP	£5 million in total to be split 50:50 with Chichester District = £2.5m	£0	CIL	Medium Term	WSCC and Chichester District Council

Table 2 – Baseline CIL Infrastructure List							
Type	Project	Rating given through IDP.	Cost (£)	Funding Secured (£)	Propose Funding Arrangement	Phasing Period	Delivery Partners
Leisure	New District Leisure Centre including 50m Pool	HP	£20million to £30 million		CIL to cover impact from non-strategic sites. S.106 to cover impact from strategic sites, where related to impact of development	TBC	ADC Leisure
Emergency Services	Expansion and Improvements to Bognor Police Station	E	Tbc	£0	CIL	Tbc	Sussex Police
	Expansion and Improvements to Bognor Police Station	E	Tbc	£0	CIL	Tbc	Sussex Police
	Relocation or redevelopment of Littlehampton Fire Station	E	Tbc	£0	WSCC Capital/CIL	Tbc	WSCC
	Ambulance Community Response Post and Community First Responder Facilities	E	Tbc	£0	CIL	Tbc	Ambulance Service/NHS

B. Consulting on the Baseline List and Inviting IIP submissions:

Following the preparation of the base line list, in liaison with West Sussex County Council officers, a consultation event will commence early in the year (the CIL Governance Flowchart illustrates the process).

Infrastructure providers will be consulted on the baseline CIL infrastructure list (example shown above) and will be invited to respond by providing further information regarding those projects, if available. They will also be asked to include submissions for infrastructure projects to be included in the IIP, which were not identified through the Infrastructure Delivery Plan.

The list below sets out who will be contacted.

IIP Key Stakeholder List
<ul style="list-style-type: none">• Arun District Council Departments – Greenspace, Leisure, Wellbeing, Economic Development• Neighbouring authorities – Chichester District Council, Adur and Worthing councils, South Downs National Park Authority• Town and Parish Councils• WSCC Liaison – to cover Highways, Rights of Way, Education, Libraries, Waste Management, Fire and Rescue Service, Local Lead Flood Authority, Adults Services, Public Health• Highways England• NHS Clinical Commissioning Group (CCG)• Sussex Police• Environment Agency• Natural England• Train and Bus Companies• Community Transport companies

The following questionnaire will be included in the infrastructure provider consultation. The information set out below will need to be provided for a project to be retained or added to the baseline infrastructure list for consideration for inclusion in the IIP.

Submission of Infrastructure Projects – Survey for Stakeholders
<p>i. How does the scheme relate to the development of the district and the delivery of the Arun Local Plan?</p>
<p>ii. What evidence do you have to show that the infrastructure will address impacts from development? E.g. infrastructure capacity data?</p>
<p>iii. How much will the scheme cost in total, and would you require CIL to pay for the scheme in whole or part? If in part, what other funding sources are available?</p>
<p>iv. Is the scheme identified on a forward planning document for the service provider?</p>

- v. Timescales for delivery – will the project require funding within this IIP period? If yes, will funding be required in one year or phased across the IIP period (or will it overlap into the next IIP period?).**
- vi. Thinking about the overall Local Plan period, are you proposing money is set aside until the next three year IIP or beyond, for a project? If this is the case, please give evidence to support this approach, and consider the impact on the delivery of other projects within the relevant budget area eg. WSCC, ADC, Other. For example, consider funding a medium sized greenspace project in one year, or saving the money towards a Leisure Centre.**
- vii. If submitted by a town/parish council (as a project to be joint funded) – will this assist with the project being delivered within the statutory five-year period¹?**

Upon receipt of consultation responses, the final baseline infrastructure list will be prepared, and the infrastructure projects scored. The scoring system is used to sort the long list into higher priority/deliverable projects and lower priority/undeliverable projects.

Scoring will be carried out by officers, in discussion with service providers, where necessary (for example, there may be areas of clarification that require additional meetings/discussions), and accordance with the following scoring methodology.

C. Scoring/Prioritisation Methodology

It is important to undertake a quantitative assessment of the baseline infrastructure list to ensure there is a clear evidence base to support the preparation of the three -year spending plan within the IIP. The scoring process proposed will be an important screening process, sitting alongside the responses to the questionnaires that support the application for funding. In particular, scoring will be able to identify schemes that are not acceptable for the IIP and will also identify issues that need further consideration and consultation.

For example, the scoring questions ask whether a scheme requires funding in phases that will overlap into the next IIP phase. This will result in a lower score for the scheme (because it can't be delivered in the IIP phase). However, it will also trigger a conversation about the possibility of saving CIL money towards the larger, phased project.

There is a risk that through the scoring process, schemes come out with equal scores, and together, the cumulative cost of the schemes exceeds the budget available. In this instance, further meetings and discussions would be required to consider the schemes in greater detail.

¹ Regulation 59E requires that Town and Parish councils spend their proportion of CIL within 5 years of receipt.

It is unlikely that in the first iteration of the IIP that many projects will be ready to be delivered within timeframe covered by the plan. This may lead to the decision that CIL will not be spent during the first three year IIP period, but saved towards future projects on the long list of CIL projects. This requires officers and members to take a 'long term' view of CIL spending, and to ultimately decide whether CIL money should fund small, non-strategic projects, or larger, more costly projects.

The scoring process will incorporate the following factors:

Scoring System for Infrastructure Projects Submitted for Consideration/Inclusion in the IIP

1. Does the scheme meet the requirements for spending CIL in the CIL Regulations? (will the funding apply to the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area)

- Yes – 5 points
- No (the scheme does not align with the definition of 'infrastructure' or does not support the development of the area) – 0 points

2. Is the scheme fully deliverable within the IIP timeframe (2022-2025)

- Yes – 5 points
- Partly - funding phases would be required in year three of the IIP and crossover into the next IIP period – 4 points.
- No – but the project is critical to the Local Plan, therefore, request to save money towards project to be delivered in next IIP round, and flag this project, as high priority – 3 points and query.
- No – 0 points (add to long list for future funding)

3. Is the project High Priority/Essential/Critical to support the delivery of the Arun Local Plan (provide capacity and scheduling evidence)?

- Yes – 5 points
- It is not high priority but would support the delivery of the ALP and aligns with the vision and objectives of the ALP – 3 points
- No – 0 points – add to long list and request further information

4. Firstly, taking the project on it's own and taking into account the year that the CIL money would be needed (and the projected CIL available for that year), would the project cost fit within the relevant CIL spending share for WSCC, ADC and Other?

- Yes – 5 points
- No – (but only once looking at all projects within the spending share category eg. WSCC for that year) cumulative costs of projects mean that additional funding would be required to deliver all projects. Subject to this being investigated and evidence provided – 3 points (and also further discussion required regarding joint funding)
- No – the project on its own is more than the allocated amount for WSCC/ADC/Other and no evidence to say additional funding available at this time – 0 points

5. Is there crossover with town and parish council spending which will have the added benefit of jointly delivering an ADC or WSCC project, AND allows the town/parish council to spend CIL within statutory timeframes?

- Yes – 5 points
- No – it is not on the parish infrastructure list – 2 points
- No – it is not identified as a priority by ADC or WSCC or other infrastructure providers – 2 points

D. Finalising the Infrastructure Investment Plan

The shortlist of prioritised projects, resulting from consultation responses and the scoring process will form the council's draft IIP. This will be taken to an informal officer/member meeting to discuss. This meeting will be called the Arun Member and Officer CIL Liaison Meeting, and will be attended by the following:

- Director of Place,
- Group Head of Planning,
- Group Head of Economy
- Planning Policy Team Leader
- Group Head of Corporate Support
- Group Head of Neighbourhood Services
- Group Head of Community Wellbeing
- Chair of Planning Policy Committee
- Team Leader of Planning Policy and Infrastructure (WSCC)
- WSCC member – as nominated by the Leader of WSCC.

These meetings are crucial for a number of reasons:

- It is important to discuss the proposed shortlist of CIL projects, in particular to confirm timings and schedule for the delivery of both ADC and WSCC projects;
- To achieve joint agreement that those projects will be prioritised for spending within that three year period;
- To discuss 'query' schemes where there is a potential to save CIL money towards the next IIP period, or to fund a scheme over a number of phases which overlap into the next IIP period. Open discussion through these meetings will avoid a situation where money is requested for numerous projects at the same time – there must be a joint agreement that the IIP, once agreed will be largely inflexible to schemes being brought forward early, or costs increasing.
- To ensure there is a shared understanding and acknowledgement that CIL can only be spent in line with the agreed timeframes set out in the final IIP, and that where predicted CIL income is less than expected, the group must be aware that adjustments may be required; and
- Finally, to discuss and agree certain principles, such as the potential for CIL money to be saved, rather than spent immediately, for a larger project.

The outcomes of this work will be summarised and presented as an information item to Planning Policy Committee. The intention of this is to invite additional meetings with members to discuss the emerging IIP.

Following Planning Policy Sub-Committee, and any meetings that are arranged subsequently, the IIP will be updated and circulated to stakeholders and infrastructure providers for final comment/feedback prior to the document being presented to Planning Policy Committee with the recommendation that it is approved by Full Council.

It is expected that the first IIP of spending priorities will be a short list. This is due to the significant costs of infrastructure projects and due to the time it takes for projects to commence. However, the IIP 2022-2025 will be supported by a longer baseline infrastructure list as an appendix. This will allow the plan to be reviewed (on a 'light touch' basis) each year. So, any schemes receiving additional income, thereby requiring less CIL to contribute, may be considered within the 3-year plan timeframe.

The IIP will be prepared in accordance with the timetable shown in the flowcharts in Background Paper 2.

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CIL Governance Flow Chart – 1
Preparation and Approval of the Arun Infrastructure Investment Plan 2022-2025
 (Assuming Planning Policy Committee in Place)

CONSULTATION APRIL - SEPTEMBER

Officers Prepare CIL Infrastructure Investment Plan (January-June 2021) and Invite Submissions for CIL Projects

Evidence gathering and liaison with service providers, local councils and internal departments. Cross boundary issues must be identified. Also finance/budgetary updates to forecast CIL .
Using prioritisation methodology for infrastructure projects and take into account CIL income forecast against housing trajectory.

CIL Officer and Member Liaison Meeting - (May 2021)

Informal meeting – to include ADC Officers, Chair of Planning Policy Committee, Planning Policy and Infrastructure Team Leader, WSCC and nominated WSCC member.

Group's aims are to review infrastructure scoring results and first draft of CIL IIP, prepared using the prioritisation/spend methodology and:

- To discuss CIL trajectory
- Housing Trajectory
- Infrastructure Priorities based on Local Plan evidence and any new evidence available.
- Infrastructure Timescales
- Direction of Infrastructure Investment Plan to inform preparation
- Draw out issues arising from scoring e.g. equal scores, cumulative costs of projects exceeding budget.

Planning Policy Committee – June 2021 - “For Information” Item added to Planning Policy Committee (PPC) Agenda

- Update PPC on the IIP process, and emerging IIP priorities
- Update on outcomes from informal meetings and evidence gathering process,
- Update on Key Stakeholder Consultation process
- Provide date for the IIP to be reported to PPC (November 2021), requesting that the IIP is endorsed.

The Item will give members of PPC the opportunity to arrange a separate meeting with officers to discuss the matter, and feed into Key Stakeholder engagement (June – August).

Consultation with Key Stakeholders (July 2021 – September 2021)

Send draft IIP based to key stakeholders for comment.

- ADC Officers from all depts.
 - West Sussex County Council, National Health Service – Clinical Commissioning Group, Environment Agency, Highways England, Natural England
 - Neighbouring authorities – Chichester District Council, Worthing & Adur Councils, South Downs National Park Authority
 - Town and Parish Councils to feed their IIPs in at this stage to identify possible partnership working and to prevent spending crossover
- Make amendments where necessary.

Second CIL Officer and Member Liaison Meeting (October 2021)

Submit IIP to Planning Policy Committee (PPC) – PPC will be asked to recommend to Full Council that the Arun Infrastructure Investment Plan for December 2022-December 2025 (October/November 2021)

The IIP sets CIL spending priorities for the next 3 years (2022- 2025). All projects listed in the IIP must be deliverable within the 3-year period covered by the IIP based on CIL income forecasts, and the most up to date project costs.

PPC may propose changes to the list. But changes to prioritisation of projects must be supported by the methodology and scoring approach which accompanies the IIP.

Full Council Approval - December 2021
For further spending details, see flowchart 2

ENDORSEMENT AND DECISION

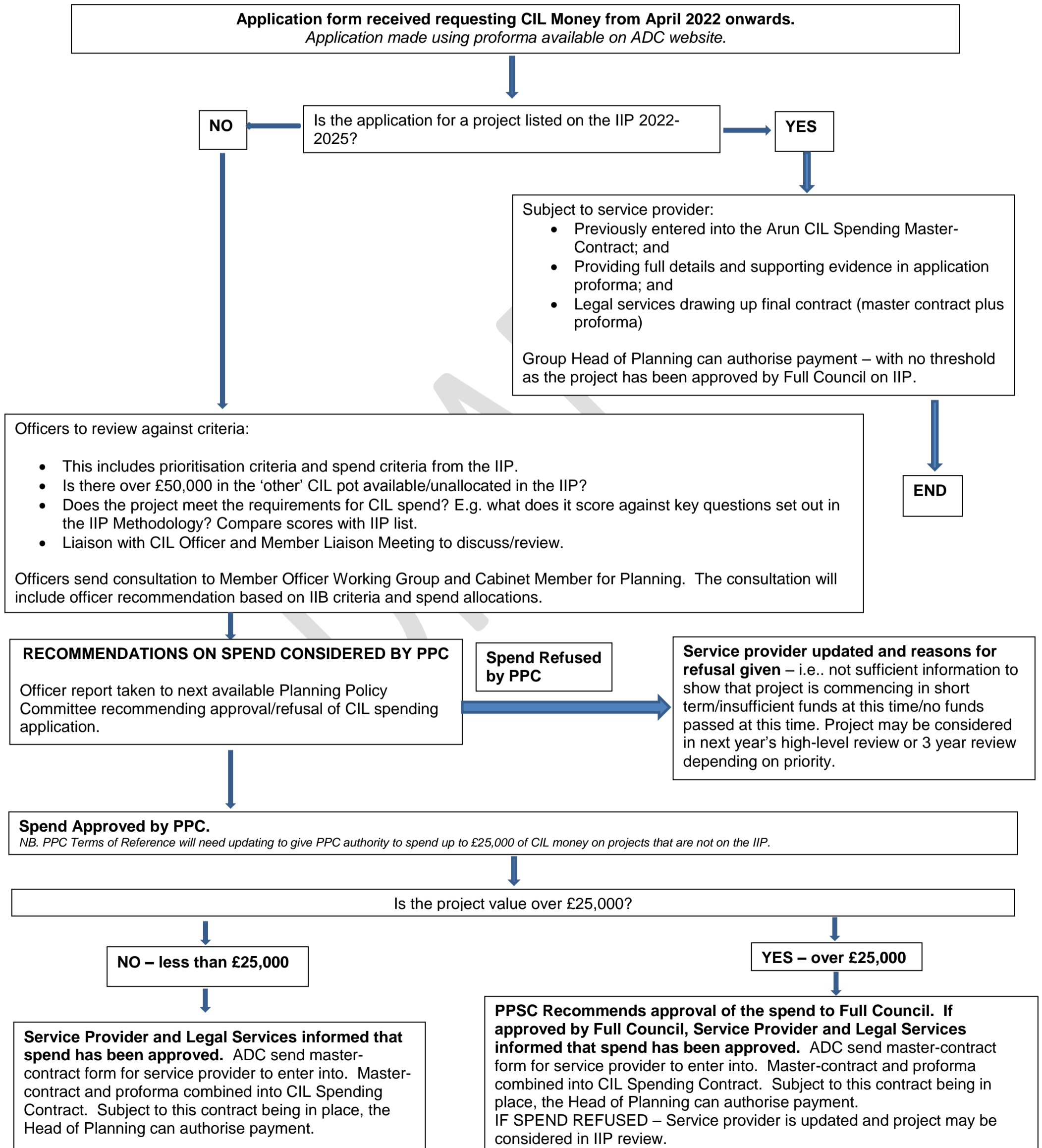
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Background Paper 3: CIL Spending Flowcharts

The following flowcharts provide examples of how the request for CIL money would work. The first provides the process to follow if an application for CIL money is made for either:

- An item of infrastructure listed on the Arun Infrastructure Investment Plan (within the correct timeframe as set out in the IIP); or
- An item of infrastructure that is not listed on the IIP at all.

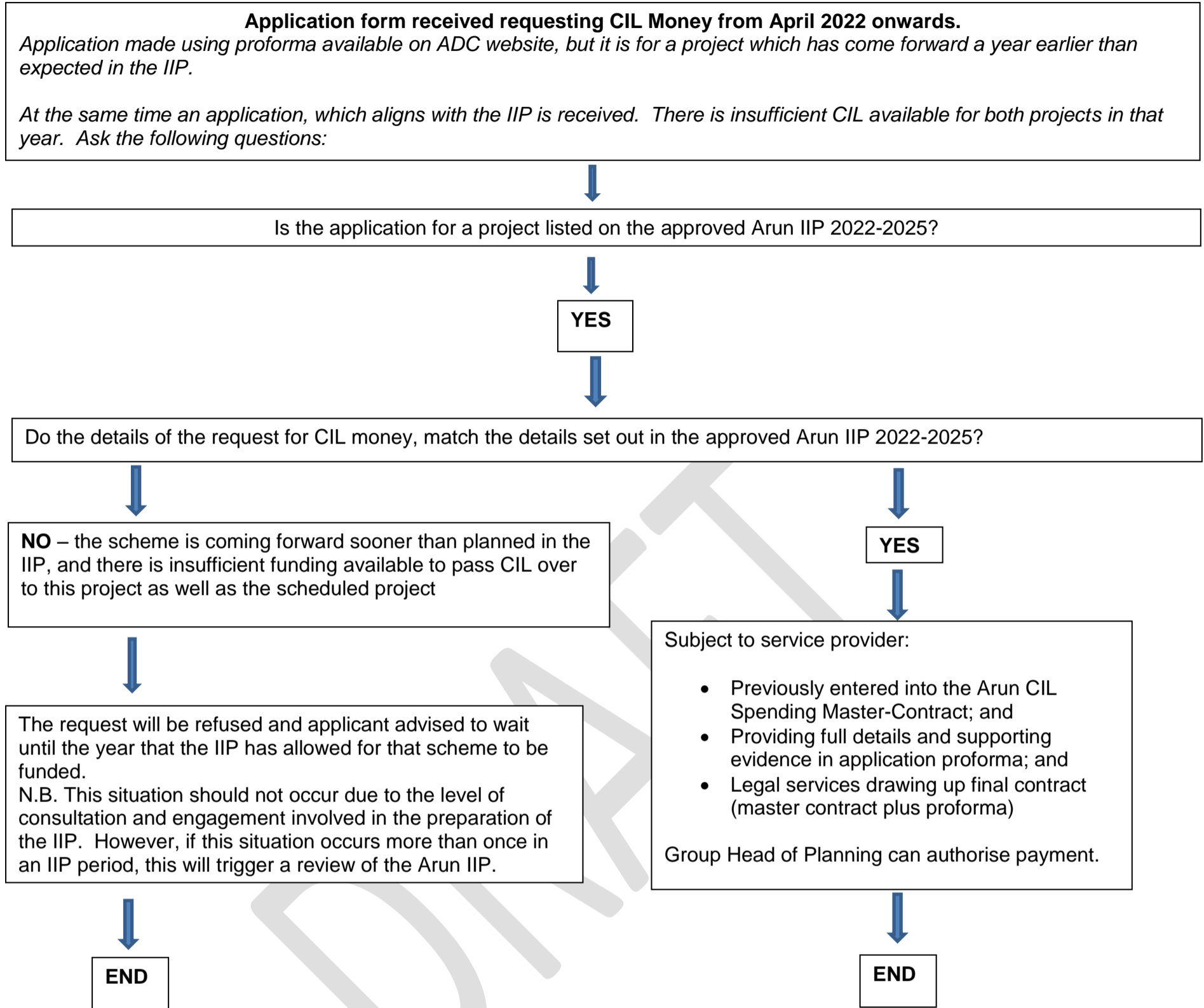
Example 1: Application for CIL in accordance with the Arun Infrastructure Implementation Plan (IIP) and an application for CIL for a project that is not listed in the IIP



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Background Paper 3: CIL Spending Flowcharts

Example 2: Application received for two projects, listed on the approved Arun Infrastructure Investment Plan 2022-2025 (IIP) at one time (one project is coming forward sooner than planned in the IIP), therefore, insufficient CIL to spend on both projects



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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB-COMMITTEE ON 15 DECEMBER 2020

SUBJECT: West Sussex County Council Transport Plan Review Consultation (and potential updates on the A259 Bognor Regis to Littlehampton Enhancement Scheme)

REPORT AUTHOR: Nicki Faulkner, Principal Planning Officer
DATE: November 2020
EXTN: 37654
PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

This report provides an update to the West Sussex Transport Plan (WSTP) review, which has recently commenced.

The current WSTP 2011-2026 period needs to be reviewed to take account of changes to national and local policy, such as the Government's legally-binding commitment to achieve net zero carbon by 2050.

The first step in the WSTP review is to ask stakeholders to complete a survey, which will identify key issues and priorities. The survey results will help to shape the draft version of the plan, which is due to be published for consultation in summer 2021.

This report provides the response to the survey, which will be submitted to West Sussex County Council.

It was anticipated that this report would also include an update on the Strategic Outline Business Case for the A259 Bognor Regis to Littlehampton Corridor Enhancement Scheme, for noting. An update on this matter has been slightly delayed, due unforeseen changes to timescales at West Sussex County Council. However, if key milestones are met in the next week, an update can be presented to Planning Policy Sub Committee, as an urgent item.

RECOMMENDATIONS:

That Planning Policy Sub-Committee:

- 1) Notes the response to the West Sussex Transport Plan Review Survey, to be submitted to the county council by the deadline of 17 December 2020.

1. THE WEST SUSSEX TRANSPORT PLAN REVIEW

- 1.1 The West Sussex Transport Plan (WSTP) 2011-2026 needs to be reviewed to take account of changes to national and local policy, such as the Government's legally-binding commitment to achieve net zero carbon by 2050. The new plan will set out how the county council will aim to continue to support the economy and communities while protecting the environment.
- 1.2 The county council is asking stakeholders, such as local groups, authorities and transport providers, to complete a survey to gather information about their key issues and priorities. The survey was made available on 5 November and will close on 17th December www.westsussex.gov.uk/WSTPsurvey. The survey results will help shape the draft WSTP, which is due to be published for public consultation in summer 2021. The aim is to adopt the plan in early 2022.
- 1.3 An officer response to the survey is provided in Background Paper 1. In summary, the response includes the following key issues to be considered by the county council, as they prepare the Draft WSTP:
- Consider impact of future population growth on the highway network (by taking into account the proposed Standard Housing Methodology, as set out by the Government in its latest consultation, published on 6 August 2020);
 - Taking into account new technologies in relation to transportation – in particular a focus on electric vehicles, and the availability of electric vehicle charging points across the county;
 - Consider equitable provision and the availability of electricity supplies for electric vehicles (looking ahead to 2030 when new diesel and petrol cars will no longer be on sale);
 - Give greater priority in the plan to the impact of the economy, as a result of the Covid-19 pandemic – this will have long term impacts on transport and travel;
 - The WSTP should identify the barriers that level crossings continue to have in terms of movement of traffic within the district;
 - The revised plan should address the challenge of integrated transport systems which provide mobility and connectivity to people, through the provision of transport hubs and shared transport opportunities (eg. bike share, car share, bus shelters and efficient links to other public transport nodes); and finally
 - the response explains that Arun District Council officers are investigating the principle of 'twenty minute neighbourhoods', where all essential, day-to-day facilities are located within a twenty minute walk from home. This involves unlocking walking and cycling routes within, and between, communities to allow residents to walk and cycle to key services (schools, shops, leisure facilities etc). This may be increasingly achievable as working from home becomes more commonplace.

2. NEXT STEPS

- 2.1 The report provides a response to the West Sussex Transport Plan review consultation, and raises important issues to be taken into account, as the county council prepares the Draft Transport Plan. The Draft Transport Plan will be subject to further consultation. An update will be provided when that consultation is published.

3. PROPOSAL(S):		
3.1 That the response to West Sussex County Council survey, for the West Sussex Local Transport Plan, is noted.		
4. OPTIONS:		
4.1 That the response to West Sussex County Council survey, for the West Sussex Local Transport Plan, is noted.		
5. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify): Director of Place Strategic Development Team Leader Group Head of Economy	x	
6. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X
7. IMPLICATIONS:		
7.1 The West Sussex Transport Plan will have implications on future funding and priorities for transport in the county, and the district. Therefore, continued engagement in the preparation of the Transport Plan is important.		
8. REASON FOR THE DECISION:		
8.1 That the response to West Sussex County Council survey, for the West Sussex Local Transport Plan, is noted.		

9. BACKGROUND PAPERS:

Background Paper 1: Response to West Sussex County Council Transport Plan Review Survey.

West Sussex Transport Plan Review Survey

Introduction

The West Sussex Transport Plan (WSTP) is being reviewed to update the County Council's strategic approach to investment in, and management of, the transport network. This is an initial survey to gather information that will help to prepare the draft plan. The draft plan is expected to be published for consultation in summer 2021.

If you have any questions, or would like to get in touch with the team, please contact ltip@westsussex.gov.uk; 01243 642105.

If you would like to view our existing West Sussex Transport Plan 2011-2026, please visit: www.westsussex.gov.uk/ltip

This survey should take 10-20 minutes to complete.

Accessibility Statement

If you require any of the information for this project in an alternative format, please contact us on 01243 642105 or via email at ltip@westsussex.gov.uk and we will do our best to assist you. If you are deaf or hard of hearing and have an NGT texting app installed on your computer, laptop or smartphone, you can contact us on 18001 03302 226709.

We are committed to making this website accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. Please view the West Sussex County Council Accessibility Statement, for further details. Information about the accessibility of the Have Your Say Consultation Hub can be found by clicking on the 'Accessibility tab' which can be found right at the bottom of this page.

Where it exists, we will provide details of any project related content which is not fully accessible under a heading of 'Non-accessible content' below.

Non-accessible content

[West Sussex Transport Plan 2011-2026, Sustainability Appraisal for LTP3](#) and [West Sussex Provisional LTP 2011-26 consultation report](#).

We are always looking to improve the accessibility of this website. If you find any problems not listed on this page or think we're not meeting accessibility requirements, please contact us at haveyoursay@westsussex.gov.uk.

Privacy statement:

West Sussex County Council will use this survey to collect some personal data in order to carry out a task in the public interest. The personal data will be processed in accordance with the General Data Protection Regulations, the 2018 Data Protection Act and any subsequent legislation. The personal data we collect will be held securely on West Sussex County Council computers for a period of up to 2 years before being appropriately destroyed. Personal contact information will not be destroyed if you give your consent in this survey for your details to be held for the purposes of contacting you about future transport scheme consultations related to the West Sussex Transport Plan review. If you would like your personal data to be removed from our stakeholder database at any time, please contact us at ltip@westsussex.gov.uk or on 01243 642105. West Sussex County Council is registered

as Data Controller (Reg. No. Z6413427). For further details and information about our Data Controller, please see www.westsussex.gov.uk/privacy-policy.

1. Respondent details

Name (Required) _____

Job title (where relevant) _____

Organisation (where relevant) _____

2. What are your contact details?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email _____

Telephone number _____

3. Postal Address Details

You only need to complete these address details if it is not possible to contact you by email.

Address Line 1 _____

Address Line 2 _____

Address Line 3 _____

Address Line 4 _____

Postcode _____

Key issues affecting the West Sussex Transport Plan

We consider the [West Sussex Transport Plan 2011-2026](#) identifies issues that are still very relevant today. However, the importance of these issues and potential transport strategies and interventions to address them may have changed. We have summarised some potentially important challenges below. Please click on the headings to read further information.

Tackling Climate Change

In 2019, the UK Government committed to a legally binding target to achieve net zero emissions of all greenhouse gases by 2050. UK domestic greenhouse gas emissions have reduced by 43% since 1990, but transport is now the largest sector contributing 28% of UK domestic greenhouse gas emissions in 2018 ([Department for Business, Energy & Industrial Strategy statistics](#)). In order to tackle climate change, the WSTP review needs to respond to the challenge of transport emissions.

Supporting the Local Economy

The performance of the West Sussex economy is spatially variable; in the north east (Crawley, Horsham and Mid Sussex) the economy performs above the regional and the national average, and the performance gap to the south and west (Adur, Arun, Chichester and Worthing) has been widening ([West Sussex Life: A Prosperous Place](#)). The COVID-19 pandemic is having a major impact on the national, regional and local economy and some business sectors will be more affected than others. The performance and connectivity of the transport network is intrinsically linked to the

performance of the economy as problems can affect business productivity, access to employees and customers. In order to support the local economy, the WSTP review needs to respond to the challenge of network performance and connectivity.

Providing Access For All

The transport network is a means by which people go about their daily lives, accessing employment, education, health care, shopping, services, leisure and recreation. Access to services and facilities can involve using physical transport infrastructure, but also digital infrastructure to find out information about transport services, to order deliveries or to access services online or work from home. Some parts of West Sussex are very well connected to the transport network but others, particularly rural areas where there are fewer public transport options, are less so. In order to provide access for all, the WSTP review needs to respond to the challenge of barriers to accessibility.

Improving Safety, Security and Health

Lower physical activity levels are thought to contribute to health conditions such as obesity and poor mental health - childhood obesity levels in the UK have been identified as amongst the highest in Western Europe (Prevention is better than cure, Department of Health & Social Care 2018). The impacts of transport in the form of air, noise and light pollution have also been identified to have significant impacts on public health.

The long term trend of reducing road traffic accidents has not continued ([West Sussex Life: Strong, Safe and Sustainable Place](#)). Actual and perceived risk can discourage walking, cycling and use of public transport. In order to improve safety, security and health, the WSTP review needs to respond to a range of challenges of public health, pollution, road safety and the perception of risk.

Protecting the Environment and Quality of Life

West Sussex is a desirable place to live and work, with an attractive coastline, and protected landscapes of the South Downs National Park and the High Weald and Chichester Harbour Areas of Outstanding Natural Beauty. Its urban areas offer attractive centres, and a wide range of facilities, attractions and cultural assets, whereas rural settlements can be susceptible to poor access to the transport network. There are pressures on the natural and built environment from population growth and increased transport movements. Careful planning is needed to ensure that the environment and quality of life in West Sussex is protected and where possible enhanced.

4. How important do you think each of the following transport issues are in West Sussex?

Theme	Issues/challenges	Very important	Fairly important	Not very important	Not at all important	Don't know
Tackling Climate Change	Greenhouse gas emissions from transport	X				
	Resilience of the transport network to the impacts of climate change	X				
Supporting the Local Economy	Network performance and connectivity (e.g. congestion, journey times)	X				

	Accommodating planned development and regeneration	X				
	Impacts of COVID-19 on the economy and travel behaviour	X				
Providing Access For All	Transport options and interchange facilities (e.g. bus stops and stations) are limited or not available	X				
	Employment, education, healthcare and services are not available locally (i.e. within walking and cycling distance)	X				
	Cost of using the transport system	X				
	Digital connectivity is limited or not available	X				
Improving Safety, Security and Health	Road safety is no longer improving	X				
	Transport network impacts on public health and well-being	X				
	Healthy travel choices are not available	X				
	The perception of risk means that walking, cycling and public transport are not viable options	X				
Protecting the Environment and Quality of Life	The impacts of the transport network on the local natural and built environment	X				

5. Are there any other key issues that you think are missing from the list above? Please provide your comments below.

The list above provides a range of challenges and issues that are all important to the residents, businesses and visitors to Arun District in different ways. Therefore, it has been challenging to answer with anything else but “very important” to the challenges listed.

In terms of additional challenges to consider, the Transport Plan must look to future population growth and housing targets (as proposed by the Government in its latest consultation regarding the Standard Housing Methodology), and consider what the impacts of significant population increase will be on the existing transport network, alongside strategies for reducing car use.

It is highly important to draw out the importance of considering new technologies and planning ahead to ensure that they can be integrated into the whole transport network. For example the future of electric and hydrogen power and how the power supply may come from decentralised sources, to meet demand. This should be considered in relation to planning for a network of electric vehicle charging points that provide equitable and accessible power sources across the county. This must be a high priority given recent announcements by the government to ban the sale of diesel and petrol cars by 2030.

The Transport Plan seems to refer to a pre COVID-19 world and the economy will significantly change as it recovers – will the plan reflect this ? The perhaps over used phrase of ‘reset’, should be thought more carefully about now – should we be more radical in our thinking?

It is likely to take 5 to 10 years for Gatwick to significantly recover (and not back to what it was before) - this will have a ripple effect throughout the economy and it’s very difficult to predict what this will mean to the wider transport network. As you have picked up, people will change how they work and live and we would expect less transport activity as a consequence.

On the other hand, we are expecting, for the short term, more people to holiday in the UK (staycations) so that may increase traffic volumes as certain times. I wouldn’t expect coach travel to increase but I would hope train use would if it became more affordable and reliable.

Level crossings are an issue that should be considered in the Transport Plan in terms of the impact they have on slowing the movement of traffic in the district.

Finally, addressing the challenge of integrating sustainable transport networks into new developments and setting a framework for facilitating the delivery of mobility hubs within existing town centres or new development sites.

6. Please rank the following interventions for *Tackling Climate Change* in order of priority.

The highest priority for addressing the issue should be 1. Please rank as many of the priorities as you wish.

Possible interventions	Rank
Encourage use of sustainable modes of transport	4
Transition to zero emission vehicles	7
Reduce car ownership through car clubs / shared ownership	8
Develop car free urban centres	3
Reduce the need to travel through high quality digital connectivity e.g. home working and online service access	1
Reduce the need to travel by ensuring new developments, places of work, education, facilities and services are located close together	2
Adapt infrastructure to the impacts of a changing climate	6
Support habitat creation to mitigate residual greenhouse gas emissions	5
Maximise the re-use or recycling of materials in construction, and consider the carbon impacts of new materials for construction	9
Other, please detail:	

7. Please rank the following interventions for *Supporting the Local Economy* in order of priority.

The highest priority for addressing the issue should be 1. Please rank as many of the priorities as you wish.

Possible interventions	Rank
Increase highway capacity in towns	8
Increase highway capacity on the main road links between economic centres along the West Sussex coast e.g. the A27 and A259	6
Increase highway capacity on the main road links between economic centres in the north and south of the county i.e. the A23 and A24	7
Improve the capacity, speed, quality and reliability of rail services between West Sussex and London	4
Improve the connectivity, quality and reliability of rail services between towns in West Sussex and other regional economic centres such as Southampton, Guildford or destinations in Kent	5
Improve the quality of bus services to town centres and employment locations	3
Improve the quality and connectivity of cycling and walking connections to increase ease of access to town centres and employment locations	2
Develop a more efficient freight transport infrastructure (including collection centres) to reduce costs to businesses	1
Other, please detail:	

8. Please rank the following interventions for *Providing Access For All* in order of priority.

The highest priority for addressing the issue should be 1. Please rank as many of the priorities as you wish.

Possible interventions	Rank
Improve digital connectivity so that there is wide online access to services	1

Improve the provision of services locally (e.g. local libraries, health care facilities, shops and jobs) to enable physical access	2
Improve the coverage of local bus services to enable wide access	3
Improve the coverage of community transport services to enable wide access	3
Reduce the cost of public transport	4
Improving the accessibility to public transport services so public transport is accessible to all	5
Improve facilities for pedestrians	3
Improve facilities for cyclists	3
Improve access to car clubs and mobility solutions (e.g. ride-hailing, ride-sharing)	6
Improve the ease of car access and parking facilities within service centres	7
Other, please detail: N.B I've provided equal priority to provision of improved public transport and cycling and walking because these all represent the same aims.	

9. Please rank the following interventions for *Improving Safety, Security and Health* in order of priority.

The highest priority for addressing the issue should be 1. Please rank as many of the priorities as you wish.

Possible interventions	Rank
Use engineering measures to reduce accidents (e.g. improving junction and road layouts, traffic calming)	1
Promote and enforce traffic laws	7
Give higher priority to cycling and walking facilities (e.g. segregated facilities)	2
Promote active travel such as walking and cycling, and provide training opportunities	3
Use school street closures at drop-off/pick-up times	8
Ensure there is ample space on footways and cycleways to enable social distancing to mitigate the risk from COVID-19	4
Work with local organisations, transport providers and Sussex Police to improve safety by tackling crime and the fear of crime in relation to travel	6
Reduce transport related air, noise and light pollution to reduce health impacts	5
Other, please detail:	

10. Please rank the following interventions for *Protecting the Environment and Quality of Life* in order of priority.

The highest priority for addressing the issue should be 1. Please rank as many of the priorities as you wish.

Possible interventions	Rank
Protect the landscape, biodiversity and green infrastructure	1
Improve access to the countryside	3

Ensure people, wildlife and habitats are protected from the impacts of air pollution	2
Ensure that traffic noise does not impact people or the wider environment	6
Protect dark skies and minimise the impacts of light pollution	5
Improve the 'streetscape' to ensure places are attractive to live in	4
Other, please detail:	

11. Are there any other comments you would like to make about transport priorities for the review of the West Sussex Transport Plan? Please provide your comments below.

The response provided in the prioritisation above indicates that Arun District Council is aiming to reduce the need for residents to travel long distances for employment, leisure and school. The idea of 20 minute neighbourhoods is a principle being considered as part of the future of place making. In particular, this requires improved active travel networks as well as improved digital technology which allows for flexible working to continue into the future.

Where people still need to travel, it is important to give priority in the WSTP to technological enhancements so that the county can deliver transport networks and infrastructure that is relevant into the future. This relates to digital technology as well as integration of decentralised power networks that supply electricity and hydrogen in an accessible and cost effective way, to ensure that transport is accessible for all within new and existing settlements.

12. Are you happy to be included on our stakeholder database to receive further information about the West Sussex Transport Plan review

Yes

No

13. Are you happy to be included on our stakeholder database for further information about future transport scheme consultations related to the West Sussex Transport Plan?

Yes

No

14. Which statement below best describes your response?

I am responding as a representative of an organisation

I am responding as a County, District or Borough or Parish Councillor

I am responding as an individual *(only these respondents are asked to complete the 'About You' questions via the survey skip logic)*

About You *(for individual respondents only)*

We collect this data as part of our day to day business to:

- help us improve our services
- to help us check we are seeking views from a range of people
- to help us meet our duties and legal obligation under the Equality Act 2010.

You do not have to give us this information if you do not wish to do so. Each question also has an option to select “prefer not to say”.

If you are **aged under 13** you will be directed away from answering the questions in this section. If you are aged between 13 and 17, you might like to seek the advice of your parents/carer to help you complete this section.

15. Age

Under 13 *(respondents under 13 are not asked to complete the subsequent questions)*

13-17

18-24

25-34

35-44

45-54

55-64

65-74

75-84

85+

Prefer not to say

16. Sex

Male

Female

Prefer not to say

17 Is your gender the same as the one assigned to you at birth?

Yes

No

Prefer not to say

18. Ethnic origin

White - British

White - Other

Mixed

Black

- Asian
- Chinese
- Gypsy/Irish Traveler
- Other
- Prefer not to say

19. Religion

- Buddhist
- Christian (all denominations)
- Hindu
- Jewish
- Muslim
- Sikh
- Any other religion
- Unknown
- Prefer not to say
- No religion

20. What is your sexual orientation?

- Heterosexual
- Bisexual
- Gay or Lesbian
- Other
- Prefer not to say

21. Are you...

- Single
- Cohabiting
- Married
- Civil Partnership
- Separated/Divorced/Partnership dissolved
- Widowed
- Other
- Prefer not to say

22. Are you pregnant at this time?

Yes

No

Prefer not to say

23. Have you recently given birth (within the last 26 week period)?

Yes

No

Prefer not to say

24. Do you consider yourself to have a disability*?

Yes

No

Prefer not to say

*The Equality Act 2010 describes a person as disabled if s/he has a physical or mental impairment (including illness) which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

If you have any questions, or would like to get in touch with the team, please contact ltip@westsussex.gov.uk; 01243 642105.

www.westsussex.gov.uk/ltip

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 15 DECEMBER 2020

SUBJECT: Arun Design Guide Supplementary Planning Document (SPD)

REPORT AUTHOR: Donna Moles, Senior Planning Officer
DATE: 24 November 2020
EXTN: x 37697
PORTFOLIO AREA: Planning Policy

EXECUTIVE SUMMARY:

On 30 June 2020, the Planning Policy Sub-Committee agreed that the Draft Arun Design Guide should progress to Public Participation stage (under Regulation 12b of The Town and Country Planning ((Local Planning) (England) Regulations 2012). This stage commenced on 16 September for four weeks ending on 14 October 2020.

Following the public participation period, this report sets out the further representations received and the proposed response to be agreed and then the final draft Design Guide will be referred to Full Council on 13 January 2021 for Adoption.

RECOMMENDATIONS:

That the Planning Policy Sub Committee agrees:

1. The proposed modifications schedule which addresses the comments made from the Regulation 12b Public participation period in accordance with Regulation 35 (as amended by Regulation 2 (Coronavirus) (Amendment) Regulations 2020);
2. That the revised Design Guide (as a result of the Reg.12b proposed modifications), can progress to Full Council on 13 January 2021 for Adoption.

1. BACKGROUND:

- 1.1 The Arun District Design Guide Supplementary Planning Document (SPD) is intended to provide further detail to the Design policies of the Arun Local Plan (chapter 13) and to raise the standard of design across the District. The SPD sets out what the Council expects development proposals to deliver in terms of design quality within Arun respectfully responding to landscape, connections, public space, the mix of uses, how buildings relate to their context as well as size, shape and appearance. It is also concerned with vital matters like refuse bins and car parking and is about placemaking; not just about the appearance of buildings.
- 1.2 Arun District Council Local Plan Policies D SP1 'Design', D DM1 'Aspects of form and design quality' and D DM4 'Extensions and alterations to existing buildings', provide a framework which sets the principles of good design across the District. Good design is an integral part of good planning; therefore, the design policies are in alignment with all other policies in the Plan including the strategic policies. They also require development to comply with the Arun District Council Design Guide which will be brought forward through the Design Guide SPD.
- 1.3 Supplementary Planning Documents (SPDs) are prepared by the Council to support the Local Plan, inform the delivery of infrastructure and to aid applicants in preparing successful development proposals. Following public consultation and adoption by the Council, SPDs become a material consideration in determining planning applications. However, SPD do not introduce new policy and are not a part of the statutory Development Plan.
- 1.4 The Government published the National Design Guide - October 2019 which provides a general structure that can be used for the content of local design guides and includes ten characteristics which reflect the government's priorities in a common overarching framework. The proposed Arun Design Guide SPD incorporates all of those key ten characteristics of the framework.
- 1.5 The report which went to PPSC in December 2019 sets out the key objectives, criteria and structure of the SPD so has not been repeated here.

CONSULTATION OVERVIEW

- 1.6 Details of key consultations undertaken during the development of the draft Arun District Design Guide SPD are provided below:

Town and Parish Stakeholder Consultation – July and August 2019

Comments were invited from all twenty-one town and parish councils in the District.

Member and Officer Workshop – October 2019

A workshop was held for all Members and Planning Team Leaders on 3 October 2019 to explain the key findings to date, discuss the structure and content of the Guide and to get feedback on any areas of guidance which should be included in the document. Following this workshop, Members and Officers provided comments on the working draft prior to the document being refined to be taken to Planning Policy Sub Committee.

Planning Policy Sub Committee (PPSC)

The Consultation draft document was taken to PPSC on 17 December 2019, before being subjected to a four-week public participation period inviting representations (Regulation 13).

Strategic Environmental Assessment Screening

The SEA screening report was sent to the three statutory environmental bodies – Environment Agency, Natural England and Historic England – from 2 December 2019 until 6 January 2020. They agreed with the determination that no “significant environmental effects” may be triggered and therefore there is no requirement for a full SEA.

Formal Public Consultation – Inviting Representations on the Draft SPD – January / February 2020

Formal public consultation on the draft SPD was undertaken from 9 January to 21 February 2020.

Regulation 12b Public Participation - 16th September to 14th October 2020

The document has been revised to address the representations received during the consultation which ended on 21st February 2020 and made available in accordance with the Arun District Council Statement of Community Involvement (Immediate Review June 2020) and under Regulation 35 (as amended by Regulation 2 of the Town and Country Planning (Local Planning (England) (Coronavirus) (Amendment) Regulations 2020) and Regulation 12b of the Town and Country Planning Regulations to give the public/consultees an opportunity to make any further comments.

REPRESENTATIONS AND MODIFICATIONS

- 1.7 A total of eleven individuals and / bodies made representations on the SPD, with all in general support of the document but providing useful suggestions and clarifications to help strengthen the document. A statement (in accordance with Regulation 12) setting out the summary of the representations received with main issues raised during the participation and how they are addressed through the proposed modifications, can be viewed in the Appendix of the Statement of Representation Post Regulation 12b.
- 1.8 The Arun Design Guide SPD – Final Draft January 2021 in the Background papers incorporates all the proposed changes (as identified in the Appendix of the Statement of representation) and is now interactive. This means that when you pass your cursor over a button it changes colour, before you press it to go to the actual location.

Buttons can be found at the following locations:

- Table of Contents: Buttons before each section and letters-buttons before each chapter.
- Cover of each section: Letter-buttons before each chapter title and round button next to the section title bringing you to the beginning of the document.
- At each page at the top right corner: Section indication leading you to the

beginning of the section and chapter-letter buttons getting you to the beginning of each additional chapter.

- Round icons at the beginning of the abbreviation table, the reference list and the glossary linking you to the beginning of the document.
- At the reference list, all document titles are linking to the additional resources.

1.9 An Arun District Design Guide Non-Technical Summary has also been produced and made available to help explain and map the Arun Design Guide SPD in a summary form to assist all users in getting straight to the relevant information and tools that they need when using the full Arun Design Guide SPD.

1.10 NEXT STEPS AND TIMETABLE

Stage	Date
Revised Design Guide which incorporates the Regulation 12b Public participation proposed modifications to get agreement at Planning Policy Sub Committee	15 December 2020
Full Council to get agreement to adopt the Arun Design Guide SPD	13 January 2021
Publication of final Design Guide SPD, Non-Technical Summary to the Design Guide SPD and Adoption Statement	January 2021
Presentation and training session to ensure appropriate and effective use of the Design Guide SPD for members and officers	January/February 2021

2. PROPOSAL(S):

That the revised Arun Design Guide SPD (January 2021) is recommended to Full Council for Adoption on 13 January 2021 and following adoption, an adoption statement together with the SPD is published on the Council's web site in accordance with Regulation 35 (as amended) and the adoption statement notified to anyone who has asked to be notified.

3. OPTIONS:

The following options are available to Members:

1. To recommend that the draft Arun Design Guide SPD (January 2021) is recommended to Full Council for Adoption on 13 January 2021 **OR**
2. Not to recommend that the draft Arun Design Guide SPD (January 2021) is recommended to Full Council for Adoption on 13 January 2021

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors	x	
Other groups/persons (please specify)	x	
The public, consultees, statutory bodies and stakeholders		

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability	X	
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

Due to this SPD being subject to public consultation and participation, as it progresses to adoption it will have added weight as a material consideration in the determining of planning applications and help to secure more sustainable development benefitting local communities and which will help to improve place making within Arun.

7. REASON FOR THE DECISION:

To ensure that Arun can continue to secure development that is plan led and consistent with sustainable development as well as development which would improve the wellbeing of the people through improved built and natural environments.

8. BACKGROUND PAPERS:

<https://www.arun.gov.uk/supplementary-planning-documents-spds>

1. Statement of Representation Post Regulation 12b (includes Appendix i – Reg.12b Modification Table)
2. Arun Design Guide SPD - Final Draft November 2020
3. Arun Design Guide Non -Technical Summary

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 15 DECEMBER 2020

**SUBJECT: RAISING ACCESSIBILITY STANDARDS FOR NEW HOMES
CONSULTATION**

REPORT AUTHOR: Donna Moles, Senior Planning Officer
DATE: 13 November 2020
EXTN: x 37697
PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

This report is to brief members on the response to the Government's consultation on Raising Accessibility Standards for New Homes. The consultation seeks views on five options to raise the 'accessible and adaptable' standard for homes (known as M4(2) in Part M of the Building Regulations) and the 'wheelchair user' standard (known as M4(3)) which are currently used as optional technical standards. The consultation was from 8 September until 1 December 2020.

RECOMMENDATIONS:

That the Planning Policy Sub Committee notes the Officer recommendation to the Government in response to the consultation 'Raising Accessibility Standards for New Homes':-

1. **Option 4** is preferred, to mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes with M4(1) applying by exception only, a set percentage of M4(3) homes would also need to be applied in all areas. So rather than local authorities setting a local planning policy for the provision of M4(3), a defined and constant percentage would apply to all new housing.

1. BACKGROUND:

- 1.1 The Ministry of Housing, Communities and Local Government (MHCLG) published a consultation paper on 'Raising accessibility standards for new homes' from 8th September until 1 December 2020.
- 1.2 This consultation considers how to raise accessibility standards, recognising the importance of suitable homes for older people and people with a disability. The Government's manifesto sets a strategy on 'Homes for the Future', encouraging innovative design and technology to make housing more affordable, accessible, and suitable for people with a disability and an ageing population.

- 1.3 The consultation seeks views on various options to raise the accessibility of new homes. In particular, it considers how the following 'optional technical' standards' are used:- .
- the accessible and adaptable standard for homes (known as M4(2) in Part M of the Building Regulations)
 - the wheelchair user standard (known as M4(3))
- 1.4 Local authorities currently use a mix of independent standards for accessible housing, including the Lifetime Homes standard and some now use the wheelchair accessible housing standards with similar, additional or different detail.
- 1.5 The optional technical standards were introduced by the Government in 2015, in England under the planning system. These rationalised the many differing standards used at that time, including the Lifetime Homes standard and the Wheelchair Housing Design guide, into a simpler, streamlined system.
- 1.6 The optional technical standards were introduced because the 2013-14 Housing Standards Review found the array of different codes and standards applied in different parts the country were complex, counter-productive and sometimes contradictory. This confused local residents, councillors and developers. The standards were rarely subject to cost benefit analysis when introduced and were produced in isolation without consideration of their cumulative impact.

Approved Document M Requirements

- 1.7 The requirements in the Building Regulations for dwellings is supported by statutory guidance in Approved Document M Volume 4 i.e.:- :
- M4(1) Category 1: Visitable dwellings
 - M4(2) Category 2: Accessible and adaptable dwellings
 - M4(3) Category 3: Wheelchair user dwellings
- 1.8 M4(1): Visitable Dwellings - sets basic standards for all new homes on minimum standards of accessibility and is applicable to all newly erected dwellings, unless an optional requirement applies. The standard covers level access, level thresholds, door and corridor widths, entrance level WCs and accessible heights for controls.
- 1.9 M4(2): Accessible and Adaptable Dwellings - sets a higher standard for accessible homes where a planning authority sets a requirement for optional requirement M4(2). This optional requirement is broadly equivalent to the Lifetime Homes Standard, which provides enhanced accessibility in circulation spaces and sanitary provision (bathrooms) to make new homes more accessible. It also includes features to make homes more easily adaptable over time to a wide range of occupants, including older people, those with reduced mobility and some wheelchair users.

- 1.10 M4(3): Wheelchair User Dwellings - sets a standard for wheelchair accessible homes where a planning authority sets a requirement for optional requirement M4(3). This requirement can be for either a wheelchair adaptable home (which includes design features to make a home easy to convert to be fully wheelchair accessible) or a wheelchair accessible home (which includes the most common features required by wheelchair users). It also includes use of any private outdoor spaces, parking and communal facilities that may be provided for the use of the occupants.
- 1.11 M4(2) and M4(3) are optional requirements for dwellings which local authorities can apply through planning policies where they have identified a local need and where the viability of introducing the standard has been tested in evidence and at examination, such that the development is not compromised. This is done through local plan policies, which can set out the proportion of new dwellings in the area that are required to meet each of these higher standards. This is then applied in order to help determine planning applications.
- 1.12 Once adopted, the optional standards have the same legal weight as the mandatory provisions in the Building Regulations. At present requirement M4(1) is the default standard and applies as a mandatory requirement when no higher standard is applied through local adopted plans.

Raising accessibility standards of new homes – Policy options

- 1.13 Through this consultation the Government is seeking views on how to raise accessibility of new homes. The Government's objective is that there should be enough suitable housing where it is needed.
- 1.14 On the basis of existing practice, they have identified five broad options. These consider whether to wait to see the full impact of recent planning policy changes on the use and uptake of the optional technical standards; or whether measures should be introduced now by either mandating a higher standard or reconsidering the way the existing optional technical standards are used. Any changes to standards would only apply to new homes, not to the refurbishment of existing homes. The five options to be considered are:-

Option 1: Consider how recently revised planning policy on the use of optional technical standards impacts on delivery of accessible housing.

Option 2: To mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes, with M4(1) applying by exception only where M4(2) is impractical and unachievable (e.g. a new build flat above a garage). M4(3) would apply where there is a local planning policy in place in which a need has been identified and evidenced.

Option 3: Remove M4(1) altogether, so that all new homes will have to at least have the accessible and adaptable features of an M4(2) home. M4(3) would apply where there is a local planning policy in place in which a need has been identified and evidenced. This would mean that no new homes could be built as M4(1).

Option 4: To mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes with M4(1) applying by exception only, and a set percentage of M4(3) homes would also need to be applied in all areas. So rather than local authorities setting a local planning policy for the provision of M4(3), a defined and constant percentage would apply to all new housing.

Option 5: Change the content of the mandatory technical standard. This could be done by upgrading the statutory guidance to create a revised M4(1) minimum standard. This revised standard could be pitched between the existing requirements of M4(1) and M4(2), adding more accessible features into the minimum standard.

1.15 The consultation is seeking our views on these five options:-

Consultation questions and officer responses

Question 1 and 2 – Respondent details

Question 3 - Do you support the Government's intention to raise accessibility standards of new homes?

YES

We spend a lot of time in our homes (even allowing for current exceptional circumstances) and so it is essential that this space is flexible enough so that any user can easily adapt it to what they need in life and is comfortable, safe and enjoyable. Raising accessibility standards of new homes is a very important element of designing good homes for the future so that people can comfortably stay in one home for their entire natural life should they wish. An inclusive design approach seeks to create places in which all users can participate equally, confidently and independently regardless of physical or mental ability, age, gender, ethnicity, socio-economic circumstances or vulnerability. Our natural and built environment directly influences our health and mental wellbeing which impacts on the rest of our life and it is important that our homes have been designed well.

Question 4 - Which of the 5 options do you support? You can choose more than one option or none.

Option 4 would be the most effective for everyone. Developers would be clearer on the requirement from the outset and would not be engaged in constant negotiation with Local Authority. It will be easier and clearer for the Local Authority to apply and enforce as well as provide greater certainty for the end user of the homes to have a space which is fit for purpose.

Question 5 - If you answered 'None' to Q4, do you think the Government should take a different approach?

NO

Question 6 - Do you agree with the estimated additional cost per dwelling of meeting M4(2), compared to current industry standards, in paragraph 44?

YES

Question 7 - Do you agree with the proportion of new dwellings already meeting or exceeding M4(2) over the next ten years in paragraph 44?

DON'T KNOW

It is difficult to know whether this is what has received planning permission or what is actually built in reality.

Question 8 - Do you have any comments on the costs and benefits of the other options set out above.

NO

There may be some differences due to locality, but cost should also be considered from the perspective of savings elsewhere in the economy (e.g. public health and wellbeing, sustainability, including reducing demand for separate specialist accommodation (e.g. with a growing and elderly population), retrofitting and obsolescence and waste. A better standard of home can also enhance value and sales, meeting wider market needs. There will be new technologies as time progresses as well so these will balance out any additional cost.

Question 9 - Do you have any comments on the initial equality impact assessment?

It is accepted that improving accessibility standards for new homes will have a positive impact on people of all capabilities. There are various studies both independent and done by the government over the years which directly link wellbeing with design as well as with living accommodations.

Next Steps

- 1.16 The consultation will close on 1 December 2020. Responses to this consultation will be analysed and a Government response will follow.

2. PROPOSAL(S):

- 2.1 The officer recommendation to the Government's consultation on Raising Accessibility Standards for New Homes is:-

Option 4: To mandate the current M4(2) requirement in Building Regulations as a minimum standard for all new homes with M4(1) applying by exception only, and a set percentage of M4(3) homes would also need to be applied in all areas. So rather than local authorities setting a local planning policy for the provision of M4(3), a defined and constant percentage would apply to all new housing.

3. OPTIONS:

- 3.1 Not to respond to the consultation which would mean that Arun's views would not be represented on this national consultation.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors	x	
Other groups/persons (please specify)		x

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		X
Legal		X
Human Rights/Equality Impact Assessment	X	
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability	X	
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

There are no direct implications associated with the consultation response but it will inform future national planning policy/planning requirements for new homes and improve the sustainability of development by increasing its lifetime and utility and reducing demand for specialist accommodation.

7. REASON FOR THE DECISION:

Option 4 would be the most effective for everyone. Developers would be clearer on the requirement from the outset without needing to negotiate with the Local Authority. It will be easier and clearer for the Local Authority to apply and enforce and it would provide greater certainty for the end user of the homes to have a space which is fit for purpose.

8. BACKGROUND PAPERS:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/917626/200813_con_doc_-_final.pdf

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 15 DECEMBER 2020

SUBJECT: Regulation 18 (II) Gypsy & Traveller & Travelling Showmen Site Allocations Development Plan Document – Preferred Options

REPORT AUTHOR: Donna Moles, Senior Planning Officer
DATE: 26 November 2020
EXTN: x 37697
PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

On 22 September 2020, Planning Policy Sub-Committee agreed that the Regulation 18 (II) Draft Gypsy & Traveller and Traveller Showperson Site Allocation Preferred Options Development Plan Document (DPD) should commence to public consultation in October 2020 for 8 weeks. The consultation commenced on 1 October 2020 and closed on 26 November 2020.

Following the public consultation period, this report sets out the representations received and the proposed response to be agreed and outlines the next steps.

RECOMMENDATIONS:

That the Planning Policy Sub Committee notes:

1. The Statement of Representation and proposed response to comments made from the consultation Draft Gypsy & Traveller and Traveller showmen Site Allocations Development Plan Document 'Preferred Options' - Regulation 18 (ii);
2. That officers will undertake further 'duty to cooperate' discussions and evidence work to resolve objections before progressing G&T DPD further and will report back to this Sub-Committee in the Spring 2021 with the proposed way forward and timetable for progressing the Reg.19 publication consultation and subsequent DPD submission.

1. BACKGROUND:

- 1.1 On 17 December 2019 Planning Policy Sub-Committee (PPSC) noted the outcome of the Issues and Options public consultation for preparing a Gypsy & Traveller and Traveller Showmen Site Allocations Development Plan Document (G&T DPD). It was agreed that following work to address representations and technical objections, a draft 'Preferred Options' G&T DPD be published for consultation in the 2020 (under Regulation 18 Town & Country Planning (Local Planning) (England) Regulations 2012).

- 1.2 The key evidence studies (also consulted on at Issues and Options stage) set out the need for 9 permanent Gypsy & Traveller (G&T) pitches and 14 permanent Traveller Showmen (TSM) plots to be accommodated within Arun over the plan period (from 2018 to 2036).
- 1.3 National Policy (NPPF 2019) states that a G&TDPD needs to set out specific deliverable sites to meet identified needs within the first 5 years, developable sites 6-10 and or broad locations for years 11-15. Allowing for unimplemented consents or those being implemented, there is a need to allocate 1 deliverable permanent pitch and 3 deliverable permanent plots within the first 5 years.
- 1.4 The proposed approach set out in the draft 'Preferred Options' G&T DPD (Background paper 1) is consistent with the Issues and Options consultation and the evidence studies which identified that needs should be accommodated through intensification or expansion on 8 existing sites. An additional option is included for an area of search or broad location, for the only new potential site at Little Meadow, Yapton (ARU-HELAA-46b), towards the end of the plan period. The site was identified following the discounting process of potential sites based on a G&T Site Identifications Study and informed by Sustainability Appraisal. There is a potential unmet need of 1 traveller showmen plot towards the end of the plan period and this location may offer scope for accommodating a range of G&T pitches and plots providing a degree of contingency and flexibility should delivery not progress in accordance with the plan accommodation requirements.
- 1.5 The sites that have the potential capacity to accommodate more intensive/expanded provision are set out in Appendix 1.
- 1.6 The draft 'Preferred Options' G&T DPD sets out three separate policies with wording to; safeguard the existing sites and sites for intensification and show these on the Policies map (Background Paper 2) together with inset maps (Background paper 3) for each site; identify the accommodation requirements over the firsts five years and remaining plan period; specify site delivery criteria in order to mitigate impacts. The three proposed policies in the Draft G&T Preferred Options DPD are in summary: -
 - Policy G&T SP1 Safeguarding Existing Gypsy Traveller and Traveller Showpeople sites'
 - Policy G&T SP2 Provision for Pitches and Plots
 - Policy G&T DM1 Site Delivery Criteria
- 1.7 The Policy wording in Policy G&T DM1 is constructed to address a limited number of comments and some technical objections that were received on specific matters with regard to the evidence base and sites at Issues and Options stage. None of the matters raised are considered to be fundamental barriers to progressing the proposed safeguarding and intensification on existing sites but will need ongoing engagement on the technical solutions and appropriate wording of development management policy.

1.8 The policy approach, therefore, sets criteria and requirements for applicants to consult and engage with the statutory bodies and agencies and provide necessary assessments to ensure: -

- Minerals safeguarding where applicable;
- Highways safety and access;
- Flood avoidance and mitigation;
- Protection and enhancement of natural features and net biodiversity gains;
- Protecting the setting and character of historic assets;
- Minimising the impact within the wider landscape and lighting compliance with Dark Sky's policy;
- Appropriate landscaping mitigation and safeguarding of the sensitive setting of the nationally designated South Down National Park;
- Adequate treatment and disposal of waste and foul water whether on site or connection to main.

1.9 Following consultation on the 'preferred options' the representations received broadly cover these same issues (for example highway safety and operational issues for accessing sites). There are also suggestions to further improve the policy approach of site implementation and delivery e.g. to safeguard highway operational/3rd party land, biodiversity, (in particular the wider environment and cross boundary implications) improve sustainable travel and infrastructure and the further clarification of responsibilities. Suggested policy wording amendments are proposed including for supporting text and these are set out in Background paper 6 Statement of representations.

1.10 However, there are now two main objections that materially exist-

- the known issue about the status of one of the sites (i.e. whether ARU_NS_1 the Caravan Site is within the flood zone 3 and therefore, subject to sequential and exceptions test) this is a matter already identified by Environment Agency (EA) and West Sussex County Council (WSSCC) as Lead Local Flood Authority (LLFA) and programmed as needing resolution in the statement of common ground requiring further evidence/justification before the G&T DPD can progress;
- Landlord ownership restrictive covenants are now identified by WSSCC to exist for:-
 - a. ARU049 Land at Limmer Road Stables
 - b. AL4717 Aldingbourne Farm Shop
 - c. ARU046 Nyton Stables

1.11 WSSCC propose that the resolution of this conflict would be to delete these proposed sites for intensification which amounts to a material objection. Arun District Council is extremely disappointed. WSSCC have been consulted extensively on the proposed sites assessment and selection and this objection has not been raised previously in response to the Regulation 18 Issues & Options consultation. Before the DPD can progress, Arun must work on this issue with WSSCC to see whether the issue with the existing sites can be resolved or other solutions can be found. The latter will not be easy and will require a significant

further evidence preparation, cost and time delay in order to identify further site options. However, there is a significant risk, given the evidence produced already, that Arun will face a capacity constraint and a residual unmet need (for Gypsy & Traveller pitches but in particular traveller showmen plots) that will consequently have to be explored with neighbouring authorities.

Conclusion

1.12 The draft Preferred Options G&TDPD is the stage of public consultation before a plan is published for consultation (Regulation 19) and submitted for examination. Until the two key areas of objection are resolved, with further evidence and cooperation between stakeholders the DPD cannot progress because delivery and compliance with national policy are two key tests at examination. At this point in time it would be prudent to commission the planned work which will inform the first objection on the flood status of one of the sites while undertaking further duty to cooperate negotiation on the ownership/covenant question for the three other sites. A report back to PPSC in late spring will then clarify the position and whether the G&T DPD should progress with amended approach to site selection or with a residual unmet need.

1.13 Next Steps

1.14 That a further update report is made to PPSC in the spring of 2021 before recommending progress on the G&TDPD to Regulation 19 publication stage.

2. PROPOSAL(S):

That further work be commissioned on the evidence (as planned) to support the delivery of the sites and further actions under the duty to cooperate to evidence and resolve material objections.

3. OPTIONS:

Not to progress further work and report findings to members would be to risk preparation of a sound G&T DPD and would be contrary to national policy and policy commitment within the Adopted Arun Local Plan 2018 including the updated Local Development Scheme May 2020 and therefore, risk planning by appeal and unplanned development.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council	x	
Relevant District Ward Councillors	x	
Other groups/persons (please specify) Traveller community representatives and households, the settled community Parish and Town councils and 'duty to cooperate' bodies and authorities.	x	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO

Financial		X
Legal		X
Human Rights/Equality Impact Assessment	X	
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS:

There are legal duties under the Equalities Act 2010 and in national planning policies and guidance to ensure that adequate deliverable and developable sites are provided to accommodate the needs of Gypsy and Traveller and Traveller Showmen over the plan period that meet the needs of sustainable development and ensuring that then amenity of the settled community are also accommodated.

7. REASON FOR THE DECISION:

There is a policy requirement to progress a Gypsy and Traveller and Traveller showmen Development Site Allocations Development Plan Document within the adopted Arun Local Plan 2018 and within the Council's Local Development Scheme, in order to meet the objectively assessed needs for Gypsy and Traveller accommodation and therefore, provide a sound development plan for Arun District.

8. BACKGROUND PAPERS:

The background papers 1-6 below may be accessed on the following 'Development Plan (incl Local Plan)' web page by navigating to the 'Gypsy & Traveller and Traveller Showpeople web tab:- <https://www.arun.gov.uk/gypsies-and-travellers/>

Background paper

- 1 Draft G&T Preferred Options DPD
- 2.Draft G&T Polices Map (with Insets)
3. Draft G&T Inset Maps
- 4.Draft G&T Flood Zone Map
5. SA Technical Note G&TDPD
6. Statement of Representations

Appendix 1: Table 1 : G&T Pitches and Plots to meet residual need respectively

Table 1 G&T Pitches to meet residual need respectively					
Pitch Reference	Site Name	Existing & unimplemented Pitches	Pitches 2018-23	Pitches 2023-36	Pitches 2018-36
ARU031	Fieldview, Junction	3	0	0	
ARU049	Limmer Pond Stables	0	1	0	
ARU051	Dragonfly	0	0	1	
ARU_NS_1	The Caravan Site	1	0	1	
ARU044	2 Wyndham Acres	0	2	0	
Need			1	4	9
Total Capacity		4	3	2	9
Balance			2	-2	0

Table 2 G&T Plots to meet residual need respectively					
Plots Reference	Site Name	Existing & unimplemented Plots	Plots 2018-23	Plots 2023-36	Plots 2018-36
AL4714	Aldingbourne Farm Shop	4	4	0	8
ARU054	The Old	1	0	1	2
ARU046	Nyton	3	0	0	3
Need			3	3	14
Total		8	4	1	13
Balance			1	-2	-1

Name/Agent	Comment Summary	ADC Response/Proposed Change to DPD
Natural England	Agree with HRA LSE report conclusion that there would be no likely significant effect to result from the DPD	Noted.
Environment Agency	<p>Note that the proposed intensification at the ARU_NS_1 remains and refers to the Statement of Common Ground signed with the Authority.</p> <p>Support general principle of G&T DM1 with relation to the comments on provision of foul sewage water disposal, SUDS provision and features, along with the inclusion of natural features to secure net biodiversity gains.</p> <p>Wish to reinforce that they are not responsible for making sure the developer “makes adequate on-site provision of septic tank/cess pit storage of foul water capable of long-term maintenance.”</p> <p>Further consider that proposed inclusion of criteria point b. does not sufficiently address the concerns expressed in the Statement of Common Ground and so maintain the position expressed in previous comments and the statement.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted. The policy wording in the opening paragraph preceding clause h. states “...in consultation with.... The responsibility will be with the developer and the local authority.</p> <p>Not accepted. Arun acknowledges the concern within the joint Statement of Common Ground and the need to continue to work with the LLFFA and EA to resolve the issue. Arun is of the view that the site history with the existing grant of a planning permission on the site following a site level</p>

		Floods Risk Assessment which provides a higher degree of resolution on the ground compared to generic flood risk mapping (particularly where sites are on the margin of flood contours) demonstrates that the site in question is not in FZ3 as indicted in the G&T site Identification Study. However, further work will be undertaken to resolve this proposed inclusion with the LLFA and EA before the site is progressed as part of the DPD.
Historic England	<p>Note the retention of ARU031 and ARU54 previously highlighted in previous comments, where it was expressed that designated assets may be affected.</p> <p>Strongly advise that the Council's conservation staff are closely involved in any proposals, as they are best placed to comment on any impacts to designated sites in the vicinity and comment that these are made without prejudice to any proposals that may come forward. EA</p> <p>The HRA LSE report falls outside of EAs remit and competency but EA defer to comments provided by Natural England (NE)</p>	<p>Noted. Policy wording in GT DM1 address these concerns. (i.e. proposed policy G&T DM1 criterion e.)</p> <p>Noted. The Council's Heritage Officer is closely engaged with the proposed allocations and policy mitigation required.</p> <p>Noted. See response to EA comments.</p>
Highways England	Highways England has reviewed the Arun Gypsy and Traveller and Travelling Showpeople Site Allocations Development Plan Document (G&T DPD) Preferred Options and new supporting documents: G&T Climate Change Flood Map, and HRA LSE Screening Report.	

	<p>Highways England was consulted for the Issues and Options stage of consultation, and provided a response dated 2 September 2019 as attached, outlining concern with the access to site ARU54 (The Old Barns, Arundel Road) if taken forward. This approach was subsequently agreed via the attached Statement of Common Ground dated 1st October 2020, in which it was agreed:</p> <p><i>“The development management approach for ARU054 The old Barnes, Arundel Road would need to address: -</i></p> <p><i>1. Adequate access onto the highway located and to at a standard agreed with the Highway Authority (WSSC) and Highways England to ensure safety ingress and egress onto and off the highway and adequate visibility, overrun and acceleration splays.”</i></p> <p>Therefore, provided that this is considered and addressed accordingly, Highways England has no further comments on the consultation.</p>	<p>Noted. ADC consider that the representations raised do no amount to insurmountable constraints. A delivery and viability study is being commissioned to demonstrate the safe and viable access to the site. The proposed policy G&T DM1 will ensure that these requirements are secured to enable development (i.e. proposed policy G&T DM1 criterion e.)</p>
Barnham & Eastergate Parish Council	<p>The Parish Council’s Planning & Environment Committee consider that comment is only needed on the new site allocation on Bilsham Lane, in Yapton and agreed to raise no objection on this.</p> <p>They went on to note that as a parish they have their fair share of sites and so would not wish to see any alternative sites being put forward in their parish.</p>	<p>Noted.</p> <p>Noted. It is national and local policy that the authority meets its obligations to make provision for identified need. The proposed distribution of provision reflects evidence studies on suitability, availability, capacity, achievability and sustainability criteria for site selection.</p>

Middleton on Sea Parish Council	Agreed unanimously that there should be no extension to the current site in Yapton. Middleton on Sea, which borders this site, is not large enough to support an expansion.	Noted. The proposed broad location for a provision located at Little Meadow Bilsham Corner is more than 250 m from existing Ryebank Caravan Park which is an existing G&T site assessed but not considered suitable for intensification in the Site Identification Study or Sustainability Appraisal evidence study.
Sussex Wildlife Trust	<p>Sussex Wildlife Trust recognises the importance of a plan led system as opposed to a developer led one to make certain that the DPD plans properly for the natural capital needed in the District and ensures development is truly sustainable.</p> <p><u>Policy G&T DM1</u> SWT is pleased to see that this policy includes a requirement to avoid impacts on biodiversity and to secure a net gain within any new or extended site. The priority should be for onsite delivery, but where this is not possible, ADC should ensure that there is a strategic approach to any offsite delivery contributing to the District's Nature Recovery Network. We also support the requirement for an ecological survey.</p>	<p>Noted.</p> <p>Noted. Policy G&T DM1 criteria seek on site provision for biodiversity gains on 'intensification' sites (secured via s.106) but may be subject to feasibility and viability. This is likely to be more achievable and viable if sites are expanded or new sites proposed but this is not the policy approach (except for the broad location at Little Meadow Bilsham). Off site provision will be subject to CIL where development relates to the creation of a new building (Planning Act 2008, s209) or changes to an existing building. Gypsy and Traveller development and is unlikely to meet this definition involving the movement of caravans onto a site where CIL will not be payable. This will also be the case with the development of mobile home parks for non-Gypsy and Traveller households.</p>

	<p>SWT also strongly supports criteria h. This is especially important as a number of the site allocations are adjacent to water courses, particularly chalk streams and rifes. These habitats are extremely vulnerable to negative impacts from pollution and changes in water quality and quantity. ADC must ensure that these habitats are protected through the planning system.</p>	<p>Nevertheless CIL accrued from other development can be spent on necessary infrastructure to mitigate the impact of growth and this can include net biodiversity gains to address impacts arising from Gypsy & Traveller provision.</p> <p>Noted. These clarifications can be added to the supporting text.</p>
<p>West Sussex County Council (Officer Response)</p>	<p>1) Comments on Policy G&T DM 1</p> <p><u>Minerals and Waste Planning</u> - It is noted that reference is now made to mineral safeguarding which is welcomed.</p> <p><u>Development Management – WSCC Highways:</u> Previous highway comments have been sent to Arun DC as part of the background to the site selection process. Specific comments relate to Policy G&T DM 1 para. 'd' on page 30: The wording here should be amended as it suggests that all the sites would require overrun and acceleration splays, whereas the majority are unlikely to.</p> <p>It is suggested that the last line is amended to read “.....<i>highway including and adequate visibility splays, geometry and, where necessary, overrun and acceleration splays.</i>”</p> <p>Highways England previously requested a reference to the overrun and acceleration splays. If the above clarification is made to the DPD, Highways England will need to be</p>	<p>Noted.</p> <p>Accepted. Policy G&T DM1 wording to be amended accordingly.</p> <p>Accepted. Wording will be amended as proposed subsequent to liaison with WSCC and HE under ongoing the 'Duty to</p>

	<p>consulted to ensure that the change is acceptable in order to ensure their previous wording request is still fulfilled with the proposed change.</p> <p><u>Sustainable Transport</u>: In previous comments, WSCC as Highway Authority raised the need for sites to be considered in accordance with sustainable transport criteria. Arun Local Plan Policy TSP1 does reference such matters however Policy G&T DM1 does not. It is recognised that development proposals will take account of policies in the Arun Local Plan 2018 (and other DPDs / neighbourhood plans) however it is suggested that it would be helpful to make some reference to sustainable transport criteria in this DPD.</p> <p>Lead Local Flood Authority (LLFA): It is requested that a new sub-paragraph to Policy G&T DM 1 is added to read:</p> <p><i>...consultation with ... <u>the Lead Local Flood authority to ensure that proposals are acceptable taking into consideration local flood risk from surface water and ground water and to ensure that proposed site drainage is compliant with adopted policy: The West Sussex LLFA Policy for the Management of Surface Water</u></i> https://www.westsussex.gov.uk/media/12230/ws_llfa_policy_for_management_of_surface_water.pdf</p> <p>2) Site Comments</p> <p>Site: ARU_NS_1, North Side of New Road A259, Rustington</p> <p>The LLFA notes that notwithstanding earlier comments made in August 2019 (Issues and Options) and July 2020 (Draft Statement of Common Ground) with respect to the unsuitability of site ARU_NS_1, North Side of New Road A259, Rustington, on flood risk grounds, Table 6 JGTTA Gypsy & Traveller potential provision against residual need has included an additional 3 pitches for inclusion before 2036.</p> <p>The LLFA reiterates that this site is wholly within Flood Zone 3 and therefore requires the Sequential Test and Exception Test to be undertaken in accordance with National Planning Practice Guidance. No evidence could be found that this test has been undertaken in the DPD. If the site is made permanent, attention is drawn to paragraph 163 of the NPPF:</p>	<p>Cooperate and progress on Statements of common Ground.</p> <p>Accepted.</p> <p>Accepted. Accepted. Policy G&T DM1 wording to be amended accordingly.</p> <p>Not accepted. Arun acknowledges the concern within the joint Statement of Common Ground and the need to continue to work with the LLFFA and EA to resolve the issue. Arun is of the view that the site history with the existing grant of a planning permission on the site following a site level Floods Risk Assessment which provides a higher degree of resolution on the ground compared to generic flood risk mapping</p>
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	<p><i>“Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</i></p> <p><i>e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan”.</i></p> <p>The emergency plan therefore needs to be assessed as part of the sequential / exception test process.</p> <p>3) Other Comments</p> <p><u>Public Rights of Way:</u> There is little mention of sustainability in relation to the sites. There is benefit to securing sustainable transport opportunities where possible, for new and existing sites, to tackle the reliance on the car and tackle the issues caused by this. Sustainable transport opportunities can in part be addressed through the PROW network in places, more emphasis should be placed on sustainable transport and PROWs as part of any future site development.</p>	<p>(particularly where sites are on the margin of flood contours) demonstrates that the site in question is not in FZ3 as indicted in the G&T site Identification Study. However, further work will be undertaken to resolve this proposed inclusion with the LLFA and EA before the site is progressed as part of the DPD.</p> <p>Noted. No change is needed. The site selection and assessment process through the site identification study and Sustainability Appraisal considers access to services and sustainable travel. The existing Arun Local Plan also has policies to assess the need for provision for and encourage sustainable travel in relation to development including for gypsy and traveller purposes. It is acknowledged that the needs of G&T communities for work and domestic purposes introduces a reliance on locations near to services yet discrete for social harmony, and to the strategic road network for motor vehicle and mobile caravans, plant and equipment.</p>
West Sussex County Council	<p>Set out that the following comments are provided from a landowner perspective.</p> <p><u>Tables 8 & 9 and para 9.0.9</u> Raise issues with covenants that would be breached by the proposed use at 3 sites by additional pitches. These are:</p>	<p>Noted. Arun District Council is extremely disappointed. WSCC have been consulted</p>

<p>(Asset Team)</p>	<p>a) ARU049 Land at Limmer Road Stables b) AL4717 Aldingbourne Farm Shop c) ARU046 Nyton Stables</p> <p>They suggest the solution that these sites are therefore removed in terms of intensification.</p> <p><u>G&T SP1</u> Site ARU_NS_1 The Caravan site is adjacent to land held by the County Council for the purpose of maintaining the highway. The site is compact and 2 new pitches proposed, so would be grateful to see a plan showing the location of any new pitches, to demonstrate they will not encroach on the adjoining WSCC owned land.</p> <p>Recommend that any intensification is therefore delayed subject to the further information above.</p>	<p>extensively on the proposed sites assessment and selection and this objection has not been raised previously in response to the Regulation 18 Issues & Options consultation. Before the DPD can progress Arun will work on this issue with WSCC to see whether other solutions can be found.</p> <p>Agreed. Policy wording in G&T DM1 criterion d. to be amended as underlined : “...and acceleration splays (<u>including safeguarding 3rd party land used for maintaining the highway</u>); Arun will work with WSCC accordingly to ensure that a buffer zone is marked on a site plan for the potential allocation.</p>
<p>South Down National Park (SDNPA)</p>	<p>Thanks the authority for addressing the issue of the geographical boundaries of the document as raised during the last consultation.</p> <p>Duty to Co-operate Support ADC’s continuing liaison with neighbouring authorities to ensure cross boundary strategic priorities are addressed and the following comments are generally taken with respect to those set out for the park. Generally they recognise the need to address the needs of the Gypsy and Traveller communities and support the principle of safeguarding and allocating sites in Arun, outside of the National Park to meet its identified need.</p> <p>Statement of Common Ground Acknowledge that a statement was agreed between the authorities on 1st October 2020 and refer to page 3 of that statement in terms of what was agreed with respect to modest sites with a summary of the allocations of the DPD and confirmation that SDNP has no</p>	<p>Noted.</p> <p>Noted.</p>

	<p>issue with the sites included. However, SDNP expands on the position within the agreed statement:-</p> <p>Policy G&T SP1 The SDNPA welcomes mention of the park within point g. of the policy and that it is as agreed in the aforementioned statement.</p> <p>The Setting of the National Park Although none of the sites are within the National Park, some sites or site extensions are close to the National Park boundary, particularly ARU054 The Old Barns, which is proposed for intensification. The SDNPA would welcome policy wording for existing sites intended to be intensified to include criteria in regard to siting and layout of plots with regards minimising intrusion into the wider landscape, as well as from the SDNP and its sensitive landscape. We would also welcome wording that requires landscape impacts to be assessed, welcoming any further discussion in respect to this.</p> <p>Dark Night Skies In general, due to the domestic nature of the dwellings, it is unlikely that the lighting footprint of any allocation would result in any reduction in sky quality within the Downs. Provided that residents adopt domestic lamp options (see list below) that are reasonably consistent with SDNP recommendations, there should be little impact.</p> <p>In addition to little sky quality impact, any disruption of a dark landscape will also be small, due to the height of installation, which will reduce the visibility when compared to more typical permanent dwellings.</p> <p>In the event that area floodlighting is used, care should be taken to ensure that it is appropriate for use or avoided. To that end , any lighting should:</p> <ul style="list-style-type: none"> • Be downward pointing • Be 3000K colour temperature • Off when not needed • Domestic in nature (~1000 lumens) • Avoid area floodlighting – anything using 3000 lumens and above. 	<p>Noted.</p> <p>Agreed. Policy G&T DM1 includes criterion g. to address these concerns and amended as underlined will help to resolve: “... ”</p> <p>Agreed. Supporting text can add further clarification in this respect.</p> <p>Noted.</p> <p>Agreed. Supporting text can add further clarification in this respect.</p>
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	<p>Habitats Regulations Assessment The SDNPA note and is glad to see mention of the buffer zones set out in the report.</p> <p>If there are proposals which are yet to receive permission, then considering whether intensification would result in impacts on any commuting features is relevant and would require considering before ruling out LSE. We cannot be certain, due to our mapping, if any sites yet to have permission are within the 12km zone. We would welcome further discussion and clarification on whether the proposed sites without permission fall within this buffer. Reference is made to the Bat Protocol and its importance for Slindon Woods, which are known for barbastrelle bats using this woodland as a maternity roosts.</p> <p>Finally, the recently published People and Nature Network (PANN) (formerly known as the South Downs Green Infrastructure Framework) sets out how a wide range of partners can work to positively plan for nature and natural services within and around the protected landscapes of the south east. The PANN includes the Natural Capital Investment Area (NCIA) number 9 'Arun Blue-Gren Corridor' which comes into this area.</p> <p>Therefore, would welcome the opportunity to continue working with Arun on Green Infrastructure matters.</p>	<p>Noted. The existing sites for intensification are all within Arun and the Council's evidence base assessments and LSE which has been mapped and demonstrates that no future permissions will fall within this buffer and this has been agreed with the statutory bodies. Arun will continue to work with the SDNP to clarify this matter.</p> <p>Agreed. See response to Chichester District Council and proposed amended policy wording to proposed policy G&T DM1 c.</p>
Chichester District Council (CDC)	<p>Chichester District is supportive the DPD is seeking to meet the identified need for Arun in full.</p> <p>The Council notes that there are a number of sites within close proximity to the Arun-Chichester administrative boundary, and although the Council has no site specific comments to make, it wishes to ensure that any infrastructure implications which may impact upon Chichester District are mitigated for. The Council would also like to ensure that any landscape or environmental implications are mitigated for, including impacts on biodiversity and watercourses.</p>	<p>Noted.</p> <p>Noted. The proposed provision of net additional pitches and plots is modest over the plan period and in the first 5 years taking into account existing consents. The strategy is also based on existing sites with capacity for intensification (only 1 new broad location is proposed in south central Arun). Proposed policy G&T DM1 sets out criteria to ensure that adequate mitigation of impacts is addressed before permission is granted. Further work will be undertaken to address deliverability and viability</p>

	<p>The Council is proposing to introduce strategic wildlife corridors through its Local Plan Review, including a proposed corridor east of Chichester city. The proposed boundaries of the corridors can be seen in the Schedule of Proposed changes to the policies map document which accompanies the Preferred Approach plan here https://www.chichester.gov.uk/media/31059/Local-Plan-Review-2035---Schedule-of-proposed-changes-to-policy-map/pdf/Local_Plan_Review_2035_-_Schedule_of_proposed_changes_to_policies_map.pdf. The Council would wish to ensure that this is recognised and that adverse impacts on the functionality of the proposed corridors are avoided.</p>	<p>implications including necessary infrastructure mitigation. Arun will liaise closely under the duty to cooperate with Chichester District on any potential cross boundary considerations arising from this work.</p> <p>Agreed. The sites are existing sites for intensification within Arun (only 1 new broad location is proposed in south central Arun) and proposed policy G&T DM1 addresses ecology and biodiversity considerations and mitigation. However, for clarification, policy text pf criterion c. to be amended as underlined: "...ecology and natural feature (<u>including wider ecological networks and cross boundary corridors</u>) or achieves appropriate..."</p>
Mr & Mrs Goddard	Expresses the view that Councils are being placed under pressure from Government to accommodate and support the needs of this minority group and that no views expressed will influence anything.	<p>Not accepted. The Council has followed national policy and regulations in evidencing the needs of, and planning fairly and positively for, Gypsy & Traveller and Traveller Showpeople households and accordingly set pitch and plot targets (Planning Policy for Traveller Sites: PPST 2015: paras 3, 4 ,7 and 10 - and Annex1 sets out the definition of Gypsy and Traveller household types).</p> <p>The PPST 2015 must be considered with the NPPF 2019 and the housing size, type and tenure needs of different groups assessed and planned for (including travellers) with specific deliverable sites</p>

	<p>Expresses that the small community of Marsh Lane, Easthampnett have had direct experience retrospectively of the Nyton Stables site. Then goes on to provide long</p>	<p>paragraph 4, 61 and 73</p> <p>Authorities must also consider the implications of their duties under the Equality Act 2010, including the Public Sector Equality Duty (Planning Practice Guidance 2019 para Paragraph: 001 Reference ID: 67-001-20190722)</p> <p>Planning policy addresses inclusive needs across a broad spectrum. The assessment of Objectively Assessed Needs covers both the settled community and transient communities, people of different cultures and faiths and beliefs and includes making provision to meet 'special needs' for example, provision for elderly, infirm and people with a disability or health needs, the needs of children and younger people and disadvantaged households (e.g. affordable housing).</p> <p>Noted. See below.</p> <p>Noted. Planning conditions may regulate occupancy levels and durations and types of land use activity and on-site mitigation including landscaping provision.</p> <p>Enforcement will take place where conditions are breached following survey</p>
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	<p>explanation about the fact that boundary landscaping that had been planted under the original maintenance plan on the pp had failed and the fact this has only been replanted in April 2020.</p> <p>Expresses that consider LPAs have a duty to ensure that conditions applied at committee are upheld in full and at the appropriate time to deliver those safeguards to ordinary people. Finishes with the view that they do not consider that the developer was ever interested in replacing the landscaping, but that ADC was either too overloaded or disinterested to ensure it was delivered.</p>	<p>checks and reporting. The example cited may reflect that successful planting depends on ground conditions and seasonal factors but that such failure is subsequently addressed.</p> <p>Both settled and transient communities require a degree of privacy and access to the same services. Site operational matters will be regulated by licensing. Together with the planning requirements, these measures should set a framework for sustainable and successful sites that meet the needs of occupiers as well as the settled community and thereby encourage good occupier practices that promote harmony between the different communities.</p>
Mrs Coney	<p>Makes general comment that most of the sites are on the Western side of the District and concentrated in her local area (Aldingbourne, Fontwell, Nyton, Barnham and Eastergate). Asks if there are not suitable sites on the Eastern side and expresses surprise there would not be. Would wish sites to be allocated ACROSS the District rather than in one area.</p>	<p>No change/Action. The Council has commissioned an extensive evidence base on the needs of Gypsy and Traveller households and assessed potential site options (including to the east of the District) to meet identified needs through reviewing existing sites and other potential allocations against criteria set out in national guidance (e.g. PPST 2015) including a sustainability appraisal. The authority must also demonstrate that sites are deliverable, and this requires a willing landowner. There have been two separates 'call for sites' as well as two Regulation 18 consultations inviting ideas for the distribution of provision to accommodate needs. The evidence and policy approach reflects the sustainable</p>

Asks whilst considering travellers, what consideration is being given to the many people who live here permanently and need housing as well. Considers that on larger developments adequate provision is still not being made for lower income families.

sources of available supply; where sites have been sieved as suitable, available and achievable.

No change/Action. Planning policy addresses inclusive needs across a broad spectrum. The assessment of Objectively Assessed Needs covers both the settled community and transient communities, people of different cultures and faiths and beliefs and includes making provision to meet 'special needs' for example, provision for elderly, infirm and people with a disability or health needs, the needs of children and younger people and disadvantaged households (e.g. affordable housing).

Both settled and transient communities require a degree of privacy and access to the same services. Site operational matters will be regulated by licensing. Together with the planning requirements, these measures should set a framework for sustainable and successful sites that meet the needs of occupiers as well as the settled community

		and thereby encourage good occupier practices that promote harmony between the different communities.
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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB-COMMITTEE ON 15 DECEMBER 2020

SUBJECT: Brownfield Land Register 2020

REPORT AUTHOR: Kathryn Banks, Principal Planning Officer

DATE: December 2020

EXTN: 37579

PORTFOLIO AREA: Planning Policy

EXECUTIVE SUMMARY:

The production of a Brownfield Land Register is a requirement under the Town & Country Planning (Brownfield Land Register) Regulations, 2017. The Register is to be established in two parts (i.e. Part 1 and Part 2 explained below) and is to include all brownfield sites that are suitable for residential development. The Register is to be updated at least annually.

The Council published its first Brownfield Land Register (Part 1) in December 2017 which comprises all brownfield sites that meet the criteria set out in the Brownfield Land Register Regulations. This report provides a 2020 update to the 2019 Register. There are 26 sites on the register (no new sites which meet the criteria have been identified for addition) and 7 sites have been removed because they have been implemented or are not available.

RECOMMENDATIONS:

It is recommended that Planning Policy Sub-Committee recommends to Full Council that it:

- 1) Notes the 2020 Brownfield Land Register (Part 1); and
- 2) Agrees that Officers work towards the production of the Brownfield Land Register (Part 2) including the carrying out of consultation and publicity requirements, as well as other procedures in line with the Brownfield Land Register Regulations 2017.

1. BACKGROUND:

- 1.1 The Town & Country Planning (Brownfield Land Register) Regulations, 2017 introduced a duty for local planning authorities (LPAs) to prepare, maintain and publish a register of brownfield land suitable for residential development within their areas.

- 1.2 Brownfield Land Registers must be kept in two parts. Part 1 establishes a baseline stock of 'brownfield land which meets specific previously developed land and delivery criteria (as described below). Part 1 of the register was first published in Arun in December 2017 and has been updated each subsequent year.
- 1.3 Part 2 introduce permission in principle (PiP) as a new route to obtaining planning permission for these sites that make it onto Part 1 of the register, in order to help to maximise the numbers of new homes built on brownfield land. There is currently no requirement to introduce Part 2 according to any target timescale although authorities are encouraged to progress Part 2 as soon as possible.
- 1.4 The broad aim of the Brownfield Land Register is to ensure standardised information and data about brownfield land that is suitable and available for residential development, is made available nationally and is kept up-to-date. The Government envisages that this will improve the quality and consistency of data held by councils, provide greater certainty for developers and communities while encouraging investment in local areas.
- 1.5 Annex 2 of the National Planning Policy Framework (NPPF 2019) sets out the definition of "previously developed land" and Planning Policy Guidance (PPG) confirms that in relation to the production of Brownfield Land Registers, LPA's must use the definition contained within the NPPF 2019. Previously developed land is referred to as brownfield land. Sites must meet this definition to be included within the Brownfield Register.
- 1.6 Brownfield sites included within Part 1 of the Brownfield Land Register are required to meet the following criteria:
1. **Size:** The site must be 0.25 hectares or larger, or capable of supporting at least 5 dwellings;
 2. **Suitable:** The site is considered suitable for inclusion on the register if the land is allocated in a development plan document (e.g. a Local Plan), has planning permission or PiP for residential development. The land may also be included on the register if the Local Planning Authority considers it suitable for residential development having considered any adverse impact on the natural environment; the local built environment; heritage assets in particular; local amenity; and any relevant representations received (i.e. from third parties);
 3. **Available:** Sites are considered to be available for development if either all the owners of the site, or the developer in control of the land have expressed an intention to develop (or sell, in the case of an owners) the site within the 21 days before the entry date on the register. In addition, there must be no evidence indicating a change to that intention and the Local Planning Authority must be satisfied that there are no ownership or other legal matters that might prevent residential development taking place, having regard to information publically available on the date of assessment and any relevant representations received.

4. **Achievable:** Based on publically available information and any relevant representations received, an achievable site is a site which, in the Local Planning Authority's opinion is likely to take place within 15 years of the entry date.
- 1.7 The Brownfield Land Register (BLR) must be published in the 'open data' format requested by the Government and reviewed at least annually to ensure that sites which no longer meet the criteria for inclusion are removed and new sites are assessed and entered onto the register if it is appropriate to do so.
- 1.8 The methodology for selecting the sites is set out in the Arun Part 1 Brownfield Land Register November 2020 document (Background Paper 1) and involves sieving existing and potential new BLR sites against the criteria in the regulations though examining sources of housing land supply – principally the Housing Economic Land Availability Assessment (HELAA). Sites that are commenced or no longer available are removed.

2.0 PROPOSAL(S):

- 2.1 The full schedule of sites included within the table in the main report will be published as the Council's Part 1 Brownfield Land Register 2020 which includes; sites which do not have planning permission; sites which already have planning permission (including outline) but have not yet been implemented; a justification as to any site has been included in the Brownfield Register (Part 1); maps for all sites without planning permission (whereas, those sites with planning permission are mapped as locations with site information accessed via through the Council's website).

The key findings for Part 1 can be summarised as follows (there were 33 sites on the BLR Register in 2019):

- There are 26 sites on Part 1 of the BLR Register in total (13 sites have extant planning permission);
- There no new sites to be added to the BLR Register this year;
- 4 existing sites on the 2019 BLR Register have been removed as their extant planning permission has now been implemented (AW13817PL 90 Rose Green and NEWWA15 Progress Garage; BR515OUT The Royal Hotel, The Esplanade, Bognor Regis; LU20516 C M Wood Body Repair Centre, Linden Park, Littlehampton;
- 3 sites that were on the 2019 Register have been removed because they are now considered not to be available and therefore, Not Currently Developable in the HELAA (BR5 Hothampton Car Park; BR12 Car Park at London Road, Bognor Regis and NEWLU38 Works units at Gloucester Road and Howard Road).

- 2.2 At the current time, there are no sites on part 2 of the register for permission in principle.

- 2.3 However, the Council has reviewed the part 1 BLR Register to determine whether there may be suitable sites that can be considered to include in Part 2 of the brownfield Register (i.e. permission in principle). Permission in Principle is subject to location, land use and the amount of development. The upper limits of the proposed development are up to nine homes, with less than 1,000 sqm of commercial floorspace and a site of less than one hectare (The Town and Country Planning (Permission in Principle) (Amendment) Order 2017).
- 2.4 The above regulations would therefore, exclude sites on the BLR where sites are; 'major development' (sites of 10 or more dwellings or 1 ha or 1,000 sqm commercial development); are subject to schedule 1 Environmental Impact Assessment or affect European Habitats or that already have planning permission.
- 2.5 Currently, there is only one site on the BLR that is potentially, not 'major development' that will be investigated further to establish whether the remaining criteria are met and if suitable, subsequently be subject to consultation and publicity in the spring of 2021 for including in Part 2 of the register. Any consultation will need to consult all relevant stakeholders and take account of all representations made and undertaken in accordance with the Brownfield Register Regulations.
- 2.6 The Brownfield Land Register will be kept under review annually together with housing land supply e.g. HELAA for efficiency, and as far as this is practicable.

3. OPTIONS:

The following options are available to Members:

- to note the Brownfield Land Register 2020 as evidence to support monitoring of housing supply and housing delivery; or
- Not to note the Brownfield Land Register 2020.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify): Call for sites May 2020	x	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		x
Legal		x
Human Rights/Equality Impact Assessment		x

Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability	X	
Asset Management/Property/Land		x
Technology		x
Other (please explain)		

6. IMPLICATIONS:

The Brownfield Land Register is necessary evidence to support monitoring of housing supply and promoting housing delivery through efficient reuse of existing previously developed land in accordance with national policy.

7. REASON FOR THE DECISION: To ensure that the authority maintains a brownfield land register that is transparent and accessible to stakeholders and compliant with Brownfield Land regulations.

8. BACKGROUND PAPERS:

Brownfield Land Register Final Report and spreadsheets 2020
<https://www.arun.gov.uk/helaa>

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB-COMMITTEE ON 15 DECEMBER 2020

SUBJECT: Authority Monitoring Report 2019/20

REPORT AUTHOR: Kevin Owen – Planning Policy Team Leader

DATE: 30 November 2020

EXTN: 737857

PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY: This report presents the Arun Local Planning Authority's Monitoring Report 2019/20. The full report is provided as Background Paper 1 (published on the Council's web site - link Background paper 1).

RECOMMENDATIONS:

That the Local Plan Sub Committee:

1. Notes the Authority Monitoring Report 2019/20; and
2. Agrees that a further report be made back to this Sub-committee in Spring 2021 to set out the authority's approach to resolving the inability to demonstrate a 5 year housing land supply.

1. BACKGROUND:

Arun Local Planning Authority's Monitoring Report

- 1.1 The preparation of an Authorities Monitoring Report (AMR) is a requirement under Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Authorities Monitoring Report can include a compendium of published research and evidence published at any time by the authority that informs the performance of the adopted local plan and in delivering objectives and policy requirements. An AMR as a single report provides annual monitoring data which includes progress being made on Development Plan Documents (DPD) within the local planning authorities Local Development Scheme; the implementation of the development plan including housing completions and land supply data.
- 1.2 The Arun Local Planning Authority's Monitoring Report for 2019/20 has been prepared, and includes a range of updates and progress reports, including the following:

- **Progress on the Local Plan and Development Plan Documents against the timetable set out in the Arun Local Development Scheme 2019:** Non-Strategic sites DPD abandoned February 2020; Gypsy & Traveller DPD completed Regulation 18 Issues and Options Consultation Summer 2019;
- **Neighbourhood Plan Update:** Arundel Neighbourhood Development Plan 'made' 15 January 2020;
- **Duty to Cooperate Update:** responses to Horsham and Crawley plan making consultations, meetings and correspondence with neighbouring authorities on respective plan making and cross boundary matters;
- **5 year Housing Land Supply:** Arun currently demonstrates a 3.3 year HLS;
- **Local Plan Policy implementation and Housing Delivery:** two successive years of under delivery against housing requirements (including the Governments Housing Delivery Test) and consequently on 15 January 2020 Arun District Council resolved to update the adopted Arun Local Plan 2018; reduction in housing completions and affordable housing delivery although increased % brownfield; Littlehampton, Bersted and Angmering leading delivery;
- **Commercial Land Delivery:** reduction on completed and available employment floorspace; increase in occupation; brownfield completions; reduction on completed/occupied town centre floorspace;
- **Traveller Sites:** Progress on the Issues and options Consultation in July-Sept 2019;
- **CIL Infrastructure Funding Statement (IFS):** to be included as an Appendix to the AMR (Regulation 34 of The Town and Country Planning (Local Planning) (England) Regulations 2012) – the IFS is provisional until approved by Full Council;
- **Sussex Biodiversity Annual Monitoring Report.**

1.3 The most up to date version of the AMR (based on the reporting year: 1 April 2019 and 31 March 2020), can be accessed via the Council's web site (link provided as **Background Paper 1**). The AMR will evolve over time as monitoring of the adopted plan policies and implementation improves with updated technical information and processes of data collection.

1.4 It should be noted that the AMR monitoring period is retrospective and so the AMR scope covers the monitoring year 1 April 2019 to 31 March 2020 and measures performance based on the previously adopted Local Development Scheme 2019 (Note: the LDS on the Council's web site has been superseded by the recently adopted LDS June 2020 which is outside the scope of the AMR monitoring year).

3. PROPOSAL(S):

2.1 That the AMR be noted as the monitoring evidence base for plan making and policy performance for the period 1st April 2019- 31st March 2020.

4. OPTIONS:

3.1 To note the AMR or not to note the AMR which would risk that Arun would not meet statutory regulations on the requirement to publish an AMR in order to provide evidence on plan making progress and policy performance.

4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)		
Financial		x
Legal		x
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology		x
Other (please explain)		x
6. IMPLICATIONS:		
6.1 The AMR provides an evidence base against which to monitor plan making progress and performance in order that policy formulation and decision making is effective in delivering sustainable development of the planning authority area.		

7. REASON FOR THE DECISION:

To ensure compliance with statutory regulations and in order to provide evidence on plan making progress and policy performance.

8. BACKGROUND PAPERS:

The AMR 2019/20 can be accessed on the Council's Web Site:
<https://www.arun.gov.uk/monitoring>

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ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 15 DECEMBER 2020

**SUBJECT: Housing and Economic Land Availability Assessment
(HELAA 2020 update)**

REPORT AUTHOR: Kevin Owen
DATE: 30 November 2020
EXTN: x 37853
PORTFOLIO AREA: Planning Policy

EXECUTIVE SUMMARY:

The Council has reviewed and updated its Housing and Economic Land Availability Assessment (HELAA) for 2020. This document provides the Council with a database of sites within the District. Each site within the database has been assessed to determine whether it is deliverable, developable or not currently developable according to the HELAA methodology. It is important to note that whilst the HELAA is a useful resource, it does not allocate sites, nor does it grant planning permission. Its principal purpose is to provide evidence at a high level, identifying the best performing sites with potential to consider for further assessment as part of plan making. The HELAA is not intended to be used for development management decisions, as set out in national guidance.

RECOMMENDATIONS:

It is recommended that: -

1. The Planning Policy Sub-Committee notes the Housing and Economic Land Availability Assessment as part of the evidence base for the Local Plan and any future Development Plan Document preparation.

1. BACKGROUND:

- 1.1 The Housing and Economic Land Availability Assessment (HELAA) is a key component of the evidence base which informed the preparation for the Arun Local Plan (ALP) and keeping it up to date will inform future monitoring of potential land supply.
- 1.2 In line with national policy, the Council is required to be proactive and to plan positively to ensure that the development needs of the district are met in a sustainable way. This requires clear and robust evidence which is updated each year through consulting landowners and promoters/developers on the status of their sites including a 'call for sites' to identify new potential housing and employment and supply.

- 1.3 Through maintaining and updating the HELAA, there is an assessment of land availability which identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period. The assessment is an important source of evidence to inform plan and decision making, and the identification of a 5-year supply of housing land. It can also inform as well as make use, of sites in brownfield registers.
- 1.4 Paragraph 67 of the National Planning Policy Framework (NPPF) (2019) requires a Local Planning Authority to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment (e.g. HELAA). From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.
- 1.5 The Planning Practice Guidance (PPG), which was published in March 2014 and is continually updated, recommends that housing and economic evidence should be undertaken as part of the same exercise.
- 1.6 The NPPF 2019 sets out components of delivering a sufficient supply of homes. One of the key components is the strengthening of the definition of 'deliverable'. To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years depending on the planning status e.g. whether there is detailed planning permission, an outline permission for major development or a site is allocated and his supported by clear evidence on deliverability (NPPF 2019 Appendix 2 Glossary, page 66).
- 1.7 National guidance still requires an assessment of site availability, suitability and likely economic viability to be considered. In particular, the Government places significant emphasis on securing a 5-year housing land supply (5yr HLS) using this more robust evidence approach in order to boost housing delivery.
- 1.8 The HELAA is updated each year and is an important element of the Council's housing evidence base for the identification of a supply of 'specific, deliverable' sites for years one to five of the plan period; and 'specific, developable sites or broad locations for growth', for years 6-10 and where possible, for years 11-15 of the plan. This updated HELAA is measured with a base date of 1 April 2020 (see paragraph 67 clauses a) and b) respectively, of the NPPF).
- 1.9 The HELAA tests the delivery of the housing requirement figure for the district by informing the preparation of a housing trajectory. This is published with the Authorities Monitoring Report (AMR) 2019/20.

Aims of the HELAA

- 1.10 The overall aim of the HELAA is to:
 - Produce a list of sites, cross referenced to maps showing locations of specific sites;

- Provide an assessment of each identified site;
- Identify the potential type and quantity of development that could be delivered on each site; including a reasonable estimate of build out rates; and setting out how any barriers to delivery could be overcome.

1.11 In order to ensure that the HELAA is up to date, officers have reviewed the content of the assessment published in 2019 and prepared an updated version for use alongside the preparation of relevant planning policy documents.

Methodology

1.12 The HELAA update has been prepared according to a methodology prepared by the Council. This methodology follows that prescribed within the PPG and necessarily has been updated to align with recent changes introduced in the PPG in 2019 which clarified the iterative application of high-level assessments to be able to refer to development plan constraints (i.e. not only national designations set out in footnote 6 to the NPPF 2019).

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 pre-empt 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.

1.14 In addition, it should be noted that:

- Inclusion of a site in the HELAA does not mean that it will be allocated for development.
- Planning applications on sites identified within the HELAA will continue to be determined on their merits in line with the development plan unless material considerations indicate otherwise. The HELAA may however form a material consideration in the determination of planning applications.

Site identification

1.15 The main method of identifying sites is through an annual call for sites exercise which provided an opportunity for landowners, site promoters and interested parties to submit land for consideration. Another method of identifying sites is through the Council's planning weekly lists.

Site Assessment

1.16 All sites within the HELAA are subject to assessment. The Site assessment draws out further information about each site and its potential suitability for housing/employment development.

1.17 Sites are classified in the HELAA as follows:

- **Deliverable:** to be considered 'deliverable' sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. These sites are coloured BLUE on the HELAA map.
- **Developable:** to be considered 'developable' sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged. These sites are coloured ORANGE on the HELAA map.
- **Not currently developable:** if it is not known when a site could be made available or viably developed, it is considered 'Not Currently Developable' and is coloured RED on the HELAA map.

1.18 These classifications reflect the NPPF (2019) definition of 'deliverable'. It should be noted that the revised definition of 'deliverable' sites set out in the NPPF 2019 has been addressed in this HELAA. The proforma for the HELAA seek evidence on site deliverability trajectories from promoters and developers to help justify whether a site could be categorised as deliverable within 5 years.

1.19 Employment Sites are classified in the HELAA as follows:

- **Potential Employment Site:** to be considered 'a potential employment site it should be available now, offer a suitable location for development, and be achievable with a realistic prospect that a business use will be delivered on the site within five years. Sites that have planning permission for an employment use are considered potential employment sites until permission expires or the site is built out with an employment use. Sites that have been identified as a potential employment site but do not currently have permission are included if they have been promoted in the last 2 years. These sites are coloured YELLOW on the HELAA map.
- **Existing Employment Sites:** These are sites that were included from the original Economic Land Availability Assessment (ELAA) in 2010, although they do not have to be in the HELAA, for information purposes they remain in it. Once a potential employment site is built out it becomes an Existing

Employment Site. These sites are coloured BROWN on the HELAA map

1.20 It is important to note that the HELAA is a high level objective assessment of sites, and that specific locations cannot be excluded from the assessment, or their status amended, due to a lack of public support. Further, with national policy putting emphasis on the sequential and exceptions test with regard to flood zones and ensuring that the lifetime of the development is considered before sites are allocated or planning applications are approved, the requirements of Strategic Flood Risk Assessments have an impact on HELAA housing supply yields and the suitability and deliverability status of affected sites. This point is now addressed in the HELAA document methodology.

1.21 The result of the site assessments are presented in the main HELAA report according to their HELAA status (pages 40 – 44).

New Sites

1.22 22 new sites have been identified for this year's HELAA. These include sites that were submitted to the Council as part of the 'Call for Sites' exercise. It does not include commitments. Of these new sites, 3 were identified as being 'Deliverable' and 3 were identified as being 'Developable'. The remaining 14 sites were identified as being 'Not Currently Developable' due to suitability, availability and achievability reasons and two sites comprised 1 potential employment site and 1 existing employment site.

Key Findings

- The HELAA indicates a potential current supply of 33 deliverable sites (general) with capacity for 2,901 dwellings across the Local Planning Authority Area (LPAA). This is in addition to those sites which have been granted planning permission.
- In addition, it has identified a potential supply of 34 developable sites (general) with a yield of 3,740 dwellings (i.e. sites that are considered that could come forward over the lifetime of the plan).
- 230 sites are considered not to be developable at the time of publishing the HELAA.
- The deliverable supply from Strategic Allocation sites (not included in commitments) is 7,248 dwellings.
- The deliverable supply from Neighbourhood Plan Allocations (not included in commitments) sites is 285 dwellings.

2. PROPOSAL(S):

To note the Housing and Employment Land Availability Assessment as part of the evidence base for the Local Plan and any future Development Plan Document preparation.

3. OPTIONS:

The following options are available to Members:

1. To note the HELAA 2020 update Report as evidence to support monitoring of housing supply and housing delivery, or 2. Not to note the HELAA 2020 update.		
4. CONSULTATION:		
Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors	X	
Other groups/persons (please specify)		X
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		X
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X
6. IMPLICATIONS:		
The HELAA is necessary evidence to support monitoring of housing supply and delivery.		

7. REASON FOR THE DECISION:

To enable evidence to be updated on potential housing and employment land supply and delivery performance in support of the Adopted Local Plan and further plan making to ensure that the needs of the community in Arun are met sustainably.

8. BACKGROUND PAPERS:

- Arun Housing and Economic Land Availability Assessment 2020 (HELAA) available (together with the brownfield Register) on the Council's web site via: <https://www.arun.gov.uk/helaa-brownfield-land-self-build-registers>