

PLANNING POLICY COMMITTEE

8 June 2023 at 6.00 pm

Present: Councillors Lury (Chair), Yeates (Vice-Chair), Bower, Elkins, Huntley, Long, McAuliffe, Partridge and Tandy

Councillors Bicknell, Stainton and Stanley were also in attendance for all or part of the meeting.

Apologies: Councillors Harty

35. DECLARATIONS OF INTEREST

No declarations of interest were made.

36. MINUTES

The Minutes of the Special meeting on 21 February 2023 were approved by the Committee and signed by the Chair. Only those Members present at the previous meeting voted. All other Members abstained from the vote.

37. ITEMS NOT ON THE AGENDA THAT THE CHAIR OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed that there were no urgent items to consider at this meeting.

38. PUBLIC QUESTION TIME

The Chair confirmed that there had been no questions from the public submitted for this meeting.

39. START TIMES

It was proposed by the Chair and seconded by Councillor Yeates that the start time for the remaining meetings of Planning Policy Committee for 2023/24 be 6pm.

The Committee

RESOLVED

That the start time of all remaining meetings of the Committee for 2023/24 would be 6pm.

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40. FIRST HOMES LOCAL ALLOCATION POLICY

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought approval for the Council's Interim Affordable Housing Policy statement (to accommodate the First Homes Policy) to be updated to include local allocations policy criteria to ensure consistency with the Council's published Housing Allocations Scheme. It was noted that the Housing Allocations Scheme was to be reviewed and the local connection criteria amended [on page 9 of the Agenda Pack] at the Housing and Wellbeing Committee meeting on 20 June 2023. One Member sought further information on the impact of the changes to those already on the housing waiting list and how the policy would be measured to ensure it did not have a significant adverse impact. Another Member asked about whether the 'close relative' as defined in the third bullet point under 4.7 of the Officer report [on page 9 of the Agenda Pack] should be expanded to include legal dependents and guardians.

The Planning Policy Team Leader explained that the policy previously had what was considered a high bar for residency requirements and in lowering the thresholds would be less restrictive, and that any review would be undertaken via the Housing and Wellbeing Committee. The Group Head of Planning clarified that the purpose of this report was to align the First Homes Local Allocations Policy with the Housing Allocations Scheme which was being considered by the Housing & Wellbeing Committee at its next meeting. As the Housing Allocations Scheme was outside the remit of the Planning Policy Committee, Officers confirmed that they would bring points raised by Members to the attention of Housing Officers. The recommendations were then proposed by Councillor McAuliffe and seconded by Councillor Elkins.

The Committee

RECOMMEND TO FULL COUNCIL – That

1. The 'Interim Affordable Housing Policy' statement (to accommodate First Homes Policy) be adopted to include the local connections criteria, as set out under paragraph 4.7;
2. Should the criteria be further updated by Housing and Wellbeing Committee on 20 June that delegated authority be given to Officers to amend the criteria in accordance with paragraph 4.8;
3. The amended policy be uploaded to the Council's website and reviewed annually.

41. MIDDLETON-ON-SEA APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought the Committee's agreement that Middleton-on-Sea was an appropriate area to be designated as a Neighbourhood Area and recommend to Full Council that Middleton-on-Sea be designated a neighbourhood area and not a business

area. The recommendations were then proposed by Councillor Bower and seconded by Councillor Long.

The Committee

RECOMMEND TO FULL COUNCIL

That the specified area is designated without modification, as the Middleton-on-Sea Neighbourhood Area, for the reasons set out in the application and in light of the results of the public consultation which did not receive any representations.

42. INFRASTRUCTURE LEVY (IL) TECHNICAL CONSULTATION

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which briefed the Committee on the technical consultation to the proposed new Infrastructure Levy (IL) under the Levelling Up and Regeneration Bill. It was explained that, if introduced, the Infrastructure Levy would change how development contributions were secured in Arun; contributions currently being secured via the Community Infrastructure Levy (CIL) and Section 106 Agreements.

The Members' discussion of the report primarily focussed on what the benefits of the new process were compared to the current charging regimes. It was explained that the current charging schedules were based on local land values and the proposed high level response would urge that the benefit of the new system should retain such local land and viability data and not just be subject to national data. It was also anticipated that charging the levy for floor area created on completion rather than at approval should lead to an increase in receipts due to rising prices over time and at the same time encourage developers to build out sooner. Section 106 Agreements being subject to inflation whilst the CIL charging schedule was updated for indexation only annually and not retrospectively was also highlighted, so this could mean that delays in charging until completion could also remove any inflationary differences between approval and completion. The recommendation was then proposed by Councillor Bower and seconded by Councillor Yeates.

The Committee

RESOLVED

That the proposed response under paragraph 4.11 of the report be agreed.

43. ARUN LOCAL PLAN UPDATE

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought the Committee's agreement that the pause to the Arun Local Plan Update be lifted and that steps be taken to progress engagement on the plan preparation including the commissioning of evidence and initial consultation. The

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Planning Policy Team Leader provided some background to the report, including the decision to update the Local Plan having been taken in January 2020 largely on the basis on housing delivery performance but that there were also a number of national policy indicators (5-year housing land supply, housing delivery test) Arun was not achieving. He then noted National Planning Policy Framework (NPPF) paragraph 11d and its presumption in favour of sustainable development, and the tilted balance in favour of development as the housing policies in Arun's Local Plan were effectively being deemed out of date due to national policy requirements.

He highlighted the consequences of this for decision-making and appeals, and that decisions may not accord fully with the Local Plan. Arun's declaring of a climate emergency and a desire to see energy performance and carbon reduction policies amongst others within an updated Local Plan were also noted but that work was further paused following signals to changes to the planning system. He concluded that a new consultation on the NPPF indicated the direction of central Government with regards the planning system and that, given the tilted balance, there was therefore a need for Arun to begin a Local Plan update. The Group Head of Planning clarified that the scope of the decision for the Committee at this meeting was only whether to commence or not the process of beginning work on restarting the Local Plan update.

Before inviting discussion, the Chair brought particular paragraphs of the Officer report to Members' attention - 4.5 (national policy requiring Local Plans are reviewed and updated within 5 years with Arun's being nearly 5 years old), 4.9 (development being more easily delivered and to a higher design standard), 4.10 (safeguards against unplanned development only being triggered if there was an up-to-date Local Plan), and 4.11 (housing requirement over the plan period).

Most Members that spoke supported recommencing of the Local Plan Update. Many mentioned a danger in not acting putting greater control into the hands of developers and central government, and acknowledged that due to the tilted balance and presumption in favour of development Arun was already seeing the consequences of planning by appeal. One Member commented that this was getting worse. It was suggested that the need for a Local Plan update had been triggered previously and that Members had chosen to do nothing but that this was no longer an acceptable course of action. Being unable to challenge housing numbers without an up-to-date Local Plan was discussed, as was the limited control Members felt they had now. With fears that the tilted balance would evermore favour developers and planning inspectors, Members considered whether some control was better than none.

The figure of over 6000 unimplemented permissions was used both to highlight the developers' failure to build or the numbers being in excess of what the market could actually deliver, and also to question whether it was indeed local need that was not being met. One Member suggested approved permissions counting towards housing delivery targets would take some power away from developers. It was agreed and hoped by many that a Local Plan update would provide evidence to support claims around housing need and numbers in the District. The length of timescales involved in plan making was suggested as a reason to recommence this process sooner rather than later. The need for policy to recognise and appreciate the limiting geography of

Arun (located between a National Park and the sea) was something many Members mentioned.

One Member that spoke did raise concerns with recommencing the update. He noted that any failure to deliver lay at the hands of developers not building out approved permissions rather than the Council not approving applications. The current Local Plan needed to be made to work and the infrastructure mentioned within it to accompany development needed to be delivered. To this end, it might be more beneficial to seek policies that would aim to get developers fulfilling existing approvals and resolving issues of infrastructure, acknowledging that infrastructure providers worked on a different cycle to Arun's plan period, rather than beginning the process of a Local Plan update. It was felt that there was still a lot to be considered before committing the Council to this process and making decisions before infrastructure was delivered, especially whilst there was still uncertainty over central government policy.

Another Member sought reassurances from Officers that this approach would be beneficial to Arun and its residents. Officers explained that the plan-led system was evidence based and needed robust evidence upfront in order to support any challenges to targets. All Members agreed that they and residents wanted to protect the District from overdevelopment and maintain the environment it had.

The Chair suggested that he write to government about the current situation in Arun and the issues it was experiencing due to current planning policy. Councillor Bower suggested that this would carry more weight as a joint letter from all Group Leaders at Arun. This additional recommendation for a joint letter from all Group Leaders to government was then recommended by Councillor Lury and seconded by Councillor Bower. After the vote, the motion was declared CARRIED and recommendation 9 was added to the substantive recommendations which were then proposed by Councillor McAuliffe and seconded by Councillor Yeates. Recommendation 1 was voted on separately, with recommendations 2 to 9 voted for en bloc.

The Committee

RECOMMEND TO FULL COUNCIL – That

1. The Council recommence the preparation of a Local Plan Update;
2. The Vision and Objectives (Appendix 1 and 2) be agreed in principle, subject to stakeholder engagement and public consultation as part of a 'Direction of Travel' document to be reported to this Committee in September, prior to commencing Regulation 18 Issues & Options in the spring 2024;
3. The Schedule of internal (Schedule A) and external (Schedule B) commissioned Projects (Appendix 3) be progressed to prepare the Local Plan update;

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4. The costs of £234,347 for the current financial year 2023/24, as identified in this report, be absorbed within the existing revenue budget and any overspend be reported to Members as part of the budget monitoring reports;
5. The Statement of Works Contract be approved as a departure from Standing Orders;
6. The plan period for the update be 2023 to 2041 but subject to updated land supply data, the start date (and potentially end date) may be rolled forward as necessary;
7. The 'Arun Housing Need Review' study be material evidence for the Local Plan Update;
8. Officers update the Local Development Scheme at the next Planning Policy Committee meeting for subsequent adoption by Full Council;
9. The Group Leaders write a joint letter to government about the current situation in Arun and the issues it was experiencing due to current planning policy.

44. A27 FORD ROAD SCHEME

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which provided an update on the A27 Ford Road Junction Feasibility Study prepared by West Sussex County Council. It was explained that the purpose of the study was to provide evidence to inform future discussions on the design of the A27 Arundel Bypass, future Local Plan reviews and funding applications, and had been commissioned following requests from stakeholders.

Members who spoke raised concerns that accepting this report into evidence was in some way endorsing its content and conclusions and could limit future actions or representations of the Council. Some additional wording to be added to the Officer recommendation was then read to the Committee to make clear the Committee's intentions in this regard. The wording was:

Whilst the Council is accepting the study into evidence, it does not necessarily endorse the report and it does not preclude the Council from continuing to press for further improvements for the good of the Arun District.

The Officer recommendation with this additional wording was proposed by Councillor Lury and seconded by Councillor Huntley.

The Committee

RESOLVED

That the A27 Ford Road Junction Feasibility Scheme be noted and added to the Council's evidence web pages. Whilst the Council is accepting the study into evidence, it does not necessarily endorse the report and it does not preclude the Council from continuing to press for further improvements for the good of the Arun District.

45. COMMUNITY INFRASTRUCTURE LEVY – LIGHT TOUCH UPDATE

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which provided a light touch update to the Council's Infrastructure Investment Plan 2022-2024 which set out the Council's Community Infrastructure Levy funding priorities over 3 years and following a light touch update consultation undertaken in March 2023 to identify any emergent matters that might require amendment to the plan. A full Infrastructure Investment Plan update was scheduled for 2024. The swap of Littlehampton Waste Recycling Centre to the Westhampnett Waste Scheme, agreed on the basis that there was no change to the project costs to be apportioned from CIL, was noted. The number of NHS projects on list, especially in light of previous discussions about infrastructure providers, was highlighted by one Member. The recommendation was then proposed by Councillor Lury and seconded by Councillor Huntley.

The Committee

RESOLVED

That the Infrastructure Investment Plan (IIP) be updated with any new information received for existing projects and new projects that providers would like to be considered following the light touch update consultation.

46. COMMUNITY INFRASTRUCTURE LEVY – PARISH AND TOWN COUNCIL SPEND

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought to update Members on the Council's Community Infrastructure Levy (CIL) receipts and the apportionment of CIL payments to Parish and Town Councils for delivering projects. The Committee noted the report.

47. COUNCIL VISION 2022-2023 ANNUAL REPORT

Upon the invitation of the Chair, the Group Head of Organisational Excellence presented the report which sought to update the Committee on the end of year performance of the Vision indicators for the period 1 April 2022 to 31 March 2023. It was explained for the benefit of new Councillors that the Council Vision for the period 2022-26 had been developed with Councillors at a series of workshops and then agreed by Full Council. The Vision was divided into 4 key themes - 'Improving the

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wellbeing of Arun’, ‘Delivering the right homes in the right places’, ‘Supporting our environment to support us’, and ‘Fulfilling Arun’s economic potential’. There were overall aims for each of these themes and some specific objectives to be achieved over the four year period, and, though Policy and Finance Committee was responsible for overseeing performance across the Council, the full report was coming to the Committee so that Members had a comprehensive overview of performance across the Council.

The Committee noted the report. Some Members raised issues with KPIs under the remit of other Committees that were not relevant to the business of this Committee. It was explained that these comments would be formally recorded in the Minutes and responses from Officers in the relevant service areas would be sought. These included:

- CV14 [Improve our green spaces] – how was ‘improve’ defined? For example, metre squared reverted to habitat creation or maintained in a certain way for wildflower meadows etc. Where would Members find this information?
- CV19 [Number of households supported with complex needs] – is part of the target the number of Disabled Facilities Grants delivered? Is that the only measure used? How are the Disabled Facilities Grants being measured? What were the timescales and over what period were they being measured?
- CV21 [Number of Council homes that meet the current statutory minimum standard for housing] – concern that the aspirate of the Council was to meet minimum statutory standards. Why has the bar not been set higher?
- CV24 [3000 trees to be planted per year] – concerns over planting targets without accompanying maintenance targets given the known annual die back of new planting. Is data collected on how many plants are still alive after the 5 year period?

48. Q4/END OF YEAR KEY PERFORMANCE INDICATORS (KPIs) PERFORMANCE REPORT

Upon the invitation of the Chair, the Group Head of Organisational Excellence presented the report which sought to update the Committee on the Quarter 4 and end of year Performance Outturn for the Key Performance Indicators (KPIs) which made up the Corporate Plan, for the period 1 April 2022 to 31 March 2023. It was explained that these indicators were measures of operational performance and the same indicators would be measured each year for the four year period to allow for comparison and trends to be measured both in-year and between years. One Member raised the same issue that came up at every meeting of the Committee when its only KPI - CP36 [Number of new homes completed] – was discussed, that this KPI was reactive to the actions of developers building out or not and there was nothing Arun could do about it. The figure of over 6000 unimplemented housing permissions was given in support of this. The Committee then noted the report.

49. OUTSIDE BODIES

The Chair confirmed that there were no reports from Outside Bodies for this meeting.

50. WORK PROGRAMME

The Group Head of Planning confirmed that there were items to be added to the Committee's Work Programme. Some items had been dependent on decisions taken at this evening's meeting. The Committee noted the Work Programme.

(The meeting concluded at 7.44 pm)