

PLANNING POLICY COMMITTEE

28 November 2023 at 6.00 pm

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

419. APOLOGIES

Apologies for absence were received from Councillor Stainton.

420. DECLARATIONS OF INTEREST

Councillor Tandy declared a personal interest in respect of Agenda Item 10 as he was a secondary school teacher at a school in the District.

Councillor Elkins declared a personal interest in respect of Agenda Item as a member of West Sussex County Council.

421. MINUTES

The Minutes of the Planning Policy Committee held on 21 September 2023 were approved and signed by the Chair.

422. 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

There were no urgent items for consideration.

However, under this item the Chair informed the Committee that a further joint letter from the Group Leaders, dated 8 October 2023, had been sent to the Rt Hon Michael Gove, Secretary of State for Levelling Up in light of the recent widespread flooding in the Arun District. The letter requested a response to their original letter, dated 1 August 2024 about the current situation in Arun District and the issues it was experiencing due to the current Planning Policy.

423. PUBLIC QUESTION TIME

There were no public questions.

424. BUDGET MONITORING REPORT TO 30 SEPTEMBER 2023

The Group Head of Finance and Section 151 Officer was invited by the Chair to present the report, which set out the 2023/24 forecast revenue budget outturn as at Quarter 2. He referred to Table 1 at paragraph 3.1, which anticipated an overspend of £452,000. In referring to the variances outlined at

paragraphs 3.2-3-4, he explained that an under achievement of £558,000 for the planning income fee against the budget was anticipated. He explained that the budget for 2023-24 was based on the previous three financial years of data, which had buoyant levels of increased fee income. However, during this financial year that buoyancy had not continued, which was an issue also affecting other local authorities in West Sussex. However, the Government has announced that planning application fee increases would be increased from 6 December 2023. He confirmed that this situation would be closely monitored, as it was too early to assess the impact on the budget. An underspend of £676,000 was anticipated due to the high number of staff vacancies, arising from the difficulties in recruiting suitably qualified staff, but this had been partially been offset by a cost increase of £570,000 in the use of agency staff.

The Chair then invited questions and comments from members. The Group Head of Planning responded to a question, as to whether the Council had seen a sudden increase in planning applications for large developments in anticipation of the increase in planning fees on 6 December 2023. He replied that as the increase in planning fees had only recently been announced, it was too early to take a view. He advised that he would need to confirm but from memory the planning fee increase would be on a varying scale, from 25% for smaller applications and 35% for larger applications. A member noted with interest that planning fee increases going forward were index linked annually, which could result in the receipt of substantial fee income from large developments

Referring to paragraph 3.4 of the report relating to the high number of vacancies across the planning service, a member commented that, neighbouring local planning authorities with similar recruitment issues were now with a full complement of planning officers. He asked if officers were liaising with these local authorities to see how they had resolved their recruitment issues. The Group Head of Planning advised that regular meetings took place with officers across the District, some of which had an advantage of having a '360' degree geographic location to recruit from, whereas the Council was disadvantaged by its location on the coast reducing the Council's demographic for potential candidates. Details were provided of the use of apprenticeships in Planning over the last nine years. Many of the Planning apprentices had been retained by the Planning Department and developed once they had completed their apprenticeship, although it would take some time to filter into more senior positions. Members were reassured on hearing the success of the apprenticeship scheme.

The Group Head of Planning undertook to recirculate the Planning Service officer structure chart so that the Committee could be kept apprised of where the vacancies were.

Responding to a question about the implications for next year's budget, the Group Head of Finance and Section 151 Officer confirmed that the introduction of an annual planning fee increase could help to mitigate the impact

on the underachieving budget. Officers were currently assessing the impact the increase will have on the 2024-25 budget and beyond.

The Group Head of Planning added that the indexation of the planning fees would start from 1 April 2025.

A report on the proposals for the 2024-25 budget will be reported to the next Planning Policy Committee on 30 January 2024.

425. Q2 PERFORMANCE REPORT FOR THE KEY PERFORMANCE INDICATORS (KPI'S) WHICH FORM PART OF THE COUNCIL'S VISION 2022-2026.

The Group Head of Planning was invited by the Chair to introduce the report.

The Chair then invited questions and comments from members.

The Group Head of Planning undertook to provide details of what the timeline would be for the review or addition of a KPI and to confirm if the process was through the Audit and governance Committee.

A comment was made by a member that KPI CP 36 'Number of New homes Competed' at Appendix 1, was a target that the Council had no control over, it being in the hands of the developers when they completed developing a site. It was hoped that this target could be removed as it was considered there were more important targets concerning the Development Management side of the Planning service. The Group Head of Planning explained that the information gathered to produce the out turn was not exact. Officers did not monitor the sites and relied on the annual data produced by West Sussex County Council, along with data obtained from Building Control and Council Tax and could be a combination of both completions and occupancy. The information gathered was not an exact science and was based on the best data available at that time out turn figures were based on the best information available at the Council at that time. The 'Quarter 2 Commentary' column included a combination of both completions and occupations.

He undertook to feedback to the Group Head of Organisational Excellence that the Committee would like to see completions and occupations individually set out in the Appendix.

The Committee noted the report.

426. DIRECTION OF TRAVEL DOCUMENT

The Chair invited Kevin Owen, Planning Policy & Conservation Manager to present the report to the Committee. He explained the context for producing the Direction of Travel Document (DoTD) was because it formed part of the process for the Arun Local Plan update following the Council's lifting the pause

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in July 2023. The Council was in the early stages being at Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 of the process. The DoTD would be used to consult the public and stakeholders on their views on what the content of the Local Plan should be. Testing of the DoTD would take place with workshops planned for the following week with various stakeholders before being refined before public consultation in February 2024. The topics in the DoTD, outlined at paragraph 4.4, were grouped around the Council's Vision and Objectives. He referred to the member briefing on the structure and content of the DoTD held on 7 November 2023. He emphasised that this was the start of the Plan Making process, before work began on what the Plan should look like.

The Chair then invited questions and comments from members. A discussion took place concerning the Committee's consideration of the Direction of Travel document at this point in time. Members expressed concern that they were being asked to recommend the DoTD for approval for public consultation before member Stakeholder Workshops to inform the DoTD had taken place. Members were dissatisfied because further changes may be made to the document without the Committee being able to consider their suitability before going out to public consultation. A suggestion was made that the Committee should be allowed to attend the workshops as well to hear the views of the stakeholders.

The Group Head of Planning advised that there would be further opportunities for consultation on the plan preparation with members. The holding of the stakeholder workshops was part of the initial stage of the process and had taken place during previous Plan reviews. If the Committee was minded to defer consideration of the Direction of Travel document to enable them to consider the outcomes of the Workshops, members should be mindful of the timescales and process for the Council's future plan making process and the effects any delays foreseen or unseen may have on the timetable. It was important that officers did not receive individual member comments, rather members as a Committee should agree the DoTD. Officers clarified that the stakeholder attendees included such organisations as the Environment Agency, Southern water etc at the DoTF workshops.

At the conclusion of the discussion Councillor Elkins, having listened to the views of members during the debate the Chair suggested that discussion of this item should be deferred pending the public and stakeholder workshops due to take place the following week. The amended DoTD could be brought to a Special Meeting of the Committee to consider the outcomes of the workshops and to assess the suitability of the amendments made and whether they would fundamentally change the content of the DoTD. This proposal was then recommended by Councillor Elkins and seconded by Councillor McAuliffe.

The Committee

RESOLVED

That a Special meeting of the Planning Policy Committee be arranged to consider amendments made to the Direction of Travel Document following the outcome of the Direction of Travel Document Stakeholder Workshops.

427. REGULATION 19 PUBLICATION ARUN GYPSY & TRAVELLER & TRAVELLER SHOWPEOPLE DEVELOPMENT PLAN DOCUMENT

The Planning Policy & Conservation Manager was invited by the Chair to present the report. The Gypsy and Traveller and Traveller and Showpeople Development Plan Document (G&T DPD) was a Local Plan and needed to proceed to public consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulation 2012. He outlined the additional evidence work, at paragraph 3.3 of the report, that had taken place for site specific matters proposed for inclusion in the G&T DPD to address these matters.

The recommendations were proposed by Councillor Bower and seconded by Councillor Tandy.

The Chair invited members to make comment or ask questions. A request was made that the site descriptions should be standardised in the report to include the village or town where they were located.

The Committee

RESOLVED

1. That the Regulation 19 Publication Gypsy & Traveller and Traveller Showpeople Development Plan Document (G&T DPD) consultation take place for 6 weeks from 13 December 2023 to 7 February 2024;
2. That following public consultation, the Regulation 19 Publication Gypsy & Traveller and Traveller Showpeople Development Plan Document be referred to Full Council for approval before submission to the Secretary of State (for Examination in Spring 2024); and
3. That delegated authority is given to the Group Head of Planning in consultation with the Chair and Vice Chair of Planning Policy Committee to finalise proposed submission documents for consultation and following submission, to agree modifications should they be necessary during examination.

428. ARUN SECONDARY SCHOOL STUDY UPDATE

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The Chair informed the Committee that he would like to propose to defer consideration of the report on the Arun Secondary School Study until the next meeting on 30 January 2024. A deferral of this item would enable the Committee to visit all the sites. In particular this would be of benefit to those new Committee members recently elected, to familiarise themselves with all the options. Ensuring all members were able to make an informed decision on the proposals in the event the preferred option did not come forward. A discussion then took place on the suggestion to defer this item for a site visit. This proposal was then recommended by Councillor Lury and seconded by Councillor Yeates.

Councillor Elkins redeclared his personal interest as a member of West Sussex County Council.

The Group Head of Planning confirmed that if the Committee deferred consideration of today's report, any delays would be to the provision of the infrastructure and not to the determination of planning applications, which were progressing by obtaining the S.106 contributions. In the interim, S.106 transportation receipts for the secondary school were being secured. If members were minded to defer this item, he urged members to carry out the visit in their own time.

The Committee

RESOLVED

That consideration of the Arun Secondary School Study Update report should be deferred to the next meeting on 30 January 2024, to enable the Committee to carry out a site visit.

429. ARUN DISTRICT DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD) UPDATE

The Planning Policy & Conservation Manager was invited by the Chair to present the report. The purpose of the Arun District Design Guide Supplementary Planning Document was to provide more detail and explain what was meant by good design and to support policies in the adopted Arun Local Plan. It was a material consideration and needed to go through statutory consultation as set out in the plan making regulations. To ensure the guidance was as up to date as possible, it was proposed to update sections of the Design Guide to take onboard the National Highway Code changes and to carry out Statutory consultation. The proposal was for consultation to take place from 4 December 2023 to 12 January 2024

The recommendation was proposed by Councillor Tandy and seconded by Councillor Yeates.

The Chair invited questions or comment from Members. One member referred to recent publicity concerning ill thought-out placing of traffic bollards

along cycle paths across the Country. The Planning Policy & Conservation Manager explained the intention of the Local Transport Note 120 was the segregation of cyclists from the road carriageway where feasible, with the emphasis on safety. The Group Head of Planning added that the Design Guide was specifically intended to assist the determination of planning applications for new developments. It was not to retro fit roads that may not be suitable or wide enough. A member expressed his support for the amendments, as there were a lot of people in the District, as well as tourists who would like to cycle, walk, use mobility scooters but did not have the opportunity to do so.

The Committee

RESOLVED to agree

1. The contents of the proposed new sub chapters F.02, F.03, and F.04 of the Arun District Design Guide SPD update;
2. The proposed approach and timetable for the public consultation on the Draft version of the Arun District Design Guide SPD update and that it should progress to consultation from 4 December 2023 to 12 January 2024; and
3. That following consultation, the Design Guide be agreed (adopted) at the meeting of Planning Policy Committee on 30 January 2024 unless, in the event that significant amendments are necessary, following a further four week consultation, the Design guide be agreed at the Planning Policy meeting of 18 April 2024.

430. ARUN HOUSING DELIVERY TEST ACTION PLAN

The Planning Policy & Conservation Manager was invited by the Chair to present the report. The update to the Arun housing Delivery Test Action Plan responded to the Government's annual publication of the Housing Delivery Test performance figure for Arun. The Council's figure has been below the government's threshold of 95%, which compared housing completions against housing need over the past three years. The Council was therefore, required to achieve a figure of more than 95% by producing an Action Plan aimed at trying to boost housing delivery. The previous Action Plan produced in 2019 had an appendix listing how the Council would do this. The report was before the Committee, as although the Government have not produced their figures for this year, there was a still a requirement to update the Action Plan. One of the actions was to repeat the exercise to obtain signed Housing Delivery agreements with developers and agents, which would improve the level of evidence to say sites were deliverable. The outcome of these agreements would assist in the delivery of the Five-Year Housing Supply, which was currently below a three year housing land requirement. This year the Council had received a much-improved response in its attempt to produce delivery agreements.

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The recommendation was proposed by Councillor and seconded by Councillor Harty and seconded by Councillor Yeates.

The Chair invited questions and comments from members. A member commented that the steps being taking help with the needs of the Council to demonstrate the Action Plan was functional. In response to a request for sight of the signed agreements, the Planning Policy & Conservation Manager said these would be available on the Council's website. This was important as this was the type of evidence that the Government required to demonstrate sites were deliverable.

The Committee

RESOLVED

To agree the partial update to the council's 'Housing Delivery Test Action Plan' (HDTAP 2023) though publishing an Annex to the schedule of actions and that this be published separately on the council's evidence web page.

431. UPDATE TO PAGHAM ACCESS MANAGEMENT AND MONITORING SCHEME

The Planning Policy & Conservation Manager was invited by the Chair to present the report. The Pagham Access Management and Monitoring Scheme had been set up in 2015 to regulate the impact of visitor numbers arising from housing population growth. It included buffer zones of between 3-5km from Pagham Harbour, in which Section 106 agreements operated, ensuring measures were in place to mitigate the impacts of visitors using open space in those areas upon the Pagham Harbour protected habitat. These Section 106 agreements included a warden service with Chichester District Council also being party to the agreements.

The recommendation was proposed by Councillor Huntley and seconded by Councillor McAuliffe.

The Chair invited questions and comments from Members. The Head of Planning confirmed that the £938 fee was per application not dwelling.

The Committee

RESOLVED to

1. Approve the updated contribution of £938 for the Pagham Access Management and Monitoring Scheme commencing 29 November 2023 for new applications validated on and after this date;



2. Agree that the contribution be increased annually applying 1 April each financial year up to 2031 in accordance with the methodology set out in Appendix 1.

432. WORK PROGRAMME

The Committee noted the Committee work programme for the remaining year.

A comment was made that the draft Local Plan document. The Direction of Travel document was available on the Council's website, however whilst the webpage referred to the draft document the document itself had no reference to draft. The Group Head of Planning assured members that this omission would be rectified.

(The meeting concluded at 7.47 pm)