

# ARUN DISTRICT COUNCIL

## REPORT TO AND DECISION OF PLANNING POLICY COMMITTEE ON 1 JUNE 2021

### REPORT

<b>SUBJECT: Arun Local Plan Update – Development Management Policies</b>
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<b>DATE:</b>	4 May 2021
<b>EXTN:</b>	x 37853
<b>AREA:</b>	Planning

### EXECUTIVE SUMMARY:

The Council is updating the Arun Local Plan 2018 following a Full Council decision on 15 January 2020. The Council has expressed a need for priority to be given to updating Development Management (DM) policies that relate to environmental, biodiversity, energy and carbon performance, following the declaration of a 'Climate Change Emergency' in January 2020. Officers have undertaken early review of the DM policies to identify where policies will remain fit for purpose and where updates are likely to be necessary based on up to date national policy guidance and emerging best practice in other plan making authorities in order to progress the plan making timetable. A schedule is provided of potential policies needing updating as a priority and this report seeks member agreement to the list as the basis for early engagement and consultation. It is important to consider that this schedule relates to subject areas in general rather than specific policy wording which may be amended at a later date.

### RECOMMENDATIONS:

That the Planning Policy Committee approves: -

1. That the Schedule of Development Management Policies set out in Appendix 1 is the early basis for identifying the priority order of DM policies (including a limited number of relevant Strategic Policies) that will need updating and form the basis of engagement with the community and wider stakeholders.

### 1. BACKGROUND:

- 1.1 On 15 January 2020 Full Council approved the recommendation of Planning Policy Sub Committee that the Local Plan be updated. The background to the decision is set out in the report to Planning Policy Sub-Committee 17 December 2019.
- 1.2 The current stage of plan preparation is in the early scoping of the work for updating policies based on the Councils corporate priorities. This is established in the Local Development Scheme (LDS) which was adopted on 22 July 2020, and sets out the plan making programme. The LDS gives priority to updating Development Management policies and standards in order to address the 'Climate Change Emergency', updated national policy and emerging best practice This will ensure

that the DM policies are up to date and effective in addressing matters relating to the 'Climate Change Emergency' including; environmental protection and biodiversity (e.g. biodiversity net gain); increased efficiency and decentralising energy supply towards renewable energy; and decarbonising development and travel.

1.3 Updating DM policies will help Arun to shape development towards meeting emerging national legal requirements and best practice, helping to deliver net reductions in carbon and achieve neutrality according to certain timescales. Strategic Policies will also be updated to align subsequently, with DM policies before publicising and examining the local plan.

1.4 Officers have compared the list of current DM policies in the adopted Local Plan 2018 against national policy, guidance and emerging best practice – including where available, any intelligence on the effective use of the policies. This is set out in Appendix 1.

1.5 In summary: the key headlines are:-

- Of the the forty-two development management (DM) policies set out in Appendix 1 fourteen are considered up to date with the remainder twenty-eight needing to be amended including other actions as described in the schedule;
- Further, taking into account the Councils priorities with regard to tackling the 'Climate Change Emergency' it is considered that a review of Strategic Policy ECC SP2 Energy and Climate Change Mitigation is also needed because it overlaps with DM policy ECC DM1 Renewable Energy. Both policies relate to building design, energy efficiency and performance standards and will need to be revised and rationalised together to address national policy changes and the councils corporate net zero carbon standard and any District wide target.
- Similarly, to address higher insulation standards, heat recovery and water efficiency measures, Strategic Policy ECC SP2 will need to be considered together with DM policy 'Policy W DM1 Water Supply and Quality' which sets out the water efficiency performance standard.
- ECC DM1 Renewable Energy provides criteria on which to assess proposals for community based and other renewable energy schemes. This will need to be updated to reflect the need for a positive strategy to delivery decentralised and renewable energy sources and storage including through the allocation of land;
- ENV DM4 Protection of trees – will need updating and be rationalised together with ENV DM5 'Development and Biodiversity' to address setting a national 10% metric for achieving net gain in biodiversity through development, in line with national policy; and their respective contribution to carbon sequestration, flood storage, water quality/nutrient attenuation, air pollution and temperature extremes;
- Policies relating to flood avoidance and management are also guided by Strategic Policy ECC SP1 'Adapting to Climate Change' and so this policy will need to be reviewed together with DM policies W DM4 'Coastal Protection' and W DM2 'Flood Risk'.

### **New policies**

1.6 The early review of DM policies, against the Council's priorities mainly relate to matters of updating and rationalisation of 28 of the existing policies with fourteen policies needing no change. However, it is possible that as a result new stand alone policies may be needed and be more effective.

1.7 The separate agenda item on the Council's draft Vision & Objectives suggests that a number of other topics might also require accommodating bespoke policies to address the following themes:-

- Digital infrastructure;
- Green economy and diversification of agriculture sectors;
- Regeneration proposals, development of green technologies and innovative ways to decarbonise energy and achieve greater efficiencies in construction, design and performance standards;
- The need to deliver housing that is net zero carbon yet is also deliverable to meet a range of affordable tenures and mixes and is cost effective and innovative in terms of design and construction;
- The relationship of buildings and places, to residents every day needs and the efficient use of land which is accessible to services, leisure, greenspace and sustainable travel choices.

1.8 These policy approaches may also require Strategic Policy development not necessarily related to development management and will form part of the parallel work on updating the Local Plan.

1.9 The formulation of new policies and the amendment/updating of existing ones will obviously be reported to future meetings at a stage when relevant evidence has been produced.

### **Next Steps**

1.10 Following consideration and agreement to the schedule of proposed priorities for reviewing DM policies in Appendix 1, Officers will progress the early review of DM policies (and two relevant Strategic Policies) as part of evidence commissioning studies and engagement with key stakeholders with a view to undertaking a Regulation 18 Notice Issues and Options consultation in the Winter of 2021 - seeking views about what should be included in the plan.

### **3. OPTIONS:**

The following options are available to Members:

1. To agree the Development Management policies list for early engagement and consultation, in order progress the Local Plan update;
2. Not to agree the Development Management policies list which would risk delaying the preparation and eventual adoption of an up to date 'sound' Local Plan to guide local decision making.

### **4. CONSULTATION:**

Has consultation been undertaken with:	<b>YES</b>	<b>NO</b>
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
<b>6. IMPLICATIONS:</b> An updated Local Plan shaped by a Vision & Objectives, will enable the authority to ensure that determination of planning applications is based on local sustainable policies and aspirations.		
<b>7. REASON FOR THE DECISION:</b> The Vision & Objectives are necessary to ensure that the aspirations of the authority are delivered together with a sound up to date and sustainable Local Plan with which to determine planning applications.		
<b>8. BACKGROUND PAPERS:</b> None.		