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PLANNING POLICY COMMITTEE

1 June 2021 at 6.00 pm

Present: Councillors Bower (Chair), Hughes (Vice-Chair), Charles, Coster, Elkins, Goodheart, Jones, Lury, Thurston and Yeates

Councillors Bicknell, Chace, Edwards, Gunner and Pendleton were also in attendance for all or part of the meeting.

Apologies: Councillor Chapman

31. WELCOME

The Chair opened the meeting and welcomed Members of the Committee, the Public and Press, other Members and Officers participating in the first meeting of the Planning Policy Committee under the newly adopted Committee structure.

The Chair explained that this meeting was being held in accordance with the resolution of the Extraordinary Council held on 12 May 2021 [Minute 551] which continued Section 5 Part 5 of the Constitution (The Virtual Meeting Procedure Rules) and declared the use of Council powers, under Section 111 of the Local Government Act 1972, and the general power of competence under Section 1 of the Localism Act 2011, for making advisory decisions, as appropriate.

32. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

33. 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 noted the Ford Masterplan which straddled the responsibilities of this Committee and the Planning Committee and requested that it be added to the agenda of the next meeting of this Committee on 20 July 2021.

The Director of Place, invited by the Chair, explained that this Committee dealt with developing and agreeing policy and that if the Masterplan was to be Supplementary Planning Guidance that it should come to this Committee, but as it had already previously gone to Development Control Committee (the predecessor of Planning Committee in the previous Cabinet structure) then it made sense for it to continue being dealt with by that Committee.

The Director of Place suggested, due to the nature of Masterplans and how they can sit between the two Committees, that instead a report be brought to a future meeting of this Committee about Masterplans more generally and how they are dealt with going forward to avoid future anomalies. The Chair accepted this suggestion.

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34. PUBLIC QUESTION TIME

The Chair invited questions from members of the public who had submitted their questions in advance of the meeting in accordance with the rules of the Council's Constitution and the Virtual Meeting Procedure Rules amended by the Council on 15 July 2020.

The Chair confirmed that one question had been submitted. This was read out by the Committee Manager and a response was provided by the Chair.

(A schedule of the full question asked and the response provided can be found on the meeting's webpage at: [Agenda for Planning Policy Committee on Tuesday 1st June 2021, 6.00 pm - Arun District Council](#))

The Chair then drew Public Question Time to a close.

35. START TIMES

It was proposed and seconded that the remaining Planning Policy Committee meetings for 2021/22 continue to start at 18:00pm.

The Committee

RESOLVED

that the start time of all remaining meetings of the Committee for 2021/22 would be 18:00pm.

36. COMMITTEE TERMS OF REFERENCE

The Chair invited the Interim Monitoring Officer to present his report. The Interim Monitoring Officer introduced the Committee's new Terms of Reference as defined by Full Council and explained the recommendations as set out in the report. He drew Members' attention to the 2 appendices, in particular in Appendix 1 Part 1 to 3.1.4 [the authority to establish Sub-Committees and Working Parties, which should be rarely employed due to Officer resources] and 3.1.5 [delegation to officers], and in Appendix 2 to the Reserved Matters which Officers had reserved to the Committee. He then invited questions from Members.

The Chair raised the issue of Neighbourhood Development Plan (NDP) referendums as listed in Appendix 2 [Reserved Matters] point 3, which noted that this Committee should recommend to Full Council any successful NDP, but queried whether a change to legislation had now given delegated authority to Officers to refer these to Full Council. The Planning Policy and Conservation Team Leader confirmed the NDP preparation process was governed by 2012 regulations which included provision to give delegated authority to Officers to carry out the necessary functions at the various stages the plans were submitted by a Neighbourhood Planning Body in order to establish the proposed plan was in accordance with strategic policies, for example in

the Local Plan so there was no potential conflict. He explained that the timescales legislated by Central Government for actioning successful referendums were restrictive, and delegated authority to Officers allowed for things to progress in keeping with these timescales and avoid the risk of delay. The Planning Policy and Conservation Team Leader recommended that point 3 be removed from the Reserved Matters in Appendix 2 as it could potentially frustrate that process. The Chair agreed that successful referendums should be actioned promptly and, due to the legislation, the clause should be removed from the Reserved Matters.

One Member raised concerns about the amount being delegated to Officers, in particular the Specific Functions listed in Appendix 1 Part 2 and whether more of these should be reserved to the Committee or at least come to the Committee for consultation or approval. The Interim Monitoring Officer explained that it was difficult to reserve policy matters to Officers and so the reality was that most of the Committee's Specific Functions were Reserved Matters.

In response to a number of points raised by Members, the Interim Monitoring Officer confirmed that the establishment of Sub-Committees and Working Parties should be a Reserved Matter and the Appendix would be amended to reflect this, that the Committee could retain power over a delegated decision through the consultation of the Chair and Vice-Chair with the Lead Officers and for Committee Members via the Work Programme which was their opportunity to draw attention to issues they wanted to come to Committee, and that nothing in the Reserved Matters was not a high level strategic matter, for example approving policies before public consultation.

The Chair thanked Members for the helpful discussion and urged them to communicate any issues regarding the Terms of Reference with the Interim Monitoring Officer and Constitution Working Party. The recommendations were then proposed and seconded.

The Committee

RESOLVED that

- 1) the general terms of reference for Committees in Part 3 paragraph 3 of the Constitution and further the specific Terms of Reference for the Planning Policy Committee as established by Full Council on 19 May 2021 as set out in Part 1 and Part 2 of Appendix 1 (attached) be noted
- 2) suggestion be made to Full Council through the Constitution Working Party for clarifications of these Terms of Reference
- 3) the schedule of Planning Policy Committee meetings as set out in the Calendar of meetings (attached) be noted
- 4) the matters reserved scheme whereby matters not reserved by Committee to itself are delegated to Officers by default as set out in Appendix 2 (attached) be agreed

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37. ARUN LOCAL PLAN UPDATE - ACTIVE TRAVEL STUDY

The Chair welcomed Adam Bunce from 2020 Consultancy and invited the Planning Policy and Conservation Team Leader to present his report. The Planning Policy and Conservation Team Leader introduced the Active Travel Study and explained how it supported the update of the Arun Local Plan and in particular sustainability and transport policies, but also aimed to improve the health of the community and the connectivity between places with non-motorised transport. He explained that the study was the first phase of this Local Plan update that mapped the District as a whole and identified the existing network and Active Travel opportunities. He then introduced Adam Bunce from 2020 Consultancy who gave a presentation.

The Chair thanked Adam Bunce and invited discussion from the Committee. Members raised many points including concerns over the amount of use of other people's land, for example Highways being responsible for foot paths, and that this meant some cost would fall to other authorities and potential developers, whether this work was necessary as the connectivity between places and nodes of transport were already there and therefore whether the money could be better spent elsewhere, concerns over the sums of money involved in the project, the significant percentage of responses to the public consultation that came from one area (Arundel) and how that could distort District-wide priorities, the importance of designated cycle and foot paths, praise for the 3.5 metre width for paths, possible solutions to the fragmented sections in Littlehampton, the relationship to the Arundel to Littlehampton path along the riverbank and the project only relating to the Planning Authority Area and not those parts of the District within the South Downs National Park

To reflect the level of discussion, the Director of Place suggested revised recommendations to those in the report. These recommendations were then proposed and seconded.

The Committee

RESOLVED that

- 1) the content of the study be acknowledged
- 2) its use to inform the development of a revised Arun Local Plan be supported
- 3) the use of the study as a material consideration for development management decisions in the Arun Local Planning Authority area be supported

38. ARUN LOCAL PLAN UPDATE - EVIDENCE BASE

The Chair invited the Planning Policy and Conservation Team Leader to present his report. The Planning Policy and Conservation Team Leader explained that this report was for noting and kept members aware of the commissioning of evidence and its progress, in particular the climate change and sustainable design study, biodiversity study and the commissioning of the sustainability appraisal.

The Chair raised the need for an overall Arun update on the transport study for the District because circumstances had changed since the adoption of the previous Local Plan. The Director of Place confirmed that modelling work was currently in progress in relation to the transport network in Arun, but that a full transport study would only be undertaken when the Council was seeking to accommodate any additional growth that it was required to accommodate and needed to understand the transport implications of that.

The Committee then noted the report.

39. ARUN LOCAL PLAN UPDATE - CREATING HEALTHY PLACES - A PUBLIC HEALTH AND SUSTAINABILITY FRAMEWORK FOR WEST SUSSEX

The Chair invited the Planning Policy and Conservation Team Leader to present his report. The Planning Policy and Conservation Team Leader explained that the 'Creating Healthy Places' document, produced by West Sussex County Council in association with Public Health England and other health in the community stakeholders, was a collation of good practice for developers, practitioners and Planning Officers to borrow from to improve the quality of developments and outcomes for health. He drew Members' attention to the recommendations around plan making and development management for practitioners to consider implementing.

The Chair invited questions from Members. Members who spoke commended the proposals and hoped to make effective use of them but also raised concerns over previous and ongoing difficulties with the NHS West Sussex Clinical Commissioning Group and, though they were well-intentioned statements, questioned whether there was any support available to action these and see them carried out.

The recommendations were then proposed and seconded.

The Committee

RESOLVED

that the published document 'Creating Healthy & Sustainable Places' is approved as a material consideration for informing development management decisions subject to negotiation and development viability.

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40. ARUN LOCAL PLAN UPDATE - DEVELOPMENT MANAGEMENT POLICIES

The Chair invited the Planning Policy and Conservation Team Leader to present his report. The Planning Policy and Conservation Team Leader explained that these Development Management Policies were updated with a priority emphasis on sustainability after the Council's decision to update the Local Plan. These policies had been compared against emerging best practice and national policy in order to identify a need to update them, and from a list of 42 policies, 28 had been identified as needing updating and which were attached in the Appendix to the report. The Planning Policy and Conservation Team Leader advised Members that this was an initial piece of work that would now be consulted upon with other stakeholders.

The Chair invited comments from Members which included whether flexibility could be built into these policies so that they could better keep up to date with often changing Central Government policy going forward, the need to find solutions to availability of strategic sites and the need for more detail of the areas being looked at under 'protection of landscape character' [LAN DM1]. The Director and Place and Planning Policy and Conservation Team Leader provided answers to the queries raised and, in response to a Member asking about making specific comment on individual policies, confirmed that this was an indicative list that would now be circulated for engagement with other authorities and that Members could contribute via the consultation process later in the year.

The recommendations were then proposed and seconded.

The Committee

RESOLVED

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

41. FUNDING TO REVIEW/UPDATE - MADE NEIGHBOURHOOD DEVELOPMENT PLAN

The Chair invited the Planning Policy and Conservation Team Leader to present his report. The Planning Policy and Conservation Team Leader explained that in 2017 a Neighbourhood Planning Grant was established to support Neighbourhood Planning Bodies who wanted to update or prepare a Neighbourhood Plan on the condition that the Plan was progressed in a three year timescale identifying appropriate levels of housing and in keeping with the strategic policies of the Local Plan. This report confirmed that the Neighbourhood Planning Grant was being made available to Neighbourhood Planning Bodies for a further three years on the same basis as previously.

The recommendations were then proposed and seconded.

The Committee

RESOLVED

- 1) to approve grant funding of up to £5,000 per parish for any town/parish that is updating their Plan and will commence within 3 years (of the date of this meeting i.e. 1 June 2021) where a Plan is proposing an appropriate scale of housing development
- 2) to delegate decisions on individual parish grant distribution to the Group Head of Planning or his nominated representative.

42. DELIVERY OF WEST BANK STRATEGIC ALLOCATION

The Chair invited the Director of Place to present his report. The Director of Place explained that the West Bank strategic allocation in the Local Plan, which counted for 1,000 of the 20,000 homes identified as needed, had not yet been delivered for various reasons including the complexity of the site in relation to the level of infrastructure provision and its general viability. The Director of Place confirmed that this report then explored the opportunity to facilitate this development by breaking it down into a series of smaller phases which worked both independently and also collectively, which would be a complex piece of work looking in particular at viability and phases not being unduly loaded up with infrastructure requirements to the detriment of their delivery. He explained that the report was asking the Committee to agree to commission a Supplementary Planning Document which would set out all of these details to help deliver this site. He confirmed that to provide a holistic picture fringe areas (river bank works upriver, flood defences at Climping) outside of the strategic allocation, which therefore could not be part of the Supplementary Planning Document, be looked at and could become individual policy statements. The Director of Place added an additional recommendation [4] to those listed in the report in light of the clarification of the Committee's Terms of Reference in Minute TBC, which was further amended after Member input.

The Chair thanked the Director of Place for his report and then raised his doubts over the viability of the site and what had originally been proposed in the Local Plan but, recognising that both additional homes were needed and that the flooding at Climping had changed the circumstances, considered it right to progress this study to see what alternatives could be found.

The Chair then invited questions and comments from Members which included issues around the diversity of land ownership, the risk of flooding and whether the development would provide sufficient resources to improve the pre-existing flood defences, concerns about the poor quality of the soil on site and whether a smaller allocation could mitigate this, de-allocating this site altogether, there being no alternative suggestion of where this housing might go if de-allocation was pursued, whether the development could be run as a competition for national house builders who

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would then fund all infrastructure work, concerns over the costs involved and changes to the proposals for the site over the years.

The Director of Place provided answers to the queries raised, confirming that the site could still make a profit (to be determined in further viability studies) but that there was a risk that the development might not come forward in its entirety, and reminding Members that the Council did not currently have a five year housing supply and that de-allocating the site would make worse.

The recommendations were then proposed and seconded.

The Committee

RESOLVED that

- 1) The Council commissions a detailed masterplan for the West Bank strategic allocation including indicative phasing and a comprehensive viability appraisal
- 2) The Council commissions as complementary guidance a detailed policy statement for areas adjoining the allocation to the south including along the riverside and towards Clymping Beach
- 3) The Council establishes an Officer Working Group with representatives of key landowners and the relevant parish councils to take forward the project and hold wider consultative discussions with the wider community and stakeholders
- 4) the Director of Place in consultation with the chairman of the Planning Policy Committee be authorised to agree the Heads of terms for the commission referred to in (1) and (2) and procure the said commission

The Committee

RECOMMEND TO THE CORPORATE POLICY AND PERFORMANCE COMMITTEE that

- 5) Should any application for funding for this project submitted to the UK Community Renewal Fund be unsuccessful, then a supplementary budget of up to £100,000 to fund the cost of (1) & (2) above be agreed as the Council's contribution to the cost of the project; This equates to a Council tax equivalent of £1.60 for a typical Band D property
- 6) The Council accept financial contributions from third parties to support the delivery of (1) and (2) above.

43. WORK PROGRAMME

The Chair invited the Planning Policy and Conservation Team Leader to present the Work Programme. The Planning Policy and Conservation Team Leader outlined the contents of the Work Programme and confirmed that this version was a starting point that would be developed in consultation between the Chair and Officers.

The Committee then noted the Work Programme.

(The meeting concluded at 9.41 pm)

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