

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY COMMITTEE ON 20 JULY 2021

REPORT

SUBJECT: Arun Action Plan - Update

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DATE:	23 June 2021
EXTN:	x 37853
AREA:	Planning

EXECUTIVE SUMMARY:

This report updates Members on progress with actions to help improve housing land supply, set out in the Council's 'Action Plan' (November 2019). The Action Plan is required in order to respond to the Government's Housing Delivery Test performance published for Arun. Any update to the Arun Action Plan needs to be published at least 6 months from the most recent HDT publication date (i.e. January 2021). Two key actions can be reported in the Action Plan (now called 'Housing Delivery Action Plan' for the purpose of clarity) – publication of the Interim Housing Statement February 2021 (and 'call for sites') and Barriers to housing implementation letter/proforma for sites not making progress.

RECOMMENDATIONS:

That the Planning Policy Committee approves:-

1. That the updated 'Housing Delivery Action Plan' be published on the Council's website;
2. Considers and notes the limited results of the consultation and barriers identified and that Officers will continue to work proactively on feasible measures to boost housing supply.

1. BACKGROUND:

- 1.1 At the Planning Policy Committee (PPC) meeting on 16 September 2019 members considered the Arun Action Plan which was agreed and published on the Council's web site. The Arun Action Plan (now called 'Housing Delivery Action Plan' for the purpose of clarity) was triggered by the authority's reported under performance on housing delivery, measured against the previous three years housing land supply, in accordance with the Government's Housing Delivery Test (HDT) methodology.

1.2 The Housing Delivery Action Plan' (HDAP) set out a number of potential actions the authority would investigate in order to see whether barriers could be identified and overcome in order to boost housing delivery. This report updates members on two of the key actions identified within the HDAP which should now be reflected in an updated publication of the HDAP in July 2021 (in accordance with national guidance). This will also evidence the Council's 'pro active' approach to boosting housing supply to all stakeholders in the development industry and Aun communities:-

- Interim Housing Statement (IHS) Published February 2021 (including 'call for sites');
- Barriers to housing implementation letter/proforma for sites not making progress, calling for evidence on Barriers to housing delivery on sites within Strategic Allocations with outline planning permission and HELAA sites without outline planning permission.

1.3 The IHS invited landowners and development interests to put forward sites in sustainable locations, evidence by the necessary information (using a criteria tick-list) in order to try and boost the authority's housing land supply of sustainable sites. In particular, the IHS criteria ticklist set out clear advice to landowners and developers, on the national and local policy framework considerations to be addressed, and the sequential search for sites outside but adjacent to the Built Up Area Boundary. Following this search process would encourage proposals for land supply in the right locations and improve the quality of supporting information for applications, speeding up positive decision making.

1.4 In addition in May 2021, 24 letters and a proforma were sent to landowners and developers seeking evidence on the nature of any barriers to development, preventing progress:-

- on securing detailed permission on sites with outline planning permission;
- or securing outline permission on HELAA sites without planning permission within Strategic Allocations
- in identifying potential solutions and actions that would overcome such barriers.

1.5 The response rate has been disappointingly very low – with 7 responses (1 respondent confirmed imminent progress with an outline application to be submitted this summer; 1 respondent acknowledged but then did not respond). The analysis of these returns, albeit from a small base, nonetheless offer some useful matters for consideration:-

Policy constraints affecting Delivery

National designations?

- The issue of the Environment Agency Flood Zones and flood defense
- Solutions suggested include securing earlier preparatory work e.g. land raising, before planning permission for a main scheme; leveraging in other pump priming finance to secure critical infrastructure; and phasing more viable/deliverable parts of a scheme to generate finance

Local Plan Policy designations ?

- It is contested that being included within a larger Strategic Allocation prevents individual sites being considered on their own merits and has resulted in planning refusal
- Solutions suggested include that there should be more flexibility to allow a site be considered on its own merits

Development Management?

- N/A

Masterplan Coordination?

- There is a willingness and already some success delivering Masterplanning for large complex sites however, some sites are not viable without being broken down.
- Solutions include being more flexible on larger sites where smaller/discreet viable parcels may secure finance through preparing SPD.

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Key Infrastructure Constraints on Timescales

On site s.106 negotiations?

- Major on site infrastructure e.g. flood defence, land raising, provision of highways infrastructure e.g. A259 improvements and junction/roundabout provision.
- Solutions include pump priming; phasing separate viable elements of a scheme to come forward generating finance for infrastructure; phasing land parcels for longer term where less viable, when market values may subsequently recover viability

Off site s.106 negotiations?

- N/A

Key legal Constraints

Ownership?

- Multiple ownerships problematic – however, signed MoU between main parties can secure firm commitment to delivering schemes

Covenants?

- N/A

Ransom Strip?

- Access 'ransom strip' preventing schemes progressing, despite lengthy negotiation
- Solutions suggested include - consider using Compulsory Purchase Order powers.

Dependent on other land assembly?

- Privately owned sites within Strategic allocations may need other small

- numbers of occupied residential acquisition in order to unlock
- Solution suggested – to buy up properties

Key Market Constraints

No longer viable?

- Phasing is an issue in relation to the need to deliver key pieces of infrastructure prior to residential development coming forward
- Unable to agree purchase price of available site not subsequently purchased considered not now economically viable
- Solutions suggested include 'pump priming', rephasing to secure earlier development finance and consider deletion of sites from the HELAA

Market saturation?

- N/A

Long term phasing?

- May allow more difficult/less viable land may recover positive values over the remaining plan period.

No demand?

- N/A

- 1.6 The limited and therefore, caveated outputs from this exercise suggest that market saturation or demand factors do not appear to be a current theme affecting progress. The reported themes include scheme size, flexibility and phasing, and in relation to viable land parcels that may unlock infrastructure (e.g. on large sites with a single development consortia). There is a call for 'pump priming' including potentially scope for using CPO powers to unlock some sites restricted by access or to make them more viable/attractive.
- 1.7 Members may recognise, there is a tension between Masterplanning the delivery of infrastructure up front and viability but also the need for coordination of infrastructure and related schemes to ensure that mitigation is shared appropriate to impacts including cumulative impacts of development, so that later developments are not disproportionately burdened (particularly where multiple developers/landowners may be involved on separate sites).

Next steps

- 1.8 The Housing Delivery Action Plan be updated and published on the Council's web site and this report be included as an Appendices. The intelligence be discussed with Development Management and Strategic Development teams in order to scope further 'proactive' measures that might be considered to help overcome barriers and boost housing supply e.g. through statements of common ground; scope to encourage arbitration and independent valuations (e.g. Land Tribunal) where land prices cannot be agreed between parties.

2. PROPOSAL(S):

To update the HAP and publish on the Council's web site.

3. OPTIONS:

The following options are available to Members:

1. To agree the report;
2. Not to agree the report.

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 from this report. The collation of development intelligence and updating of the HAP may help to encourage dialogue and coordinated action to help overcome barriers.

7. REASON FOR THE DECISION:

To ensure that the Council is undertaking 'proactive' measures identified in the HAP to help boost housing supply in line with national policy and the HDT and meeting the requirements for publication of the HAP within 6 months.

8. BACKGROUND PAPERS:

Background paper 1 Housing Delivery Action Plan: -

<https://www.arun.gov.uk/housing-planning-policy>