

PLANNING POLICY COMMITTEE

6 October 2021 at 6.00 pm

Present: Councillors Bower (Chair), Hughes (Vice-Chair), Chapman, Clayden (Substitute for Charles), Coster, Elkins, Jones, Lury, Thurston and Yeates

The following Member was absent from the meeting during consideration of the matters referred to in the Minutes indicated:-
Councillor Jones - Minute 338 (Part) to Minute 342.

Councillor Gunner was also in attendance for all or part of the meeting.

329. APOLOGIES FOR ABSENCE

An Apology for Absence had been received from Councillor Charles.

330. DECLARATIONS OF INTEREST

Councillor Coster made an Open-minded Declaration in regard of Agenda Item 6 [Motion] and made the Committee aware he may have made comments on previous occasions in connection with the subject matter of the motion. He confirmed those were the views he held at the time however he had an open mind regarding this item, and would listen and consider all the relevant issues and interests presented to the Committee and reach his decision on merit.

331. MINUTES

The Minutes of the previous meeting held on 20 July 2021 were approved by the Committee and signed by the Chair.

332. 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.

333. PUBLIC QUESTION TIME

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

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334. MOTION

At the beginning of this item, the Chair proposed a Motion to proceed to next business (as per Part 5, Section 2, 13.11 iii) of the Constitution) as the original proposer had asked that the Motion referred from Full Council on 15 September 2021 to this Committee be withdrawn and the action referred to in the Motion had been taken. This was seconded by the Vice-Chair.

The Committee

RESOLVED

To proceed to next business.

335. BUDGET 2022/2023 PROCESS

Upon the invitation of the Chair, the Group Accountant presented this report explaining that under the newly adopted Committee structure it was important that all Members be fully aware of the budget process. He further explained that the Council continued to face net expenditure pressures due to ongoing financial uncertainties and the report recognised the need for some resource switching in order to progress the Council's priorities and continue to meet statutory requirements. Any growth proposals would have to clearly state their financial implications and resource switching as appropriate.

The Chair raised the matter of the budget and how it was divided between this Committee and the Planning Committee especially when matters that went across the two Committees such as the Planning Review were considered, and whether the whole of the budget should be the responsibility of this Committee as the Service Committee for planning matters.

The Committee

RESOLVED

To note the budget setting process for 2022/23.

336. COASTAL CHANGE MANAGEMENT AREAS

(During the debate, Councillor Elkins declared a Personal Interest as the Council's representative on the Local Government Association's Coastal Special Interest Group.)

Upon the invitation of the Chair, the Engineering Services Manager presented his report which contained a draft consultants' brief for endorsement by Members to investigate the introduction of a Coastal Change Management Area (CCMA) following a decision by Cabinet in October 2020 to allocate £30,000 for this undertaking. The report also sought endorsement of how planning applications in the Pagham area would be dealt with in the meantime. The Engineering Services Manager highlighted the dynamic nature of the coastal erosion in Pagham and the risk of flooding.

Members then took part in a full debate on the item where a number of points were raised including:

- whether the CCMA should cover an area wider than illustrated in Appendix 1 of the report, and how it might impact the strategic sites in Pagham in the Local Plan
- the nature of the consultation process and involvement of environmental agencies (Natural England etc) because of the sensitivity of sites in Pagham being Sites of Special Scientific Interest
- the need for an indication of timescales, particularly in relation to concerns over flooding at Pagham harbour due to the unpredictable movement of the spit and the potentially significant consequences of this
- the need to treat the introduction of a CCMA as a matter of urgency due to events at Climping and widen the area to cover from West of the river Arun to Pagham
- statements in the NPPF which state that developments have to be safe for their lifetime, and Members not knowing without the evidence of the CCMA consultation if that would be the case for new or existing development
- whether Officers had all the recommendations they needed to proceed with the study in the report or whether further approvals would be needed between Committee meetings
- whether other vulnerable areas were looked at in the preliminary stages of this report and would be brought forward for their own CCMA's
- the involvement and implications for the Council's Planning team
- the need for a refresh of the shoreline management plan and areas whose inclusion might need re-examination

The Engineering Services Manager provided Members with answers to all points raised during the debate. He confirmed to Members that the report looked at the implications of having a CCMA rather than suggesting the introduction of one at this stage, but agreed with the urgency raised by Members.

The recommendations were then proposed and seconded.

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The Committee

RESOLVED - that

1. The outline brief for the Coastal Change Management Area (CCMA) study (as set out in 1.14 to 18 as appropriate) be approved.
2. The timing of the study be scheduled for a start of procurement beginning October 2021, in order to accommodate the outcome of the Southern Regional Flood and Coastal Committee's decision on whether to provide extra funding and consequently, the final scope of the study.
3. The Engineering Services Manager in consultation with the Planning Policy Committee Chair and Group Head of Planning, be delegated authority to proceed with the necessary administrative procedures and procurement processes based upon Southern Regional Flood and Coastal Committee's funding decision.
4. The guidance as set out in the report under 'Interim Approach' be used to assess the development merits of all Planning Applications coming forward on the Pagham Beach Estate, with reference to the plan at Appendix 1 (as a material consideration) until such time as the Planning Policy Committee decides whether to introduce a CCMA.
5. The draw-down of any further Local Levy monies granted by the Southern Regional Flood and Coastal Committee be authorised for the CCMA work.

337. INFRASTRUCTURE FUNDING STATEMENT

Upon the invitation of the Chair, the Planning Policy and Conservation Team Leader presented his report and explained that the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) included a requirement for all planning obligation collecting authorities to prepare an annual Infrastructure Funding Statement to be published on the web site at the end of the calendar year reporting planning obligation income and CIL and expenditure from the previous financial year.

Members then took part in a full debate on the item where a number of points were raised including:

- whether funding could be provided for a school bus programme with its benefits of reducing congestion and pollution, and whether as a County Council responsibility they could take it on as a CIL commitment
- the terminology of funds 'not been formally allocated' and greater detail on where these might be allocated

The Planning Policy and Conservation Team Leader and Group Head of Planning provided Members with answers to all points raised during the debate. The Group Head of Planning confirmed that all Section 106 receipts were identified for a project by law (which were detailed in the appendices) but that planning terminology used 'unallocated' until funds had been received.

The recommendation was then proposed and seconded.

The Committee

RESOLVED

That the Arun Infrastructure Funding Statement 2020/21 be agreed and published on the Arun District Council website in accordance with Regulation 121A of the Community Infrastructure Regulations 2010 (as amended).

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338. ARUN LOCAL PLAN UPDATE

(Councillor Jones left the meeting during this item.)

Upon the invitation of the Chair, the Planning Policy and Conservation Team Leader presented his report which updated Members on the issues affecting the progress of the Local Plan update and progression of the Vision and Objectives whilst also anticipating significant Government planning and regulatory reforms. He outlined a number of options Members might have wished to consider on the approach to take for the Local Plan update and supporting evidence work, in view of the pending national planning reforms and also emergent critical issues arising under the 'Duty to Cooperate' affecting plan making and particularly delivery of development to the west of Arun in the A27 corridor.

The options put before the Committee were:

- 1) Continue with Full Plan Preparation as per previous resolutions
- 2) Continue with Full Plan Preparation but with an Extended Timescale
- 3) Pause the preparation of a revised Local Plan until details of the new plan making system were agreed.

Members (and one non-Committee Member) then took part in a full debate on the item where a number of points were raised including:

- the recent change in the Secretary of State and indications made that he already wished to review and revise aspects of the bill, and the resultant delay this might cause
- knowledge of other local planning authorities who had suspended progress of their Local Plans because of the imminent changes in the White Paper, so precedent for option 3
- previous experiences with the development of Local Plans during periods when planning rules were changing and the added costs involved, and the possibility of spending on a Local Plan that would have to be reviewed as circumstances have changed
- a lot of time spent time doing the Vision and Objectives earlier in the year, disappointment and uncertainty over why they were abandoned, and how could the Council proceed with the Local Plan update if a basic vision could not be agreed upon
- the evidence base previously commissioned having been extremely useful and reluctant to waste the money spent on it
- support for option 1 and proceeding with the original plan due to concerns over the risks involved with waiting or the process becoming stop/start
- the efficacy between options 2 and 3, and whether there was any work that it would be safe to proceed with in an extended timescale
- the possibility of the removal of the 5-year housing supply and the objective assessed housing need figure derived from it, and so unnecessarily planning for housing numbers that may not be required

- concerns over deferral (option 3) and whether the situation should be reviewed by Committee on a regular basis to be more proactive due to the changing nature of policies
- the Local Plan being classed as failing by the Authority Monitoring Report, so other issues that needed to be address in addition to 5-year housing supply
- whether the Council exposed itself to risk from neighbouring Local Authorities due to delays in evidence updates, for example through 'Duty to Cooperate' agreements with no up-to-date data on what the District could or could not accommodate
- the significant quantity of planning approvals waiting to be implemented across the District and concerns developers were submitting speculative applications outside of strategic site allocations in the Local Plan at the same time
- support for a review of the White Paper as indicated by the new Secretary of State, though concerns over the number of what/ifs in a possible impending review
- support for options 1 and 2 as both kept the process moving forward, and for some of the studies indicated in the report that it would be useful to undertake regardless of the planning system eventually adopted
- clarification whether it was full plan preparation or an extension of five years to the existing plan that was sought, and if an extension of five years then the Local Plan would be out of date by the time of adoption which would be a waste of time and money
- the need to sort out the issues with the current Local Plan first to avoid these being carried over into a new Local Plan
- the additional housing a review of the existing Local Plan would add under the current planning system, suggestions this could be as much as 5,000-8,000 new homes over the 5 years the plan would have to be extended by
- the intention of Government to give Councils stronger powers to enforce 'build out'
- the current 'out-of-control' position of having to accept planning applications wherever they may be, and even inviting them due to land supply issues
- whether Committee could make decisions based upon assumptions of what future planning rules may be, and whether it would be better to bring this report back in a few months times once more is known about how the Government is progressing with its plans
- statements and responses by the Secretary of State being material considerations in planning applications
- if option 3 were the preferred option of the Committee, the need to review the situation in six months times
- whether the possible lifting of the Local Land Supply would apply to the current Local Plan, and if this would be accompanied by the removing of the Housing Delivery Test which has also been problematic
- the need for the evidence base generated from the proposed list of studies in the report to deal with issues such as the climate emergency, and whether the option to pause could be explored down the line depending the outcome of the research

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Councillor Hughes moved a motion that Option 3, that the Plan be paused, be put to the Committee as its preferred option due to knowing the planning reforms were going to change and therefore be unable to continue working towards AND that it be reviewed in six months time. This was seconded by Councillor Clayden. Following a vote of the Committee, the motion was declared CARRIED.

The Planning Policy and Conservation Team Leader provided Members with answers to all points raised during the debate and stressed the risks involved in each option, many already known and set out in the report, but that a direction of travel was needed by Officers from the Committee.

The substantive recommendations were then proposed and seconded.

The Committee

RESOLVED

That the Local Development Scheme and Statement of Community Involvement be reported back to the next Committee meeting.

The Committee

RECOMMEND TO FULL COUNCIL

Option 3 to pause the preparation of a revised Local Plan until details of the new plan making system be agreed, and that the pause be reviewed in six months' time.

339. DEVELOPMENT MANAGEMENT POLICIES ENGAGEMENT FEEDBACK

Upon the invitation of the Chair, the Planning Policy and Conservation Team Leader presented his report which provided an update on engagement work on the draft list of Development Management Polices identified for potential review.

One Member paid tribute to the contributions of parishes to this process and the comments made, and also highlighted the Environment Agency's comment regarding a possible rise in temperature of 3-4% by the end of the century as demonstrating the scale of the challenge faced and how the Council must take this seriously.

The recommendation was then proposed and seconded.

The Committee

RESOLVED

To consider the feedback received and agree the report be used to inform future plan making.

340. WEST SUSSEX TRANSPORT PLAN 2022-2036 CONSULTATION

(At the beginning of the item, Councillor Elkins declared a Personal Interest as a Member of West Sussex County Council.)

Upon the invitation of the Chair, the Planning Policy and Conservation Team Leader presented his report which sought agreement for its content to form the basis of a formal response from the Council to the West Sussex Transport Plan 2022-2036 Consultation.

Members (and one non-Committee Member) then took part in a full debate on the item where a number of points were raised including:

- acknowledgement in the report that Arun was the most densely populated part of the County
- the need for road improvements between Bersted to Chichester, in the short rather than the medium term, and Pagham Road
- the need to include the journey time between Angmering and Horsham by train which involved a change at Barnham
- the need for the Arundel Chord railway
- references to viable transport alternatives to the car and the Arun Active Travel Study but no mention of a school bus programme which would be a big step to reducing congestion and carbon emissions
- the need for a bridge west of Ford Station and a A27/A259 link opening up the possibility of development in the Ford area
- previous Section 106 contributions having been declined by Highways England that could have contributed to these improvements
- concern over the ordering of priorities and fears that once the roads had been built there would not be any money left for any of the other improvements, that the Transport Plan would therefore not meet its objectives of de-carbonising transport and did not demonstrate how targets would be achieved
- the need for the formal response to contain stronger wording to reflect the seriousness of the situation and the Council's concerns

The Planning Policy and Conservation Team Leader provided Members with answers to all points raised during the debate.

The recommendation was then proposed and seconded.

The Committee

RESOLVED

To agree the comments set out in sections 1.8 to 1.12 of the report as the basis for Arun District Council's formal response to the consultation document Draft West Sussex Transport Plan 2022-2036.

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341. DUTY TO COOPERATE - STATEMENT OF COMMON GROUND BETWEEN HORSHAM DISTRICT COUNCIL AND ARUN DISTRICT COUNCIL

Upon the invitation of the Chair, the Planning Policy and Conservation Team Leader presented his report which sought Members' agreement that the Chair of Planning Policy Committee be authorised to sign the joint Statement of Common Ground with Horsham District Council.

The recommendation was then proposed and seconded.

The Committee

RESOLVED

That the Chair of Planning Policy Committee be authorised to sign the joint Statement of Common Ground with Horsham District Council.

342. WORK PROGRAMME

The Planning Policy and Conservation Team Leader noted that decisions made at the meeting would impact future projects currently appearing on the Work Programme so some work would need to be undertaken to update it. One Member suggested the possibility of including the Outside Body reports that were expected from Members at future meetings. After discussion, the Committee noted the Work Programme.

(The meeting concluded at 8.47 pm)