

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY COMMITTEE ON 30 NOVEMBER 2021

REPORT

SUBJECT: Local Plan Evidence Update Report

REPORT AUTHOR: Kevin Owen, Planning Policy Team Leader
DATE: November 2021
EXTN: x 37853
AREA: Planning

EXECUTIVE SUMMARY:

This report will update members on the remaining evidence position - on whether any further studies to those already committed, should be commissioned should they not be affected by planning reforms (following the Planning Policy Committee 6 October meeting which agreed under the 'Arun Local Plan Update' item, to recommend Option 3 to Full Council i.e., to pause plan making).

RECOMMENDATIONS:

That Planning Policy Committee:-

1. Agrees the conclusion in section 1.5 of the report as the basis for work programming the pending evidence studies.

1. BACKGROUND:

- 1.1 The Planning Policy Committee considered the 'Arun Local Plan Update' report on 6 October 2021 and agreed to recommend Option 3 to Full Council i.e. to pause the Local Plan preparation pending the signalled planning reforms set out in the Planning bill progressing through Parliament. The situation was to be kept under review and a report back to be made in May 2022. However, members also asked that the list of pending studies (i.e. those not already commissioned or committed) be further reviewed to see whether any would need commissioning because they would be unaffected by planning reform, and to report back to the next meeting (30 November 2021).
- 1.2 The list of pending studies is set out below together with a commentary on whether they could be commissioned independently of planning reform:-

Table 1: Pending Studies

Sustainability Regulation Assessment	Appraisal/Strategic Assessment	Environmental Appraisal/Habitats
<ul style="list-style-type: none"> • Planning reform? Unlikely – the European Directive is enshrined in UK law – although the mechanics of SA/SEA and HRA may need to adapt to any new planning system which may potentially require enabling regulations • Commissioning is, however, dependent on Housing Numbers and spatial distribution in order to scope reasonable alternatives and assess objectives and policy responses. • Conclusion – commissioned when plan making resumes. 		
Placemaking Study (20 minute communities)		
<ul style="list-style-type: none"> • Planning reform? Spatial policy and place making is likely to be significantly affected by planning reform and the currently proposed zoning of land for growth, regeneration or protection. • Commissioning is, however, dependent on Housing Numbers and spatial distribution e.g. to test the density and scope for modal shift of proposed new development sites in terms of access to community services leisure and jobs via transport, walking and cycling within 20 minutes. • Conclusion – commissioned when plan making resumes. 		
Housing Economic Development Needs Assessment (HEDNA) Study		
<ul style="list-style-type: none"> • Planning reform? The proposed nationally proscribed formula (i.e. the Standard Housing Methodology or SHM) for establishing Objectively Assessed Need is likely to be significantly affected by planning reform and consequent the scope for local authority testing of the components of population change, households and need for employment may become significantly constrained. • Commissioning the HEDNA based on the Standard Housing Method would risk subsequent abortive work. • Conclusion – commissioned when plan making resumes. 		
Arun Transport model Phase 2		
<ul style="list-style-type: none"> • Planning reform? Transport Model methodology is unlikely to be significantly affected by planning reform. • Commissioning the Transport Model phase 2 to assess the distribution of development options and mitigation packages on the transport network is, however, dependent on housing and employment numbers to be included over a plan period and is therefore, sensitive to the proposed plan timetable such that commissioning would not be justified or feasible. • Conclusion – commissioned when plan making resumes 		
Strategic Flood Risk Assessment (SFRA)		
<ul style="list-style-type: none"> • Planning reform? Strategic Flood Risk Assessment (SFRA) methodology is unlikely to be significantly affected by planning reform. • Commissioning the SFRA involves establishing the climate change allowances (using coastal, peak rainfall and river flows) prescribed by EA and mapping as flood risk contours for the flood zones (i.e. 1, 2a, 3a and 3b) for intervals up to 100 years (i.e. the lifetime of development). This mapping resource is then used to undertake sequential and exceptions test for plan making with level 1 SFRA site assessment and subsequently the spatial distribution of growth. The SFRA is also used for Development 		

<p>Management decision making with detailed site level SFRA sequential and exceptions testing.</p> <ul style="list-style-type: none"> • Conclusion – it is feasible to undertake the base mapping work for SFRA as a separate earlier phase from the sequential testing. This work should be able to be commissioned therefore, in two phases with phase 2 sequential testing of development options postponed until plan making resumes.
<p>Active Travel Study</p> <ul style="list-style-type: none"> • Planning reform? Unlikely to be significantly affected by planning reform. • Commissioning phase 2 is dependent on testing any new spatial distribution of additional housing numbers in order to identify appropriate active travel mitigation infrastructure. • Conclusion – commissioned when plan making resumes.
<p>Retail Study</p> <ul style="list-style-type: none"> • Planning reform? Unlikely to be significantly affected by planning reform. • Commissioning phase is dependent on testing housing numbers in order to identify future demand for convenience and durable floorspace against existing and planned floorspace turnover. • Conclusion – commissioned when plan making resumes.
<p>Landscape Study</p> <ul style="list-style-type: none"> • Planning reform? Unlikely to be significantly affected by planning reform. • Commissioning is dependent on testing housing numbers and distribution in order to identify sensitive landscapes for protection and mitigation measures required to accommodate development. • Conclusion – commissioned when plan making resumes.
<p>Heritage and Conservation Area studies</p> <ul style="list-style-type: none"> • Planning reform? Unlikely to be significantly affected by planning reform. • Commissioning is dependent on the need to update or define new areas for heritage conservation through working with local communities and Parishes (including though Neighbourhood plan making) in response to development and change. • Conclusion – commissioned as and when required.
<p>Infrastructure Development Plan</p> <ul style="list-style-type: none"> • Planning reform? The planning reforms propose to address infrastructure provision through a National Infrastructure Levy replacing local Community Infrastructure Levies and so there may be significant changes in the way that infrastructure requirements are identified and funded via development. • Commissioning is dependent on testing the housing numbers and distribution in order to identify necessary infrastructure provision for mitigating the impacts of development. • Conclusion – commissioned when plan making resumes.
<p>Viability Study</p> <ul style="list-style-type: none"> • Planning reform? Similar to above, with a National Infrastructure Levy, there may be significant funding changes. This includes the proposed nationalisation of many development management policy standards (e.g. sustainable design, energy efficiency and carbon reduction) aimed at mitigating the impact of development. • Commissioning is dependent on testing the housing numbers and

distribution in order to identify the deliverability and viability of infrastructure requirements and any policy mitigation of the impacts of development.

- **Conclusion** – commissioned when plan making resumes.

1.3 It is concluded that there are only two potential areas where work on commissioning evidence supporting plan making can continue – specifically SFRA phase 1 mapping and ongoing heritage and conservation work on a need's basis.

1.4 It should also be recognised that the meeting on 6 October 2021 included discussion of other relevant topic issues that would need to be addressed in order for plan making to resume – this includes

- A27 capacity and Junction mitigation;
- Wastewater Treatment Capacity and 'headroom';
- Water neutrality and
- Housing Market Absorbtion.

These topics are considered essential to inform plan making given their impact on interrupting plan progress in neighbouring authorities and may require consultancy for elements of the work. Work has commenced with Southern Water on establishing a baseline for waste water capacity and water neutrality which will help to evidence infrastruture planning as well as the need for improved design standards for foul connections and water efficiency. Further engagement with Chichester District is also being programmed to understand the A27 capacity issues constraining growth with a view to reporting back to this committee over the next 6 months.

1.5 Paragraph 1.13 and 1.14 of the report to Planning Policy Committee on 6 October 2021 referred to a number of Topic Papers that will be progressed over the coming months. It also referred to evidence in respect of Climate Chage, Active Travel and Biodiveristy that have already commenced.

CONCLUSIONS

1.6 That with the exception of SFRA phase 1 mapping and ongoing heritage and conservation work – there is no scope to commission the remaining evidence studies pending certainty around planning reforms including the need to know housing numbers for testing spatial strategy and mitigation of development through plan making and infrastructure provision.

2. PROPOSAL(S):

That the Planning Policy Committee notes the comments set out in Table 1 and sections 1.3 - 1.5 of the report.

3. OPTIONS:

8.1 That the Planning Policy Committee:-
a) agrees the report conclusion in section 1.5 or
b) the report conclusion is not agreed.

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:		
This report sets out the justification for the phasing of commissioning evidence studies (which has financial implications) to support plan making in order to ensure that new development and growth is sustainable.		

7. REASON FOR THE DECISION:

The Council needs to ensure that it is undertaking the work to ensure that a resumption of plan making has a firm evidence base and procurement programme for evidence to prepare a 'sound' local plan under any future planning reforms.

8. BACKGROUND PAPERS:

None.

Appendix 1: Officer provisional response letter

DWMP Team, Southern House
Yeoman Road
Worthing
West Sussex
BN13 3NX

Tel: 01903 7373853

Fax:
DX: 57406
Littlehampton
Minicom: 01903 732765



e-mail: kevin.owen@arun.gov.uk

26th October 2021

Please ask for: Kevin Owen

Your Ref: "[Your Ref]"

Our Ref: DWMP Autumn 2021

Dear DWMP Team

RE: DWMP Consultation

Thank you for the opportunity to respond to the consultation on the Drainage and Wastewater Management Plan (DWMP). It is understood that this is intended to be the longer term strategic plan covering drainage, wastewater and environmental water quality and the comments that are provided in this letter are given in this vein.

Officers from the Council's planning policy and engineering teams attended workshops on 28 and 30th September and the 19th October, related to the 3 specific drainage catchments or systems within the District. It is hoped that the input made at these is captured along with this informal response letter in the further development of these plans (this letter is a provisional response subject to confirmation after 30 November). The letter addresses the issues in order of the consultation questions subject matter.

It is appreciated that the 14 planning objectives used are based on those set by Water UK, which were then supplemented i.e. Nutrient Neutrality, and it is appreciated that all 3 works within Arun District have been identified through the screening and BRAVA exercises to require improvements. However, the Council does have some concerns over the reasons behind these, as set out in this letter.

Problem characterisations

The most obvious point on this aspect is how little the existing issues are dealt with i.e. flooding and discharges at outfalls, including lack of urgency/clarity on when these are scheduled to be dealt with. The approach merely identifies the standards that have been set and consequently, the standard that will be applied. This does not explain the reasons or assumptions behind these to give any confidence that the specific issues will be resolved. An obvious example has been the recent discharges at the outfalls, from the Consented Storm Water Overflows in the Littlehampton area and why these were so significant. It is not obvious from the content of the existing documents to provide certainty that this was temporary and will not continue in the future. Repeated internal flooding of basements at properties along South Terrace, Littlehampton occurs but does not seem to have been picked up. The issue of impact on bathing water both at Bognor Regis and at Littlehampton is a current issue which was acknowledged in the workshops. The solutions or remedies are difficult because of the range of factors which impact – however, Arun District Council would urge that specific solutions be found in the short and intermediate term.

Groundwater is a significant issue for Arun District not fully explained by its topography, with only 3 small areas of the District not affected by this. Attention should therefore, be given to the relative variance of susceptibility of flooding from this source. For example, this variance is specifically known to be high across a large proportion of the area and significantly impacts the Lidsey area. The information relating to this can be seen within the Arun SFRA Update 2016 Appendix F¹. Due to this characteristic, it is not fully understood why planning objectives 4 and 7 (in the short term) have not been classed as very significant for all the systems within Arun District. The Lidsey system in particular has had long standing historical problems not just any that may be anticipated in the future. This is particularly relevant when inundation is so prominent in Arun resulting from the impact of the run-off from the chalk spring line (e.g. South Downs) onto the impermeable clay around Lidsey, Barnham, Elmer and other villages. More detailed discussion on the exact issues for this area can be found in the Lidsey SWMP and the associated ones around Elmer can be found in the Elmer SWMP.

Although not a currently a direct issue for any of the systems within Arun, officers are acutely aware of the emergent issues around nutrients and water neutrality that neighbours are facing. While it is encouraging that nutrient neutrality has been recognised and added to the planning objectives, Southern Water are reminded that there are designated sites (e.g. Arun Valley SPA), which partially overlap with the Arun District area which are hydrologically and cumulatively linked to the planning authority area. The Council is therefore, deeply concerned at being the only sub-regional area not to have the ability to demand the required water neutrality standards through planning decisions through default, purely based on the boundaries of the relevant catchment. Arun District Council would therefore, urge that a comprehensive coordinated and cumulative approach be applied to this topic in Arun going forward with policy solutions and recommendations.

Option Development and Appraisal

As was raised within the workshops, there is a need to ensure that the modelling and forecasting reflect the latest EA sea level projection, peak river flow and rainfall intensities at the relevant catchment and medium ranges, unless otherwise advised by the Agency.

The Council would wish to see a consistent and coordinated methodology applied across all systems and catchments to the establishment of development headroom within connected planning authority areas. This should clarify the impacts on and of Dry Water Flow calculations, using a comprehensive database of existing, planned and unplanned developments to establish headroom for discharge consents. It must be emphasised that this must go across local authority boundaries to fully account for the cumulative impacts of development. This is particularly important when focusing on Pagham Harbour where the authority boundaries cut through the middle of it and includes associated issues such as the location of water quality testing or access. To this extent, Arun officers would like to meet with you to discuss setting up a liaison meeting to refresh and update the previous Statement of Common Ground (2017)² – as Southern Water have similarly been coordinating with Chichester District Council and the Environment Agency.

Linked to this the Council wish for more guidance to be produced and strongly enforced (e.g. to ensure robust construction of foul drainage connections where the groundwater is high) to prevent future infiltration, which is a significant issue for a large proportion of Arun District as covered above. Additional to this, tide locking and high water levels will mean that certain solutions (e.g. extra storage via SUDs) may not always be appropriate in their present form or standard requiring other solutions or standards to be identified and proposed.

For overall development of options, it is recommended that to address some of the problem characteristics, consideration be given including the role of recommissioning redundant plant/equipment and infrastructure for pumping, treatment or storm storage and short to intermediate term remedies. It seems that there are assets that could potentially be reused in an active way to help towards some solutions.

¹ <https://www.arun.gov.uk/flood-risk-planning-policy>

² <https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n15993.pdf&ver=16505>

It is suggested that a full assessment of the risks posed by climate change be taken into account, especially looking at the role and location of existing assets related to sustainable growth and whether larger scale consolidation/augmentation or relocation maybe needed for any assets. This may be especially pertinent to the Manhood peninsula and/or coastal locations once the impact of climate change coastal flooding and any erosion is accounted for.

In particular, it is evident in Arun that a combination of ground water flooding susceptibility and tidal water tables limit the current scope of SUDs to attenuate flooding and surface /ground water infiltration in their current form. The council urges a more holistic and strategic approach be investigated including objectives that decarbonise the WwTW infrastructure in terms of renewable energy and in particular the scope for pumped water storage on an inter-catchment basis looking at the South Downs National Park and coastal plain including river Arun. Manmade water bodies, uphill in the Downs must be feasible option provided that sensitive landscape considerations are accommodated given the urgency of the climate emergency.

Similarly, the Council would wish to see that there is consideration of the scope for larger scale – i.e. catchment or landscape scale – nature based solutions, that may be appropriate for any specific locations in Arun or the connected catchments. If found appropriate through further stages and refinement, then a mechanism for coordinated engagement with all relevant stakeholders (e.g. local authorities and developers or land promoters) should be prioritised and reflected in the investment programme in order to align other documents or plans.

Investment Programme

It is appreciated that there is not going to be one simple solution required but a combination throughout each, however the Council consider all of the objectives of the DWMP should be considered as a priority for investment within Arun District, as is detailed through the above points in addition to the existing designation of 'Improve' for each of the systems (Ford, Lidsey and Pagham) falling in the district.

As signalled under comments on the Option Development and Appraisal section above, the Council would wish more work to be done on responses to proposals for connection to the systems, along with guidance and specifically enforcement of high standards for design details to ensure robust construction of foul drainage in areas with high groundwater to prevent future infiltration. This can be achieved in short term through direction towards existing information that is available from West Sussex County Council (WSSCC) and the Districts and Boroughs. This could then be addressed more comprehensively through the creation of stand-alone or coordinated documents with WSSCC or respective authorities that can be used in determining applications as material considerations until entrained in Supplementary Planning Documents following plan making and testing at examination.

The issue of the high groundwater level and associated high susceptibility to groundwater flooding will be essential during the detailed work on solutions for those systems in Arun District. There should be clear direction provided over the appropriate roles and actions to be taken by each party.

Finally, a clear set of comprehensive documents need to be issued on wider strategic issues that affect the whole region, such as that of nutrient neutrality, particularly nitrates although phosphates and others also apply. The Council do not wish to be left as the only area not being able to apply high standards when all it's neighbours are being required to apply such. This would also be counter to the Council's overall priorities to address the climate emergency declared in January 2020 and the intention to raise standards of new developments wherever possible.

Overall in summary, Arun District feel that:

- there needs to be greater content on the existing issues and how and when these are to be dealt with;
- consistency in the methodology used (climate change allowances and DWF calculations);
- significantly greater enforcement of high design details for the robust construction of foul drainage in areas of high groundwater;
- possible recommissioning of redundant assets;

- identify where natural solutions would be expected to occur and engage with all needed in their development; and
- believe there should be investment in the production of standalone or coordinated guidance documents.

I would be grateful if you could contact me at kevin.owen@Arun.gov.uk or phone 07908919397 in order to coordinate possible meeting dates (for the purposes set out and underlined above under 'Option Development and Appraisal') week beginning 8 November.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'K Owen', written in a cursive style.

Kevin Owen (Team Leader Planning Policy & Conservation)