

From: Amanda Scholes on behalf of Planning.Responses
Sent: 19 February 2020 09:47
To: Planning Scanning
Subject: FW: Canal Mews Barnham BN/66/19
Attachments: Seaward letter (2.1.20).pdf; AMR2019.pdf

Amanda Scholes | Receptionist, Department, Arun District Council | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF



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From: Maria Tomalova
Sent: 18 February 2020 15:42
To: Planning.Responses
Subject: FW: Canal Mews Barnham BN/66/19

Maria Tomalova | Senior Planning Officer, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF



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From: Paul White
Sent: 02 January 2020 17:41

To: Maria Tomalova <[REDACTED]>
Subject: Canal Mews Barnham BN/66/19

Dear Ms Tomalova,

Whilst technically not a planning consideration, we attach a letter from the applicants solicitors confirming the transfer of the application site from Croudace includes 1) the legal right of passage across all private roads within the adjoining development site; 2) connection rights to the main estate road including the right to construct any new section of road; and 3) a full right to connect into existing Service Media. We bring the letter to your attention to show that the application site within an existing settlement policy boundary has no technical or landownership impediment to prevent the immediate delivery of housing assuming planning consent is granted. We have emailed you separately confirming there is no foul water treatment plant on the application site and the layout does not harm the tree on the site recently made the subject of TPO. We will formally respond to the tree officers comments in due course and thank you for agreeing to forward this to me.

Whilst writing we would point out that the delivery of housing sites across Arun District is now even more pressing as your Council confirmed at the December 17th 2019 Policy Committee (report attached) that it can now only show a **3.7 year** housing supply. This is less than the 4.7 year supply that existed at the time we last wrote to you on 11 November. We would repeat therefore that this significant and declining land supply shortfall means that the presumption in favour of sustainable development is engaged even more strongly for the application and following paragraph 11 of the NPPF, in the absence of any other policy conflict, we believe it should be approved without further delay.

We trust this further update is helpful in your ongoing considerations.
Kind regards

Paul D White BA(Hons) Dip MRTPI
Director of Planning
[REDACTED]



RIBA  RTPI 

PLANNING

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Marshalls

Mr D West
Director - Seaward Properties Limited
Metro House
Northgate
CHICHESTER
West Sussex PO19 1BE

SOLICITORS

102 High Street,
Godalming,
Surrey GU7 1DS

Email:

Our ref:

Your ref:

Date:

SC/ycd/S46774

02 January 2020

By email to:

Dear Mr West

I confirm that when Seaward Properties Limited acquired the former treatment plant land from Croudace Homes Limited the transfer included the grant to Seaward of:-

1. Full right to connect into Service Media from the Retained Land as defined and the right of passage and running of Services through such Service Media plus the right to enter onto the Retained Land (subject to certain exceptions e.g. the site of any building or proposed building) for the purpose of connecting to the Service Media on the Retained Land.
2. Full rights of access over all Estate Roads and the right to construct a section of road connecting the land acquired to the Estate Road.

The rights are subject to certain obligations as are usual e.g. contributing a fair and reasonable proportion according to user of the costs of maintaining the Estate Road and/or Service Media amongst other things.

Yours sincerely
MARSHALLS

Sara Coate

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB COMMITTEE ON 17 DECEMBER 2019

PART A : REPORT

SUBJECT: Authority Monitoring Report 2018/19

REPORT AUTHOR:	Kevin Owen, Planning Policy Team Leader
DATE:	18 November 2019
EXTN:	37853
PORTFOLIO AREA:	Planning

EXECUTIVE SUMMARY:

This report presents the headlines of the Arun Local Planning Authority's Monitoring Report 2018/19. The full report is provided as Background Paper 1. As part of the AMR, the 5-year housing land supply has been updated and this shows currently, there is a 3.7 year supply.

This has policy and decision-making implications which under national policy, provides that the 'presumption in favour of sustainable development will not apply to planning applications.

RECOMMENDATIONS:

That the Planning Policy Sub Committee: -

1. Notes the Authority Monitoring Report 2018/19.

1. BACKGROUND:

- 1.1 The preparation of an Authorities Monitoring Report (AMR) is a requirement under Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Data is presented for the previous monitoring year from the date of publication. The AMR is updated on an annual basis. The current AMR 2018/19 therefore, covers the year 1 April 2018- 31 March 2019
- 1.2 The AMR monitors progress on; plan making (i.e. Development Plan Documents) identified within the local planning authority's Local Development Scheme; and comments on the use of planning policies; and the update the annual housing land supply (HLS) figures for the planning authority area (i.e. excluding the South Downs National Park).
- 1.3 The AMR 2018/19 will be published as a background paper on the council's web site as part of the agenda for the meeting Planning Policy Committee on the 17 December 2019. The AMR includes a range of updates and progress reports, including the following: -

- Progress on the Local Plan and Development Plan Documents against the timetable set out in the Arun Local Development Scheme 2016/17
- Neighbourhood Plan Update
- Duty to Cooperate Update
- 5-year HLS
- Local Plan Policy Usage
- Housing Delivery
- Commercial Land Delivery
- Traveller Sites
- Sussex Biodiversity Annual Monitoring Report

1.4 In particular, the AMR includes a 5-year HLS section, an update on Local Plan and Neighbourhood Plan progress and housing delivery.

- With the adoption of the Arun Local Plan Arun (July 2018) Arun had a 5.1-year HLS (based on monitoring in 2016/17);
- However, the AMR 2017/18 established that there was 4.7-year HLS for the period 2018-2023 because of several issues identified with housing delivery;
- The current AMR 2018/19 now identifies a 5-year HLS of 3.7 years for the period 2019 - 2024 following a call for sites and updated HELAA data collection process to reflect the new definition of Deliverable sites (set out within the National Planning Policy Framework (Appendix 2: Glossary);
- The number of permissions on strategic allocations has improved;
- However, despite progress with the amount of planning applications on Strategic Allocations approved and the supply of promoter's specific site deliverability evidence, (e.g. site housing trajectories) on all of the sites which make up the supply, there is an over optimistic or unrealistic perspective of scheme progress from pre application, planning permission to reserved matters, discharge of conditions and start on site by the development sector;
- The number of annual completions is lower in 2019 than in 2018. Housing delivery performance is still not in accordance with the housing trajectory – housing Implementation strategy.

1.5 It should be noted that the supply of 'deliverable' and developable HELAA sites (as prescribed by the NPPF 2019) provides a significant part of the evidence base for the housing land supply, together with monitoring of commitments (planning permissions) and completions for the plan period (since 1 April 2011). The following headlines can be reported: -

- There were 603 completions for the monitoring year 1 April 2018 - 31 March 2019 which is a decline compared to 704 dwelling units completed in 2017/18.
- There have been substantive further planning permissions on the Strategic Allocations.
- The Council issued a Call for Sites in May 2018 and requested further site housing trajectory evidence to be supplied by promoters responding to updated HELAA forms (following a developer workshop in June 2019) – this has resulted in 16 additional HELAA sites of which 5 are assessed as 'deliverable'.
- However, there have also been a number of HELAA sites where the Deliverable

or Developable status has changed.

- 1.6 It should be emphasised that the Government has again yet to publish Arun's Housing Delivery Test (HDT) result for November 2019. This is a key piece of evidence to determine the 5-year housing and supply position because the HDT level of performance determines the appropriate housing % buffer to be added to the 5-year requirement. The HDT result for 2018 was 91% requiring a 5% buffer.
- 1.7 In the absence of a published HDT result and based on the expected step increase in required housing delivery established in the authority's housing trajectory (against a very difficult housing delivery performance in 2019) a 20% buffer has been applied (which assumes the authority's performance will fall below the 85% pass mark required by the HDT).
- 1.8 The authority has published its Action Plan in response to last year's HDT result. The Action Plan sets out an analysis of the authority's housing performance against the Adopted Local Plan Housing Target as well as the housing trajectory - updated within the AMR each year. The Action Plan was approved by Full Council for publication on the councils' web site following the Council meeting on 13 November 2019.
- 1.9 The consequence of having a 5-year HLS means that the authority continues to fail two of the national tests measuring housing performance. This will mean that paragraph 11.d of the NPPF 2019 will continue to be triggered (i.e. the application of the 'presumption' for Development Management decisions). It is also likely that Arun will see speculative applications on sites that are less sustainable. There is a significant risk that refusal decisions are also likely to go to appeal and succeed.
- 1.10 Arun is progressing the Non-strategic Sites Development Plan Document (DPD) via an Issues & Options paper to be agreed in the Spring 2020 with a view to a public consultation.

Next Steps

- 1.11 The AMR and HLS following agreement of this sub-committee will be published on the Councils web site.

2. PROPOSAL(S):

- 2.1 That the AMR be agreed as the monitoring evidence base for plan making and policy performance for the period 1st April 2018 - 31st March 2019.

3. OPTIONS:

The following options are available: -

- To publish the AMR and 5-year HLS update 2019 as the Councils position – showing a 3.7 year 5 year HLS.
- Not to publish the AMR and 3.7 year 5-year HLS. This may risk further challenge by the development industry because the Council's position is uncertain on housing land supply.

4. CONSULTATION:		
This is a technical document that does not require consultation. The AMR provides an evidence base against which to monitor plan making progress and performance in order that policy formulation and decision making is effective in delivering sustainable development of the planning authority area.		
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:		
The AMR provides key published data across a range of policy performance indicators for the Council and other stakeholders in the community including the development industry not least including housing delivery performance which may materially affect the Council's decision making for Development Management purposes.		

7. REASON FOR THE DECISION:
To ensure that progress is maintained on housing delivery and creation of sustainable communities within Arun.

8. BACKGROUND PAPERS:
1. The AMR 2018/19 can be accessed on the Council's Web Site: https://www.arun.gov.uk/authority-monitoring-report

