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23rd February 2017

Dear Planning Policy Team

Arun Local Plan – Main Modifications Consultation 2018

This is the formal response of the Campaign to Protect Rural England Sussex Branch (CPRE Sussex) to the Arun District Council (ADC) public consultation on the Main Modifications to the Arun Local Plan 2018.

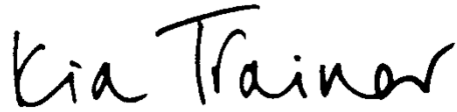
CPRE Sussex works to promote the beauty, tranquillity and diversity of the Sussex countryside by encouraging the sustainable use of land and other natural resources in town and country. We encourage appropriate and sustainable land use, farming, woodland and biodiversity policies and practice to improve the well-being of rural communities. It is our position that local planning authorities should seek to ensure that the negative impacts of development on the countryside, both direct and indirect, are kept to a minimum and that development is sustainable in accordance with national planning policy.

We have made comments specifically relating to the Main Modifications as attached. Our key areas of concern are;

- The housing trajectory requires a huge and unrealistic increase in housing completions to 2021 (peaking at 1773 dwellings in year 2020/21) and then a scaling back after 2026. We are concerned that the Plan is “setting itself up to fail” by setting an unrealistic target
- The apparent fluidity of Built up Area Boundaries in relation to 5YHLS
- The process for producing a non-strategic sites DPD and the relationship to Neighbourhood Plans
- Omissions in the assessment of landscapes in terms of the historic landscape and the importance of strategic gaps or green wedges to protect settlement character
- Infrastructure capacity, and funding for delivery of improvements (particularly in terms of waste water treatment) should be monitored alongside housing delivery to ensure that the two proceed in step. Any divergence should lead to a revised housing trajectory

- We remain concerned that the Plan does not comply with Habitats Regulations, for example recent surveys show that strategic allocations at Pagham will lead to a loss in supporting habitat which threatens the integrity of the SPA.

Yours sincerely,

A handwritten signature in black ink that reads "Kia Trainor". The script is cursive and fluid, with the first name "Kia" and last name "Trainor" clearly distinguishable.

Kia Trainor
Director, CPRE Sussex
CPRE SUSSEX

SUMMARY OF REPRESENTATIONS ON ARUN LOCAL PLAN (2011-2031) MAIN MODIFICATIONS

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
Main Mod s	MM1 (chapter 2 , paragraph 2.1)	Legal: Yes Sound: No Duty to co-operate : Yes	Not positively prepared Not effective	<p>Whilst the possible need for preparation of a Non-Strategic Sites DPD and Employment Allocations DPD is understood, CPRE Sussex remains concerned that the relationship of such document(s) to neighbourhood plan preparation in Arun District is unclear.</p> <p>We are concerned that this will drive housing allocations towards parishes with no neighbourhood plan, or an outdated neighbourhood plan, rather than to the most sustainable sites across the district. Many parishes will feel the pressure to update neighbourhood plans as soon as possible after the Arun Local Plan is adopted, or have important decisions subsumed into the new SPDs. This concern is</p>	<p>Clarification of:</p> <p>(a) relationship between the proposed SPD(s) and any existing , new or updated neighbourhood plans, prepared by town or parish councils and</p> <p>(b) how any SPD sustainability appraisal(s) will cover this relationship in demonstrating that sustainable choices have been made across the District as a whole</p> <p>Or appropriate cross referencing to Chapter 12 (Housing Delivery)</p>	Yes

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				strengthened by the terms of MM24		
Main Mod s Susta inabil ity Appr aisal	MM2	Legal: Yes Sound: No Duty to co- operate : Yes	Not justified Not consistent with national policy	<p>Welcome additional reference to protecting setting of the South Downs National Park</p> <p>However, concerned at continuing omission of reference to importance of the historic landscape, as required by the European Landscape Convention (2007), of which the UK Government is a signatory. The Landscape Study to support the Local Plan does not appear to cover a historic landscape assessment. The omission of historic and cultural reference and continuity, and the relationships between context and strategic site/s are significant shortcomings and are likely to make for irrevocable mistakes in the context of the future of the cultural and natural capital of Arun District, West Sussex and the wider South Coast region.</p>	Add reference to importance of the historic landscape and the need to consider it in the strategic location of development	No

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				No account appears to have been taken of historic landscape in the Sustainability Appraisal		
Main Mod s	MM3	Legal: Yes Sound: No Duty to co-operate : Yes	Not justified Not consistent with national policy	This modification seems to propose a new definition of “sustainable development”- working so that development is approved wherever possible - which is at odds with the NPPF paragraphs 6-16, and lacking the balance shown in the national definition	Stick with the national definition of sustainable development , or simply cross reference to it	No: response to modification
Main Mod s	MM5 7.2.7 7.2.8 SD SP2	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective Not justified	We are very concerned about the wording of Para 7.2.8 which states” the boundaries may also need to be reviewed if the Council is unable to find contingencies to meet any shortfall in its 5 year Housing Land supply” The 5y HLS is a fluid total which varies month to month and does not provide a firm basis on which to review Built Up Area Boundaries, as a sort of panic measure to top up HLS. These	Delete sentence in 7.2.8 which states “the boundaries may also need to be reviewed if the Council is unable to find contingencies to meet any shortfall in its 5 year Housing Land supply” A local plan review or a new or reviewed neighbourhood plan is the appropriate vehicle for considering adjustment of Built Up Area Boundaries	Yes, at the Examination in September 2017

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				boundaries need some certainty and durability if they are to be effective instruments of planning policy and development management. As drafted , the wording would prompt regular efforts to probe and “test” boundaries with speculative proposals and undermine a planned approach		
Main Mod s	MM7 G1 SP1	Legal: Yes Sound: No Duty to co-operate : Yes	Not justified Not effective	Object to deletion of final paragraph with its reference to gaps between settlements as important green infrastructure assets to be protected from inappropriate development and enhanced to provide high quality environment and multi-functional benefits. CPRE Sussex does not understand why opportunities for green infrastructure enhancements would not be pursued as part of this policy This also undermines delivery of strategic approach in Policy SD SP1 a –section f –	Reinstate final paragraph	Yes, CPRE Sussex have repeatedly stressed the importance of gaps between settlements to protect their individual character and identity , safeguard the environment and provide other “green infrastructure” benefits

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				which refers to the importance of green wedges separating urban areas		
Main Mod s	MM8 Policy SD SP3	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	As MM7 immediately above	Reinstate criterion (e)	As MM7 immediately above
Main Mod s	MM10 EMP SP1	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	<p>CPRE Sussex is concerned that reference to “appropriately scaled enabling development” on employment development sites is too loose and does not indicate how such scale will be judged appropriate.</p> <p>“Enabling development” is usually higher value uses such as retail or residential.</p> <p>Any such enabling development should be carefully justified by a viability appraisal submitted with a planning application which justifies a particular scale. Otherwise , there is a danger that</p>	Add to end of criteria (l) “and where justified by an accompanying financial viability statement”	No: new issue raised by the Modification

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				employment provision will be eroded by more profitable forms of development		
Main Mod s	MM13 EMP DM1	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	The deletion of the reference to avoiding development in protected areas including gaps between settlements further weakens this area of policy and seems inconsistent with the aspirations for their protection in SD SP1a and SD SP3	Reinstate criterion 6 (g) so that economic growth is not at the expense of harm to gaps between settlements	As MM7 above
Main Mod s	MM24 12.1.8	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	See comments on MM1 above	See comments on MM1 above	As MM1 above
Main Mod s	MM25 H SP1	Legal: Yes Sound: No Duty to co-operate : Yes	Not justified Not effective	CPRE does not consider the overall amount of development proposed, or the phasing of it over the period to 2031, is realistic, as required by NPPF para 154 In particular, the overall scale of development is not compatible with the strategic vision for the District in that it will	A more balanced and realistic approach to the planning and delivery of new housing, more directly addressed to local needs; at a pace that the District can successfully absorb and which will be matched by investment in supporting infrastructure which	Yes, CPRE Sussex have repeatedly queried the realism and deliverability of the Plan's proposals to greatly increase the scale of housing development in Arun District

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				<p>adversely affect the local environment; will not be tailored to meeting local housing needs; will not be supported by the required infrastructure investment; and exceeds the capacity of the local housebuilding industry to deliver it.</p> <p>The housing trajectory requires a huge and unrealistic increase in housing completions to 2021(peaking at 1773 dwellings in year 2020/21) and then a scaling back after 2026. We are concerned that the Plan is “setting itself up to fail” by setting an unrealistic target</p>	is in-step with new housing	
Main Mod s	MM 26 12.1.2	<p>Legal: Yes</p> <p>Sound: No</p> <p>Duty to co-operate : Yes</p>	Not effective	<p>In the last sentence of the proposed modification, the two objectives are different and there is a tension between them.</p> <p>Infrastructure capacity, and funding for delivery of improvements, needs to be monitored alongside housing delivery to ensure</p>	<p>There should be a comma or colon after “available” in the final sentence</p> <p>Infrastructure capacity, and funding for delivery of improvements, should be monitored alongside housing delivery to ensure that the two proceed in step. Any</p>	

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				<p>that, as far as possible, the two proceed in step.</p> <p>An example of this would be monitoring housing development in the catchment of the Ford Waste Water Treatment Works to ensure that there is a timely upgrade to its capacity as development proceeds</p>	divergence should lead to a revised housing trajectory.	
Main Mod s	MM 40 H SP3 12.4.9	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	<p>This policy amendment does not address the point made at the EiP Sep 2017, which is that Neighbourhood Plans need to be capable of including a local connections policy for affordable homes within the Built Up Area boundary.</p> <p>The effect of this amendment is that a local connections policy can only be applied to exceptions sites, whereas it should also be available to sites allocated within a NDP.</p> <p>Furthermore some flexibility is required to allow for the fact that review of NDPs</p>	New para 12.4.9: NDPs may include policies which require that a proportion of all new affordable housing will be subject to the local connections criteria detailed in Policy HSP3 and tenure arrangements set out in paras 12.4.3 and 12.4.7. The inclusion of such policies in a NDP or its review will be subject to an identified need following the undertaking of a Local Housing Needs Survey either during preparation of the NDP or its Review.	Response to Modification

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				may not take place quickly enough to deal with changing local housing needs in a timely manner, and to avoid unnecessary expenditure on repeating Housing Needs Surveys	<p>Policy HSP3, new opening words: "Neighbourhood Development Plans may include policies which require that a proportion of all new affordable housing will be subject to the local connections criteria detailed below. The following policy would only apply when"</p> <p>Penultimate para to be amended as follows: ".....shall be permitted. Neighbourhood Development Plans may make provision for Rural Exception Sites which may only be brought forward for development following the undertaking of a Local Housing Needs Survey which shows an identified need. The details and"</p>	
Main Mod s	MM 53 C17 and 17.1.19	<p>Legal: No</p> <p>Sound: No</p> <p>Duty to co-operate : No</p>	<p>Not justified</p> <p>Not consistent with national policy</p>	We remain concerned that the Plan does not comply with Habitats Regulations, for example recent surveys show that Strategic allocations at Pagham will lead to a loss in supporting habitat which	An Appropriate Assessment should be carried out based on up to date information and the wording in the Local Plan adjusted accordingly, including the removal of any	Yes. CPRE Sussex has raised this issue in previous responses and at the EiP.

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				threatens the integrity of the SPA.	strategic sites if appropriate.	
Main Mod s	MM 59 22.0.9 and INF SP1	Legal: Yes Sound: No Duty to co-operate : Yes	Not effective	<p>The modification states <i>"To secure a mechanism for contributions towards infrastructure the Community Infrastructure Levy (assuming it is retained) will be introduced as soon as possible after the adoption of this Local Plan. The levy will be needed to seek contributions for small sites, which are essential to meet the housing needs in the medium term, so it is essential that CIL is introduced no later than mid-way through the second housing delivery phase as shown on table 12.1 and policy H SP1."</i></p> <p>This modification thus indicates that the aim is to have a CIL charging schedule in place by 2019.</p> <p>This appears very optimistic and, if delay occurs , there is the prospect of a significant amount of new housing development –</p>	The timescale for preparation of a CIL charging schedule should be advanced so that opportunities to secure developer contributions from a wider range of housing schemes are not lost	No: new modification related to revised housing trajectory

1.	2. Relating to	3. Compliance	4. Tests of soundness: reason	5 Reason for comment	6. Modification necessary	7. Matter previously raised?
				particularly on smaller sites- not being required to make CIL contributions (although there may be offsetting s.106 contributions) . this strengthens our concerns over the ability of the Local Plan to deliver the necessary infrastructure in step with development		