

**Minutes of the Meeting of the Scrutiny Committee for
Community, Housing and Planning held on 4 July 2018
from 7:00 p.m. to 8:45 p.m.**

Present: Councillors: Neville Walker (Chairman)
Margaret Hersey (Vice-Chairman)

Andrew Barrett-Miles*
Edward Belsey
Richard Cherry*
Phillip Coote
Sandy Ellis

Sue Hatton
Chris Hersey
Colin Holden
Anne Jones
Edward Matthews

Anthony Watts Williams
John Wilkinson*
Peter Wyan

*Absent

Also Present: Councillor Pru Moore.

Also Present (Cabinet Members): Councillor Andrew MacNaughton and Councillor Norman Webster.

1. SUBSTITUTES AT MEETINGS OF COMMITTEE - COUNCIL PROCEDURE RULE 4.

Councillor Pru Moore was substituting for Councillor John Wilkinson.

2. APOLOGIES.

Apologies were received from Councillor John Wilkinson.

3. DECLARATIONS OF INTEREST.

None.

4. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS URGENT BUSINESS.

None.

At the request of a Member the Chairman agreed that item 6 was discussed before item 5.

6. UPDATE PREPARATION OF THE SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT.

Lois Partridge, the Business Unit Leader for Planning Policy and Economy introduced the report which updated the Committee on work which had been undertaken since January 2018, to inform the preparation of the Site Allocations Development Plan Document (DPD). She informed Members that the Council's Local Development Scheme 2017 currently anticipates that the Issues and Options document would be published for public consultation in Autumn 2018. However, the proposed change to the timetable, which would result in a delay to adoption of the Plan to late 2020, was caused by two main factors. These were the large volume of sites which had been submitted to the Council through the Call for Sites, and the need to carry out a range of technical work including commissioning consultants to build a transport model for Mid Sussex and to test the Highways impacts of development. An air quality assessment of any development proposals and a Habitats Regulations Assessment would also be required. There were a

total of 238 housing sites nominated to the Council, with potential to provide more than 31,000 units of housing, and 82 employment sites. All these sites are included in the SHELAA, which has been published on the Council's website.

The Chairman reminded Members that if developers contact them they should refer the developer to the Business Unit Leader for Planning Policy. This was also echoed by the Cabinet Member for Housing and Planning.

Members praised the Officers for their hard work and noted the additional work that had been commissioned.

A Member queried whether West Sussex County Council (WSSCC) would be making a financial contribution to the transport consultants. He also asked whether Officers knew of the 4000 units recently approved just north of East Grinstead in Tandridge and if so had they thought of the implications on traffic in the local area.

The Assistant Chief Executive told Members that WSSCC were supporting Mid Sussex with staffing expertise and would still need to approve the findings of the modelling work, as Highways authority. The Business Unit Leader for Planning Policy and Economy informed Members that Officers were aware of the Garden Village site in Tandridge and were working with officers from Tandridge Council on the implications for traffic generation on the A22.

The Cabinet Member for Housing and Planning told the Committee that any decisions currently made by the Members' Working Group confer no planning status on the sites and that any housing in the future would have to conform with the Habitats Regulation Assessment which will be informed by transport and air quality modelling.

A Member noted that Mental Health services in the area were already under pressure and she asked what the Council would be doing to mitigate these pressures. A Member also noted that health care across the south was under pressure due to a lack of staff.

The Cabinet Member for Community told the Committee that he had attended a meeting with all three tiers of local government and he highlighted the need for improved health services. The Assistant Chief Executive agreed that supporting the health services in the area was a key issue and developers' contributions are sought for health provision.

A Member queried whether Mid Sussex would have to raise funding through developer contributions to fund the planned three junctions being built by WSSCC in East Grinstead.

The Business Unit Leader for Planning Policy and Economy informed Members that developer contributions were being collected towards junction improvements, however the work was still ongoing.

The Assistant Chief Executive noted that the Working Group's work was at an early stage and that they would be considering infrastructure implications at a later stage. She reminded Members that the SPD would be subject to a public examination so the work undertaken must be robust.

The Chairman noted that no Members wished to speak so moved to the recommendation, which was agreed unanimously.

RESOLVED

The Committee;

- i) Noted the contents of the report; and
- ii) Noted the extent of work required to assess sites and implication of this on the timeline originally proposed for the preparation of the Site Allocations DPD.

5. DEVELOPMENT INFRASTRUCTURE AND CONTRIBUTIONS; AFFORDABLE HOUSING; AND DEVELOPMENT VIABILITY SUPPLEMENTARY PLANNING DOCUMENTS.

Lois Partridge, the Business Unit Leader for Planning Policy and Economy introduced the report which summarised the feedback received from the consultation and identified where changes to the draft Supplementary Planning Documents (SPDs) had been made. She also reminded Members that the Committee, in March 2018, had agreed to recommend that the Portfolio Holder approve the public consultation on three draft SPDs (Development Infrastructure and Contributions; Affordable Housing; and Development Viability), which together were intended to replace the Development and Infrastructure SPD, which was adopted in 2006. She informed the Committee that there had been a total of 16 organisations who responded to the consultation, a lower response rate than expected.

A Member noted his disappointment that only one building company had responded.

The Business Unit Leader for Planning Policy and Economy told the Committee that the SPDs will set out a clearer framework for developers to work to.

A Member asked whether the Community Infrastructure Levy (CIL) would be implemented by MSDC in the near future, regulations were published by central government in August 2015 and at the time, the District Council had indicated to the Town and Parish Councils that CIL would be implemented in the District.

The Assistant Chief Executive informed Members that when the Council originally proposed CIL it was alongside the District Plan, which was rejected by the Planning Inspector. The Council took advice from the Government who advised not to adopt CIL until the District Plan was adopted. Officers are now waiting on new guidance from central government on CIL. The Business Unit Leader for Planning Policy and Economy told the Committee that it was likely that the new guidance would not be published until the new NPPF and NPPG had been published.

A Member commented on the difficulty to provide additional health care in the District and that with all the additional housing it would be needed now more than ever.

The Business Unit Leader for Planning Policy and Economy confirmed that Officers were in discussion with local Clinical Commissioning Groups (CCG).

A Member queried whether Section 278 agreements could be pooled with adjoining local authorities to add more scope to deliver improvements.

The Assistant Chief Executive told the Committee that MSDC collect Section 278 monies on behalf of WSCC so multiple Councils monies can be used. She noted that the adoption of the District Plan made it easier to negotiate allocation of the Section 278 monies.

The Business Unit Leader for Planning Policy and Economy confirmed that a cross boundary project could be funded by a mix of Section 106, Section 278 and CIL monies. Tom Clark the Solicitor to the Council also said that MSDC would not lose out on funding in a cross boundary project. He also confirmed that regarding Section 106 money the local authority that receives the money is accountable for how it is spent.

A Member asked that play areas for children should be included on Gypsy and Traveller Sites. Another Member noted that the term 'Gypsies, Travellers and Travelling Showpeople' should not include 'Travelling Showpeople' as some find it offensive.

The Assistant Chief Executive informed that Member that these were prescribed categories for describing groups. She also noted that Officers would be working with a number of organisations such as Homes England and WSCC to provide the best sites possible. Last year guidance was released by central government on how to deal with illegal incursions onto private land and the transit site in Chichester has made it easier to remove any trespassers on private land.

A Member commented on his unwillingness to see water and electrical companies receive money from Section 106 contributions.

The Business Unit Leader for Planning Policy and Economy confirmed that policies DP 41 and 42 cover the site specific, which can be required by conditions or by S106 payments, contributions to these bodies and they don't receive general contributions. She also confirmed that the maintenance of the less formal open spaces was still under review.

The Assistant Chief Executive confirmed that the Outdoor and Indoor Playing Pitch, Open Space and Community Buildings Strategies were currently being revised and updated.

Helen Blackith, the Housing Enabling Team Manager introduced the feedback received from the consultation and identified the changes to the draft Affordable Housing SPD.

A Member asked whether the Council could request that housing associations prioritise housing those who have lived in Mid Sussex.

The Assistant Chief Executive confirmed that the prioritising of Mid Sussex residents was covered in the Council allocation policy.

A Member commented that there should be a policy where buildings of a certain height have fire sprinklers installed.

Officers confirmed that fire safety standards were covered by building regulations. The SPDs need to follow planning policy guidance and need to be reasonable to developers.

The Housing Enabling Team Manager confirmed that self-build schemes would be in addition to affordable housing and not instead of.

A Member asked whether the occasional affordable housing unit could be increased from 4 bedrooms to 5 bedrooms.

Officers confirmed that this could be done however they would be concerned about the affordability of the units for the tenants. The SPDs policies were evidence based and that evidence suggested that smaller units were needed more than larger units.

The Chairman noted that no more Members wished to speak so moved to the recommendation, which was agreed unanimously.

RESOLVED

The Committee;

- i) Considered the revised draft Development Infrastructure and Contributions, Affordable Housing, and Viability SPDs following consultations; and
- ii) Recommends to Council that the three SPDs are adopted.

7. THE CONSERVATION AREA APPRAISALS PROGRAMME AND HURSTPIERPOINT CONSERVATION AREAS APPRAISAL AND BOUNDARY REVIEW.

Sally Blomfield, the Divisional Leader for Planning and Economy introduced the report which outlined the ongoing programme for the development of appraisals for other Conservation Areas in the District as set out in Appendix 1 of the report.

The Chairman noted that no Members wished to speak so moved to the recommendation which he noted an amended to point (ii) to read 'notes' not 'agrees', which along with the other recommendations were agreed unanimously.

RESOLVED

The Committee:

- i) Noted the contents of the report;
- ii) Agreed the proposed programme of Conservation Area Appraisals across the District;
- iii) Recommended the approval of the Hurstpierpoint Conservation Areas Appraisal as a material consideration in the determination of planning applications to the Cabinet Members for Housing and Planning; and
- iv) Recommended the approval of the proposed boundary changes to the Hurstpierpoint and Hurst Wickham Conservation Areas to the Cabinet Member for Housing and Planning.

8. STATEMENT OF GAMBLING POLICY.

Tom Clark, the Solicitor to the Council introduced the report which sought the Committees views on the content of the Draft 'Gambling Act 2005 (Statement of Licensing Policy) 2018' (Appendix 1) before it goes out to public consultation in July 2018. It was proposed that following consultation, if there were any significant amendments required, it will be review by the Committee on the 21st November before it is formally adopted by Council in December 2018.

A Member asked that the Citizens Advice Bureau be added to the list of consultees. This was agreed by Officers.

Councillor Phillip Coote moved to the recommendation which was seconded by Councillor Edwards Matthews and agreed unanimously.

RESOLVED

The Committee:

- i) Endorsed the Draft Statement of Licensing Policy for Gambling at Appendix 1 before it is issued for public consultation.

9. DATE OF THE NEXT MEETING: TUESDAY 25TH SEPTEMBER.

10. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

Chairman.