

**Minutes of the Meeting of the Scrutiny Committee for
Community, Housing and Planning held on 21 November 2018
from 7:00 p.m. to 8.53 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 Mockford, Councillor Whittaker, Councillor Forbes and Councillor Andrew Lea.

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

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

Councillor Mockford substituted for Councillor Anthony Watts Williams. Councillor Forbes substituted for Councillor Matthews.

2. APOLOGIES.

Apologies were received from Councillor Watts Williams, Councillor Matthews and Councillor Barrett-Miles.

3. DECLARATIONS OF INTEREST.

Councillor Jones and Councillor Lea declared an interest relating to the highways element of item 6 as they are Members of West Sussex County Council.

4. MINUTES

The Minutes of the Committee held on 12 September and 25 September 2018 were agreed as a correct record and signed by the Chairman.

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

None.

6. SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT – SITE SELECTION PAPER 2 – METHODOLOGY FOR SITE SELECTION

Lois Partridge, Business Unit Leader for Planning Policy and Economy introduced the report which sets out the proposed Site Selection Methodology, the latest step towards preparing the Site Allocations Development Plan Document (DPD), which will allocate sites to provide the residual housing requirement of approximately 2,500 homes. She highlighted the work that has led to the production of this Methodology, as set out on p.14 of the report and noted that Officers had consulted with the Site Allocations Working Group, the Mid Sussex Developer Liaison Group, neighbouring authorities and Town and Parish Councils who were all asked to submit comments. 11 responses were received and Appendix 2 sets out the comments made, and identifies where these have resulted in changes to the methodology.

Alice Henstock, Senior Planning Officer noted that the Methodology has two sets of criteria, one for housing and one for employment. These have been developed to establish the suitability, availability and deliverability of each site in accordance with the National Planning Policy Framework, (NPPF). There are 17 criteria for housing sites and 19 for employment sites. They have been graded with a traffic light system depending on the impact. The housing criteria are divided into three sections: Planning Constraints, Deliverability and Sustainability, and the employment sites are divided into Planning Constraints, Accessibility and Market Demand. The Planning Constraint criteria carry the most weight, then the Deliverability or Accessibility criteria, and then the Sustainability or Market Demand criteria. The Senior Planning Officer outlined the next steps required which will include the assessment of each site, working with the Site Allocations Working Group and seeking advice from external conservation, traffic, and air quality consultants, site promoters and Town and Parish Councils to ensure the assessment is robust and fully evidenced. Sites will then be ranked against each other to determine the ones to put forward.

A Member asked if the contentious issue of Strategic Road Access should be looked at in more detail and whether the employment criteria should be expanded to look at more than one class. The Business Unit Leader for Planning Policy and Economy noted that access is important but as there is no Government policy or evidence base for assessing this, the highest weighting had to be given to planning constraints, based on the NPPF. Sally Blomfield, Divisional Leader for Planning and Economy acknowledged that employment covers more than just B Class but that for the Site Allocations DPD, only B1-B8 usage was being considered, as other types generally are located in Town Centres, such as retail use.

Regarding feedback provided by Brighton and Hove, a Member queried the response of 'no further action' set out in the summary of consultation responses, relating to the proposed negative impact associated with no response to queries about deliverability. The Business Unit Leader for Planning Policy provided reassurance that there will be active follow-up with landowners and promoters, and the negative impact would only be applied if they consistently did not provide any information despite regular contact.

A number of Members praised the logical draft Methodology and a discussion was held on what quality control mechanisms are in place to ensure assessments are robust. The Assistant Chief Executive confirmed that the Scrutiny Committee provided independent quality control, as is the Site Allocations Working Group who worked alongside Officers. The Council has also engaged external consultants for specialist work and employed the

services of a Planning QC experienced in this field, to advise on process and act as an external checks and balance.

A Member queried the figures for settlement categories, the issue of air quality at particular sites, and sought clarity on the specific wording of the 'severe' categories in sections 10 and 11 on p.27 relating to congestion 'caused by the development'. The Divisional Leader for Planning and Economy confirmed that the residual figure per settlement category is set out in DP4 and East Grinstead falls within category 1, with 1272 homes as a starting point. The Business Unit Leader noted that in relation to mitigating transport constraints, Community Infrastructure Levy Regulations 2010 requires that financial contributions sought from a development must be directly related to the development and fairly and reasonably related in scale and kind to the development. She acknowledged there are background congestion issues and the Council is seeking government funding to improve the strategic highways network and has commissioned transport consultants to build a model to test the highway impacts of development planned in the Site Allocations DPD, with advice and sign off from West Sussex County Council (WSSCC). The transport study will be District wide and will look at links between all developments including the public right of way network and links with neighbouring authorities. Regarding air quality, p.41 paragraph 7.4 sets out the specialist advice which will be sought before any decisions are taken.

Discussion was held on Part 3 of the housing criteria used to assess walking routes to schools and GP surgeries. It was noted that health standards might not apply to each individual but a consistent data set was required in order to accurately compare the accessibility of sites to community facilities. The use of standard criteria is considered to represent best practice, set out by Government and used by all Local Authorities. It was also noted that the criteria allowed for provision of schools and surgeries within new developments. The Assistant Chief Executive also noted that this section of the criteria is a carefully weighted third tier sift of site suitability, designed to help identify the differences between two sites which may be similar.

Two Members commented on the importance given to protecting National Parks and areas of outstanding natural beauty (AONB), and questioned what constituted 'proximity' and 'adjacent to' the AONB. The Assistant Chief Executive confirmed that the High Wield AONB Unit will assess the potential impact of development on each site on the AONB.; officers would confirm with the AONB unit the difference between 'proximity' and 'adjacent to'. Where sites may affect the setting of the South Downs National Park (SDNP), details have been sent to the SDNP Landscapes Officer to comment and will be captured in Criteria 8. It was confirmed that any sites that are ruled out for further consideration through the Site Allocations DPD assessment process, may be reconsidered in the future, for example when the District Plan is reviewed.

A Member noted that p.30, paragraph 17 related to bus services and not trains, noting that Haywards Heath has a higher frequency of trains stopping than some other locations, which may affect which station residents wish to set off from. Divisional Leader for Planning and Economy acknowledged that the use of a criteria on the frequency of the train service merited further investigation; this section of the criteria will be reviewed.

The Chairman took questions from Councillors attending the meeting who were not on the Committee. In response to a query on public consultation, it was confirmed that there will be continual liaison with Town and Parish Councils followed by two formal rounds of regulation 18 and 19 public consultation. The Site Allocations DPD will need to be formally adopted by Council and will go through a formal Examination where the Inspector will make a final decision based on all the information presented to him. This will provide further quality assurance.

The Business Unit Leader for Planning Policy and Economy clarified a query on p.21, paragraphs 14 and 15, confirming that the assessment process will be an iterative assessment process. The initial assessment will be made without mitigation and if an issue is identified, the developers will be contacted to provide details of what mitigation measures could be provided, followed by a reassessment. Regarding p.22, the weighting of criteria is as set out in the NPPF and National Planning Practice Guidance, rather than numerical weighting.

Two Members of the Site Allocations Working Group were present at the meeting and commended the work of the Officers in developing a rigorous assessment process with strong quality control methods in place. The Cabinet Member for Housing and Planning reiterated that the Scrutiny Committee played a vital part of the quality control and noted that if the Methodology highlighted sites that were equal, there is the further option to drill down to the Neighbourhood Plans for guidance on which to choose.

The Chairman acknowledged the committee's appreciation of the Officers and Working Group for their work in developing the Methodology. He took Members to the recommendations as set out in the report, which were agreed unanimously.

RESOLVED

The Committee;

- (i) Considered and commented on the proposed Site Selection Methodology;
- (ii) Authorises the Divisional Leader for Planning and the Economy, in consultation with the Cabinet Member for Planning, to make any further necessary minor amendments to the proposed methodology, if required;
- (iii) Noted the Site Allocations Development Plan Document will seek to allocate up to 2,500 dwellings, in accordance with District Plan policy DP4; and
- (iv) Noted the work programme.

7. AIR QUALITY

Tom Clark, Solicitor to the Council introduced the report, noting that the air quality management area remains in force, as the NO₂ levels at Stonepound Crossroads exceed the air quality objective of 40ug/m³. He confirmed that the table in Appendix A is missing information. The orange line relates to Lewes Road, East Grinstead, and the bottom blue line relates to South Road, Haywards Heath.

Discussion was held on whether the Council can do more to reduce pollution levels. It was noted that it is a complex issue as new evidence and guidance is continually provided on the health effects of various pollutants. The Council is following a holistic approach in line with the Government's clean air policy and has taken steps to implement changes in Mid Sussex, including introducing a new policy that states Taxi's cannot be older than 10 years. The Licensing Committee will also be considering that Hackney Carriages should move to electric engines. From a planning perspective the Council is encouraging developers to include electric charging points and in the Northern Arc development, all properties will include a charging point.

A number of Members discussed locations where they felt further air quality monitoring was required. Nick Bennett, Senior Environmental Health Officer confirmed that the sites are regularly reviewed and that they need to be near relevant exposure to be considered

for monitoring. He noted the suggestions of sites provided by the committee, to be taken forward at the next review. He also confirmed that traffic light sequencing was controlled by WSCC and he would provide contact details for Members who wish to make representation on sequencing issues.

A Member queried whether the proposal to make the A2300 a dual carriageway would increase or decrease pollution. The Senior Environmental Health Officer confirmed that although the amount of traffic on the road would increase, the overall outcome should be a reduction in pollution, particularly at the Stonepound crossroads as traffic will move more freely onto the A2300.

A suggestion was put forward that work is needed to address school drop-off congestion, with parking enforcement officers deployed. It was agreed that the Business Unit Leader for Parking would contact the Member directly to discuss.

A Member asked for a clearer set of deliverables to be included in the report. The Cabinet Member for Community confirmed he had an extensive list of deliverables which are included in the annual report on the website. He noted that there is a long term downward trend in pollutants even though traffic numbers are increasing, due to developments in technology. He also confirmed that an inter-authority air quality group has recently been set up which will meet three times per year to share best practice.

Members discussed the option of putting in place construction traffic management plans to resolve concerns at the Ham Fields Development, and the subject of planting tree replacements for every tree cut down on new construction sites. Planning conditions could be used to provide mitigation in the form of additional planting if appropriate. Members also requested that information be provided in Mid Sussex Matters to update the public on air quality issues in the District, and the interventions made by the Council to make a difference.

The Chairman took Members to the recommendation as set out in the report, which was agreed unanimously.

RESOLVED

The Committee;

Endorsed the approach of the Council on Air Quality.

8. PRIVATE SECTOR HOUSING ENFORCEMENT POLICY

Tom Clark, Solicitor to the Council introduced the report, noting that the committee is asked to recommend the policy is considered for approval by Council. In response to a Member's query, he agreed to look into whether any consultation has taken place with the Southern Landlords Association.

The policy was welcomed by Members. The Cabinet Member for Community confirmed that the Council will be active in enforcement were landlords provide unsatisfactory and unsafe housing. The Solicitor to the Council confirmed that more resources are expected to be put into Housing in the Environmental Health department to assist in the enforcement of the policy.

The Chairman took Members to the recommendations as set out in the report, which were agreed unanimously.

RESOLVED

The Committee:

Endorsed the Private Sector Housing Enforcement Policy contained in Appendix 1 and recommends it is considered for approval by Council.

9. WORK PROGRAMME

Tom Clark, Solicitor to the Council introduced the report and informed Members that an extra meeting of the Scrutiny Committee had been scheduled for 18 December 2018 to consider the use of the emergency runway at Gatwick Airport.

The Chairman took Members to the recommendation as set out in the report, which was agreed unanimously.

RESOLVED

The Committee noted the Work Programme as set out at paragraph 5 of the report.

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

None.

Chairman.