



Minutes of the meeting of the **Public Facing Development Plan and Infrastructure Panel (DPIP)** held in Committee Rooms, East Pallant House on Wednesday 14 February 2024 at 9.30 am

Members Present: Mr B Brisbane (Chairman), Mr R Briscoe, Mr J Brown, Ms M Corfield, Mrs D Johnson, Mr S Johnson, Mr A Moss, Mr H Potter and Mr C Todhunter

Members not present: Mrs S Sharp

In attendance by invitation:

Officers present all items: Mr T Whitty (Divisional Manager for Planning Policy) and Mrs F Stevens (Divisional Manger for Planning)

1 **Chairman's Announcements**

The Chairman welcomed all present to the first meeting of the Development Plan and Infrastructure Panel to be held in public.

Apologies were received from Cllr Sharp.

2 **Declarations of Interests**

The declarations of interests of members of the Development Plan and Infrastructure Panel were set out in the report papers.

Cllr S Johnson informed the Panel he was a member of Chidham and Hambrook Parish Council.

No other interests were raised.

3 **An update on the Levelling Up and Regeneration Act (LURA) and the revised National Planning Policy Framework (NPPF) - REPORT TO FOLLOW**

Mr Whitty introduced the report and drew the Panel's attention to the main policy changes and objectives introduced through the Levelling Up and Regeneration Act (LURA) and the National Planning Policy Framework (NPPF).

Mr Whitty explained that much of what was proposed in the LURA would require secondary legislation to be passed before enacted.

Mrs Stevens informed the Panel of the main changes and objectives introduced through the LURA and NPPF that would impact Development Management.

Officers responded to comments and questions as follows;

Regarding the introduction of the new Infrastructure Levy (IL) and whether Parish Councils would still be entitled to funding (similar to the CIL arrangement); Mr Whitty informed the Panel that until secondary legislation was enacted this unknown. The Council had stated that it should be kept in their representation to the original consultation.

Responding to concerns regarding the additions to S73B applications; Mrs Stevens acknowledged concerns but assured the Panel applications would continue to follow normal procedure for determination.

Responding to who the 'prescribed bodies' were; Mr Whitty informed the Panel he was unsure at this time as further definition was still required.

Regarding intervention by the Secretary of State in plan making; Mr Whitty explained further detail was needed to fully understand the objectives and reasons for how, why, and when the Secretary of State might intervene.

On the matter of development outside the AONB; Mr Whitty informed the Panel policy was designed to protect, not just the area within the AONB but also its setting. Therefore, when development was being proposed near to an AONB consideration must be given to the potential impact it may have on the setting of an AONB.

Mr Whitty told the Panel he was unsure how Community Land Auctions would work in practice.

Regarding changes to the housing requirement; Mr Whitty assured the Panel this was not a fundamental change but just provided further clarity.

On the matter of restricting GPDO rights, for example preventing commercial property from being converted into domestic; Mrs Stevens explained how it was very difficult to limit GPDO rights. There were very few areas in the country where this had been done, it required the application of an Article 4 direction and was only considered for very specific cases.

Mr Whitty clarified how the Gypsy and Traveller policy would be included within the Local Plan going forward.

Regarding the Duty to Co-operate; Mr Whitty acknowledged the comments made; and confirmed that whilst the duty had been removed from legislation it did remain in policy.

Regarding Street Vote Development Orders; Mrs Stevens confirmed that Street Vote Development Orders did not have to comply with planning policies, but they were required to consult with the Local Planning Authority. Regarding their use in

rural areas, she confirmed there were definitions of what made a 'street' and limitations on what development could take place.

Responding to whether a design code could be developed to specify what was 'beautiful' for Chichester; Mr Whitty agreed this was an option, however, the word beautiful was very subjective.

On the matter of how a change in government might impact the introduction of the LURA; Mr Whitty explained LURA was already law, it would depend on priorities as to how swiftly secondary legislation followed.

Mr Whitty advised the provision of a 5YHLS was very beneficial as it meant the Council were able to resist inappropriate development, however, he explained that it was important the Council maintained an open mind when considering proposed developments which came forward outside the Local Plan.

Mr Whitty clarified how the housing trajectory was calculated, explaining when development was included, and completions removed.

Cllr Potter suggested the following words be added to the report recommendation '... in so far as is known'. Mr Whitty confirmed he was happy to include the suggestion.

Following a vote, the Panel agreed to support the amended report recommendation.

Resolved; That the Development Plan and Infrastructure Panel note the implications of the LURA and NPPF for both Development Management and Planning Policy functions of the council in so far as is known.

4 An update on the Council's 5 (4) Year Housing Land Supply - REPORT TO FOLLOW

Mrs Potts presented the report. She detailed how the housing land supply was calculated.

Officers responded to comments and questions as follows;

Mrs Potts agreed to correct the Table A1, so it referenced Bosham instead of Boxgrove.

Mr Frost confirmed the 2014 census data continued to be used in calculations. Mr Whitty added that the 2021 data was not fully released and for the purpose of the Local Plan the 2014 data would continue to be used.

Mrs Potts provided further clarification on how the housing trajectory was calculated.

Mr Whitty explained that where permissions had lapsed, they would no longer feature in supply.

Regarding the progression of the Tangmere CPO; Mr Whitty informed the Committee the CPO had been heard but the decision had not yet been published. On the assumption the CPO is granted it is expected that the first completions would come forward in 2025.

Following a vote, the Panel agreed to support the report recommendation.

Resolved; That the Development Plan and Infrastructure Panel notes the update five-year housing land supply position as of 1 April 2023 which is set out in the appendix to the report.

5 **Agenda Items for the meeting**

The Chairman informed the Panel the next meeting would be held on Wednesday 28 February 2024 at 2pm in the Committee Rooms.

Mr Whitty advised the following items would be considered at that meeting;

- Statement of Consultation
- Authority's Monitoring Report
- A bid for Nutrient Mitigation
- An update on the Local Plan

6 **Late Items**

There were no late items.

7 **Exclusion of the Press and Public**

The Chairman proposed the Panel move into Part 2 to consider the following items – Agenda Item 8 Approval of the Minutes and Agenda Item 9 – Verbal Update of the Local Plan Progression to Submission.

He asked them to consider whether the public interest including the press should be excluded from the meeting on the grounds of exemption by virtue of paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of schedule 12A of the Local Government Act, because, in all circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

Cllr Moss seconded the proposal.

Following a vote, the Panel agreed to support the proposal.

8 **Approval of Minutes**

The minutes of the meeting held on Wednesday 13 December 2024 were agreed as a true and accurate record.

9 **Verbal Update on the Local Plan Progression to Submission**

The minutes for this item are restricted.

The meeting ended at 12.21 pm

CHAIRMAN

Date: