

## TANDRIDGE DISTRICT COUNCIL

### PLANNING POLICY COMMITTEE

Minutes and report to Council of the meeting of the Committee held in the Council Chamber, Council Offices, Station Road East, Oxted on the 21<sup>st</sup> March 2024 at 7:30pm.

**PRESENT:** Councillors Sayer (Chair), Chris Farr (Vice-Chair), Blackwell, Booth, Botten, Sue Farr, Gray (substitute in place of Robinson), Alun Jones, Moore, Prew and Steeds

**ALSO PRESENT:** Councillors Allen, Crane, Pursehouse and Nicholas White

**APOLOGIES FOR ABSENCE:** Councillor Robinson

#### **270. MINUTES OF THE MEETING HELD ON THE 18TH JANUARY 2024**

These minutes were confirmed and signed as a correct record.

#### **271. PLANNING INSPECTOR'S REPORT ON THE EXAMINATION OF THE COUNCIL'S LOCAL PLAN**

The Independent Examination of 'Our Local Plan 2033' had concluded with the Inspector's report (published on 20<sup>th</sup> February 2024). This recommended that the plan should not be adopted due to soundness issues which were not possible to redress through main modifications. The Council was therefore obliged to withdraw the plan in line with the Inspector's recommendation and in accordance with the Planning and Compulsory Purchase Act 2004.

The Committee was advised of the statutory requirements that would need to be followed once the Plan had been withdrawn. It was also confirmed that the Development Plan would remain the existing adopted policy. This comprised the Tandridge District Core Strategy 2008; Tandridge Local Plan Part 2: Detailed Policies 2014-2029; Caterham, Chaldon & Whyteleafe Neighbourhood Plan 2021; Limpsfield Neighbourhood Plan 2019; Woldingham Neighbourhood Plan 2016; and the Surrey Waste and Minerals Plans.

The withdrawal of 'Our Local Plan 2033' would also:

- end the Council's involvement in Homes England's garden communities funding programme; and
- trigger a requirement for 'First Homes' (a specific kind of discounted market sale housing available to first time buyers) to account for at least 25% of all affordable housing units delivered by developers secured through Section 106 planning obligations.

The Council would now be required to expedite the preparation of a new Local Plan, including workstreams for renewing the Local Development Scheme; updating the evidence base; and producing a new Statement of Community Involvement. It was likely that the new Local Plan would have to be prepared and examined in accordance with a new plan making system to be prescribed by secondary legislation under the Levelling Up and Regeneration Act 2023 (applicable for all Local Plans submitted for independent examination after 30<sup>th</sup> June 2025). The timetable for the introduction of the relevant regulations was still awaited.

Discussion focused on the Officer recommendation that *“all of the existing evidence base for ‘Our Local Plan 2033’ be retained and republished on the Council’s own webpage, until such time that it can be reviewed and updated...”*. Concern was expressed that out-of-date evidence could remain extant for longer than necessary and expose the District to undue risk of inappropriate development. In response, the Committee was advised that:

- all of the evidence base would have to be retained in the first instance as the contents would need to be subjected to a methodical review;
- however, pending the outcome of the review, the degree of weight given to specific elements of the evidence base (i.e. in connection with planning applications) would depend upon the extent to which the evidence was still relevant when applied to specific sites and that any potential risks posed by out-of-date evidence could be mitigated in the short term.

The Chair also commented that, given the budgetary constraints of preparing the new Local Plan, the current evidence base should only be updated where necessary and that elements previously endorsed by the Inspector (of ‘Our Local Plan 2033’) such as the Stage 1 Green Belt Assessment, should not need revising.

Views were expressed regarding the approach to the new Local Plan, including the significance of the M25 / Junction 6 capacity and the need for fairness in balancing protection of the Green Belt against over-development in other areas.

In response to Members’ questions, Officers advised that:

- a new Local Plan work programme, with target timelines for key milestones, would be developed during the coming months and would inform the production of a new Local Development Scheme;
- a gypsy, traveller and travelling showpeople interim policy statement was being prepared which would sit alongside the adopted Interim Policy Statement for Housing Delivery;
- consideration of new Supplementary Planning Documents would be deferred, pending clarification about emerging national policy reforms and the possibility of SPDs being phased out;
- detailed aspects of the Government’s First Homes scheme would need to be checked in consultation with colleagues in the Housing department.

**COUNCIL DECISIONS**  
(subject to ratification by Council)

**RECOMMENDED** – that:

- A. having due regard to the Inspector’s recommendation set out in his report published on 20<sup>th</sup> February 2024, the Council confirms its intention to withdraw ‘Our Local Plan 2033’ after all the necessary regulatory requirements have been met;
- B. all of the existing evidence base for ‘Our Local Plan 2033’ be retained and republished on the Council’s own webpage, until such time that it can be reviewed and updated, if necessary, as part of the preparation of a new Local Plan; and

- C. work begins on the preparation of a new Local Plan, which includes the following associated workstreams:
- (i) review and approve a new Local Development Scheme, which demonstrates a commitment to produce a sound Local Plan in a timely manner
  - (ii) review, develop and update the evidence base to inform its proposals and policies
  - (iii) review and approve the Statement of Community Involvement, to facilitate and ensure effective public engagement of residents, businesses, and parish councils.

## 272. AUTHORITY MONITORING REPORT

An Authority Monitoring Report (AMR) for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 was presented. This had been prepared in accordance with Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Government's Planning Practice Guidance. The AMR:

- listed the component documents of the Development Plan for the District and referred to associated Supplementary Planning Documents and guidance;
- commented on the position of Our Local Plan 2033 and delivery of the Local Development Scheme as at 31<sup>st</sup> March 2023 (since superseded by the Inspector's report covered by Minute 271);
- confirmed the status of Neighbourhood Plans as at 31<sup>st</sup> March 2023;
- stated how the Council had exercised its Duty to Cooperate;
- provided an update in respect of targets set out in relevant policies from the adopted Core Strategy (2008) and the Local Plan Part 2 - Detailed Policies (2014);
- provided details concerning the Council's Custom and Self-Build Register;
- analysed the collection and use of Community Infrastructure Levy (CIL) receipts.

Officers acknowledged that the document was already a year out-of-date but confirmed that work on the 2023/24 AMR would commence shortly. The Chair commented that the delay reflected other competing priorities which had to be addressed by the planning policy team.

Arising from the debate, Officers agreed to provide Members with more detailed information regarding the references to CIL arrears in the table at paragraph 73 of the AMR.

It was also confirmed that the scope for encouraging self-build and custom housebuilding could be explored as part of the new Local Plan process.

**RESOLVED** – that the Authority Monitoring Report for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023, as attached at Appendix A to the report, be approved for publication and be made available for public and stakeholder scrutiny on the Council's website.

## 273. NEIGHBOURHOOD PLANS UPDATE

The following locations within the District had been designated as neighbourhood planning areas:

- Burstow
- Caterham, Chaldon & Whyteleafe
- Crowhurst
- Dormansland
- Godstone
- Limpsfield
- Lingfield
- Tandridge
- Tatsfield
- Woldingham

A report was presented which updated the Committee about the varying stages of the plan making process for each area. This included confirmation that, as recommended by the independent examiner, the Tatsfield Neighbourhood Plan would be subjected to a referendum on 2<sup>nd</sup> May 2024. It was also confirmed an Outwood group was considering proceeding with a neighbourhood plan for the village.

During the debate, Members thanked the current planning policy team for its support to neighbourhood planning groups. The extent to which neighbourhood plans were worthwhile given the workloads placed upon community volunteers was also discussed. Some Members described how neighbourhood plans in their areas has been effective in controlling local development, notwithstanding the fact that such plans had to complement the District Council's adopted policies.

**RESOLVED** – that progress on Neighbourhood Plans be noted.

## 274. GATWICK UPDATE

The Committee was updated on the Council's engagement with the public examination of Gatwick Airport Limited (GAL)'s application for a Development Consent Order (DCO) for its Northern Runway Project. Information about the examination had been confirmed by the Planning Inspectorate's 'Rule 8 letter' a copy of which was appended to the report. The main issues were:

- the Deputy Chief Executive had attended the Preliminary Meeting and Specific Issue Hearings (updates from which were conveyed to the Committee);
- the Council had contributed to the submission of a Statement of Common Ground and joint Local Impact Report (LIR) on behalf of Surrey host authorities, as well as submitting its own written representation to complement the LIR; and
- the Council had re-entered the local authority legal partnership with ten other Councils to secure legal advice and representation (provided by Sharpe Pritchard LLP) to the parties associated with the DCO application. A contribution limit of £25K for the Council's first tranche of legal support had been agreed and a further report would be submitted to the Committee should additional funding be required.

It was also confirmed that a new dedicated officer resource for the Gatwick DCO process had recently been secured.

**RESOLVED** – that progress on the Council's response to Gatwick Airport Limited's DCO application be noted.

## **275. QUARTER 3 2023/24 BUDGET MONITORING - PLANNING POLICY COMMITTEE**

An analysis of expenditure against the Committee's £1,338k revenue budget for 2023/24, as at the end of December 2023 (Month 9) was presented. A £533k revenue overspend was forecast, mainly due to:

- contract staff being retained for longer than originally anticipated;
- a change in the provision for planning appeals;
- consultancy costs associated with the Gatwick Airport DCO process; and
- under-recovery of income to the 'land charges and street naming & numbering budget' (the scope for providing clearer narratives in future reports regarding this budget was acknowledged).

£71k use of planning reserves was forecast, £69k of which was attributed to the 'planning policy & local plan earmarked reserve' to fund the salary overspend associated with full year use of interims and seconded officers to manage the planning policy function.

Regarding the Committee's capital programme (entirely funded by Community Infrastructure Levy income) expenditure of £0.3m was forecast, with slippage of £0.2m.

Members discussed the need to establish a permanent in-house planning policy team and efforts to overcome recruitment challenges, although recent success in filling vacancies in the development management team was welcomed.

**RESOLVED** – that the Committee's forecast revenue and capital budget positions as at Quarter 3 / M9 (December) 2023/24 be noted.

Rising 8.40 pm