

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 19 September 2024 at 7:30pm.

PRESENT: Councillors Sayer (Chair), Chris Farr (Vice-Chair), Blackwell, Duggan, Sue Farr, Lockwood, Prew, Spencer, Steeds, Gaffney (Substitute) (In place of Fowler) and Gray (Substitute) (In place of Jones)

ALSO PRESENT: Councillors Nicholas White

ALSO PRESENT (Virtually): Councillors Bloore and Pursehouse

APOLOGIES FOR ABSENCE: Councillors Fowler and Jones

102. MINUTES OF THE MEETING HELD ON THE 20TH JUNE 2024

The minutes were confirmed and signed as a correct record.

103. NATIONAL PLANNING POLICY CONSULTATION

On 30 July 2024, the Government had begun a consultation on proposed changes to the planning system, including a draft National Planning Policy Framework (NPPF) and the outcomes of a proposed revised standard methodology for calculating housing need. Some of the detail was contained in a consultation document which sat alongside the NPPF. The Government had also issued a Written Ministerial Statement and letters to Chief Executives and Leaders of Local Planning Authorities and the planning Inspectorate. The Committee received a report summarising the proposed changes. The report also sought delegated authority to submit a response to the consultation.

Officers explained that there were five themes to the consultation, and drew Members' attention to two:

- changes in the approach to housing need and how it was calculated
- changes in relation to brownfield, greenbelt and greybelt definitions.

Given the proximity of the deadline for responses, recommendation B had been amended as follows:

- B. the Deputy Chief Executive, in consultation with the Planning Policy Working Group, be given delegated authority to submit a response to the Government's consultation paper on changes to national planning policy by 24th September 2024.

The Chair had circulated a draft response to the Committee. There were 5 responses to questions where alternative views had been put forward. The Chair asked Members to submit their views on these before the final version was agreed.

During the debate, the following matters were discussed:

- whether the definition of grey belt; *land in the green belt comprising previously developed land (PDL) and other green belt land that made a limited contribution to the purposes of the green belt and was not subject to any the constraint listed in footnote 7 of the NPPF*, was clear or if it could be better defined to reduce the risk of uncertainty around its meaning. It was important to understand what the Government meant by grey belt in order to understand how it would impact the District.
- the ambiguity around the meaning of ‘vision-led’ transport, and the importance of ensuring infrastructure. It could suggest less infrastructure for less car use.
- whether agreeing with the removal of the urban uplift would result in pressure to take additional development that London would not be able to achieve.
- clarity was needed from the Government on whether development on the green belt was to be considered inappropriate or not, in the case that a 5-Year Housing Land Supply was not demonstrated or a Local Planning Authority failed to meet the Housing Delivery Test.
- there were no further details at this stage about what the Government meant by *modernising Planning Committees by introducing a national scheme of delegation*.

RESOLVED – that:

- A) the report be noted; and
- B) the Chief Executive, in consultation with the Planning Policy Working Group, be given delegated authority to submit a response to the Government’s consultation paper on changes to national planning policy by 24th September 2024.

104. NATIONAL LANDSCAPES UPDATE

The Committee received an update on the Surrey Hills AONB (Area of Outstanding Natural Beauty) (known as Natural Landscapes) Boundary review. Natural England had published an analysis report of the 2023 consultation. This report set out the proposed changes to the boundary extension, with 27 additions and 13 deletions. A second consultation opened on 17 September and would close on 10 December 2024. The focus of the consultation was on the proposed additions and deletions to the proposed boundary amendment. Approval was sought for the Deputy Chief Executive, in consultation with the Planning Policy Working Group and Planning Policy Officers, to prepare a response.

It was also noted that Natural England had suggested Surrey authorities work together on the issue of Areas of Great Landscape Value (AGLV) that had not been included.

Members were pleased with the additions but expressed concern over several areas that were proposed to be deleted, or which had been suggested for inclusion but had been rejected.

The Committee were also informed about the Dark Skies Technical Advice Note published by the High Weald Joint Advisory Committee. This guidance was an important tool to enable appropriately designed lighting schemes within the AONB.

RESOLVED – that the report be noted and the Deputy Chief Executive, given the timescales involved, be authorised to prepare a formal response to the forthcoming consultation, in collaboration with the Planning Policy Working Group and Planning Policy Officers.

105. PLANNING ENFORCEMENT

In June 2024, the Committee had adopted an amended Enforcement Policy. A report setting out the work that had been undertaken since that meeting to strengthen and improve the effectiveness of the Enforcement Team to deliver on the policy. This included:

- i) Recruitment of permanent Enforcement Officers.
- ii) Improvements to caseload and data management.
- iii) Development of an 'Out of Hours' solution.
- iv) Improvements in communication and stakeholder management.

The Council had commissioned external companies to strengthen the Council's enforcement by tackling priority enforcement cases and provide on-site attendance outside normal working hours. The external support would help the Council to determine the future operating model of enforcement services and ensure it is on a stable basis by the end of 2024/25.

In response to Member questions, Officers explained:

- a budget of £50k had been initially agreed to commission external support in tackling priority cases. It was not known the length of time the trial would last.
- the success of the trial would be determined by how well the external organisations support the service, as well as determining value for money.
- 15 of the highest priority 40 cases had been allocated to the external organisations. Officers would be able to share these with the Committee, as well as data on the oldest and the median. If Members wanted updates on particular cases, they could contact the Interim DM Manager.
- the external organisations would be reporting back fortnightly from the end of September.
- improved communications between Officers and Members would be a measure of success in the improvement plan.
- enforcement tended to be a long process due to the steps that needed to be gone through. Information from the Planning Inspectorate suggested it took around a year to deal with enforcement appeals. If the appeal is dismissed, there was then the compliance period which could be up to a further year.

RESOLVED – that the updates to the Planning Enforcement Team be noted and the decision taken under urgency powers be ratified.

106. QUARTER 1 2024/25 BUDGET MONITORING - PLANNING POLICY COMMITTEE

An analysis of expenditure against the Committee's revenue budget for 2024/25, as at the end of June 2024 (Month 3) was presented. The approved budget had been set at £1,817k and,

subject to approval at the Strategy & Resources Committee on 26 September, would be increased by £83k to distribute an amount held corporately for the 2024/25 pay award. The total budget was therefore expected to be £1,900k.

A full year underspend of £34k was forecast. Several risk and opportunities were being managed within the budget including overspends on salaries, offset by a surplus on planning application fees.

The revenue budget included investment of £320k which had been approved by Full Council in February 2024. This was to strengthen Development Management and deliver the new Enforcement Policy. The report sought approval to restructure the budget to accurately reflect line management and planned staffing structure and distribute the £320k to Development Management and Enforcement.

Regarding the Committee's capital programme (entirely funded by Community Infrastructure Levy income), the total budget was set for £1,801k. There was no projected slippage in projected scheme expenditure, with a nil variance forecast.

Councillor Spencer, seconded by Councillor Gray, proposed the following additional recommendation:

An overview of the planning team structure to be provided to this committee which details current permanent and temporary staff, and open positions, to include a summary of the measures being taken to understand and mitigate the retention risks. This would detail the recruitment process and initiatives being taken to attract candidates with a report that includes the number of applications and outcome for each position.

Upon being put to the vote, this motion was agreed.

RESOLVED – that:

- A) That the Committee's Revenue and Capital budget forecast positions as at Quarter 1 / M3 (June) 2024/25 be noted.
- B) That the virements to:
 - i. restructure the Committee's budget to more accurately reflect line management and planned staffing structures; and
 - ii. distribute the £320k additional planning investment to Development Management and Enforcement

be approved.

- C) An overview of the planning team structure be provided to this committee which details current permanent and temporary staff, and open positions, to include a summary of the measures being taken to understand and mitigate the retention risks. This would detail the recruitment process and initiatives being taken to attract candidates with a report that includes the number of applications and outcome for each position.

107. QUARTER 1 2024/25 KEY PERFORMANCE INDICATORS - PLANNING POLICY COMMITTEE

The Committee considered a report with key planning performance indicators for the first quarter of 2024/25 as collected by the Ministry of Housing, Communities and Local Government (MHCLG). The KPI outturns were in line with MHCLG's required performance levels for planning applications and demonstrated an upward trend in improvement in the delivery of the planning service. There were also continuous improvements in the reduction of backlogs. The number of applications allowed at appeal for both 'major' and 'non-major' applications were under the 10% at which intervention would be considered. These were reported with a 9 month lag.

Officers responded to Member questions by confirming that:

- the timescales of the validation of applications had reduced. It was explained that deadlines were set where it was necessary for the applicant to submit additional information.
- in terms of undetermined applications, the Planning Department were working to reduce the number of applications where no extension of time had been agreed. Various reasons existed as to why an extension of time might not have been agreed, such as waiting for legal agreements or technical reports.

RESOLVED – that the Quarter 1 2024 - 2025 performance indicators for the Planning Policy Committee be noted.

108. NEIGHBOURHOOD PLANS UPDATE

A report providing a summary of Neighbourhood Plan progress across the District was presented to the Committee. Of the ten areas that had been designated as a neighbourhood planning area, four had made Neighbourhood Plans. Five were currently being developed, including a review underway of one made plan. The current positions of the developed plans were outlined:

- Burstow had submitted a draft regulation 16 plan to the Council for comment.
- Caterham, Chaldon and Whyteleafe were reviewing the made plan to consider the addition of new policies. A draft plan in advance of a regulation 14 consultation had been submitted to the Council for comment.
- Dormansland had submitted a draft plan in advance of a regulation 14 consultation which the Council had commented on.
- Godstone had submitted a draft plan in advance of a regulation 14 consultation to the Council.
- Lingfield undertook a regulation 14 consultation and the Parish Council were reviewing comments.
- In the case of Burstow; Caterham, Chaldon and Whyteleafe; Dormansland; and Godstone, a screening for the purpose of a Strategic Environmental Assessment (SEA) and / or a Habitats Regulations Appropriate Assessment (AA) had been undertaken with the three consultation bodies confirming the plans should not be the subject of either.

RESOLVED – that progress on Neighbourhood Plans be noted.

109. GATWICK UPDATE

Examination into the proposed Gatwick Airport Development Consent Order (DCO) closed on 27 August 2024. The Examining Authority (ExA) had until 27 November to make a recommendation to the Secretary of State for Transport regarding whether or not to approve the DCO and, if so, the requirements that would apply in the interests of avoiding and mitigating impacts. If made, it would be the subject of a S106 Legal Agreement that would require Gatwick Airport to undertake certain actions and provide funds to mitigate and compensate for impacts.

The Council had submitted final representations to the ExA. In a Closing Statement the Joint Local Authorities (JLAs) stated that the Councils can only support making the DCO if additional requirements were included to cover the matters in the Environmentally Managed Growth proposal. The ExA, or the Secretary of State, may seek the views of the JLAs on any changes to the requirements in the DCO.

The decision of the Secretary of State was anticipated on or before 27 February 2025.

RESOLVED – that the report be noted.

110. APPROVAL OF AIR QUALITY STRATEGY

The Committee considered a report recommending the adoption of an Air Quality Strategy (AQS). The Department for Food & Rural Affairs (DEFRA) had advised all Local Authorities which had not been subject to a breach of exceedances that they were obliged to adopt an AQS. The AQS set out the actions the Council, and its partners, undertook to maintain and improve air quality.

In response to Member questions, Officers confirmed:

- the Council had the power to undertake enforcement on woodburning stoves and bonfires. It could only do so if there was sufficient evidence to prove a case and residents were encouraged to keep logs to assist with investigations.
- information would be provided to Members on the schools undertaking the Schools' Air Quality Monitoring for Health & Education and number of electric vehicle charging points installed at Council owned car parks.
- the Surrey Air Alliance Group (SAAG) provided air quality advice to the public on the Council webpages. Future initiatives included replacing the existing notification system of high pollution levels with an advanced service that notifies residents who sign up via text message and email.
- as there had not been any breaches of the exceedances monitored, the Council did not have an Air Quality Management Area. This would impose controls on the Council to manage air quality, such as on highways.

RESOLVED – that the contents of this report are noted and the Air Quality Strategy (appendix 1 to the report) be approved.

Rising 9.27 pm