

Local Plan Update

Planning Policy Committee Thursday, 24 June 2021

Report of: Chief Planning Officer

Purpose: To note the content of the report.

Publication status: Unrestricted

Wards affected: All

Executive summary:

- This report provides an update on planning policy matters, including the progress of the high-level transport modelling which is being undertaken on Junction 6 of the M25 to help inform the Council's decision on the Local Plan.
 - Updates on Neighbourhood plans and emerging changes to the planning system, are also included.
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This report supports the Council's priority of:

- Creating the homes, infrastructure and environment we need
 - Supporting economic recovery in Tandridge
 - Becoming a greener, more sustainable District
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Recommendation to Committee:

That the Committee notes the content of this report.

Reason for recommendation:

The preparation and adoption of the Local Plan is a strategic priority for the Council. The role of the Local Plan and the extensive work which has gone into preparing it remains of significant interest to elected Members, development professionals and the community. Updates on Local Plan and related matters at each committee is useful for committee discussion and in allowing the public to hear about progress.

Introduction and background

- 1.1 Our Local Plan:2033 was publicly examined by Planning Inspector, Philip Lewis in the latter part of 2019. In December 2020 he issued his preliminary findings and feedback (ID16) which is published on the Council's website. At paragraph 63 of the letter, the Inspector has set out two options for the Council to follow in terms of our Plan preparation:
 - I. To pause the Examination and continue to attempt to resolve the issue of the provision of strategic infrastructure, the OAN, housing requirement and supply, including the Garden Community proposal and provision for Gypsies and Travellers to an agreed timescale. This will also require other changes to be made to the Plan, arising through addressing the Inspector's comments, including in relation to some allocations, yields and local infrastructure; or
 - II. Withdraw the Plan and commence the preparation of a new Plan as per current national planning policy.
- 1.2 As Members will be aware the central challenge to the Council's Local Plan relate to capacity and mitigation issues at Junction 6 of the M25, and whether these issues can be overcome, or such that it renders the Plan undeliverable and therefore, unsound.
- 1.3 In recognition of the significance of the junction 6 matter, which may have implications for all development in the District, the Committee, at its January 2021 meeting, resolved for the Council to undertake high-level strategic transport modelling. This modelling is intended to inform the Council's decision on how it moves forward with a Local Plan and respond to the Inspector. It will also assist with longer term strategic consideration of the challenges which face the District in its ability to provide infrastructure, homes and employment for our communities. Further information on the modelling is set out later in this report.
- 1.4. In addition to an update on the modelling, this report highlights a number of national planning policy matters for Members attention. These updates follow from the draft proposals set out in the 2020 Planning White Paper and Her Majesty the Queen's, reference to planning reforms in her [recent speech](#) on 11 May 2021.
- 1.5 Finally, an update on progress of Neighbourhood Plans is provided. A separate item on the agenda addressing the adoption of the Caterham, Chaldon and Whyteleafe Neighbourhood Plan, is before the Committee.

2.0 M25 Junction 6

- 2.1 Consultants were commissioned to undertake the High-level transport modelling as agreed at the January 2021 Committee. They have progressed as much as they are able and have worked closely with Highways England and Surrey County Highways. The initial timeline for completion of the work was by the end of May 2021 and this was shared with the Planning Inspector (TED44).
- 2.2 While Officers had hoped to have commenced internal and Member discussions on the outputs of this by now, due to delays in securing agreement on some technical aspects of the work from necessary third-parties, this work is now anticipated to be completed by the end of June 2021. The Inspector has been made aware of the updated timetable (TED45). At the time of writing the Inspector is unavailable and has not provided a response.

- 2.3 Although the work has not yet produced any outputs which can be used for detailed discussion, meetings with relevant parties including Highways England and Surrey County Highways have continued. Officers and consultants have taken steps to try and minimise delays where possible, including twin tracking/progressing parts of work where the process allows. The outputs in terms of how the modelling has been carried out and any mitigation solutions must be agreed with statutory parties, in order for us to utilise the work. Maintaining relationships and keeping parties informed is a vital and necessary part of the process.
- 2.4 Officers will ensure the Chair and Vice-Chair are kept updated, along with Group Leaders.

3.0 National Policy Update

- 3.1 On 11 May 2021, The Queen, in [her speech](#), committed the government to preparing and implementing a new Planning Bill. This is the next step for the government in implementing some of the proposals set out in the earlier White Paper, Planning for the Future, published in August 2020. The Council responded to the consultation on the White Paper and along with other local authorities and development professionals across the country, challenged many of the government's proposals.
- 3.2 The Government intend to [change local plans](#) to "*provide more certainty over the type, scale and design of development permitted on different categories of land*". By allocating land as "growth areas", "renewal areas" and "protected areas", the Government is hoping to simplify and speed-up the process for delivering new housing and infrastructure. Those designations were referred in the Planning White Paper and it remains to be seen if these proposals are retained in the Planning Bill's passage to becoming an Act.
- 3.3 The Government has also acknowledged that an amended methodology to the calculation of housing numbers should not be implemented, but we await further details on aspects relating to local plan preparation, in particular. The Government is hoping to change developer contributions which could include the abolition of Section 106 in favour of "*a new more predictable and more transparent levy*". The Government's briefing notes that accompanied the Queen's Speech only talk about this levy with regards to affordable housing and infrastructure. If implemented, this may have implications for all collecting authorities especially at a time when the country is struggling with an infrastructure deficit.
- 3.4 The Bill is expected to be considered by Parliament in the Autumn.

First Homes

- 3.5 In advance of implementing reforms and securing a new Planning Bill, government is seeking to implement new policies/initiatives where it can. One such initiative is First Homes which was inserted into the [Planning Practice Guidance](#) on 24 May, alongside a related [Written Ministerial Statement](#) at the same time and will be implemented from 28 June 2021, subject to transitional arrangements which are detailed further below.

- 3.6 First Homes are badged as being a new model for Shared Ownership and seek to further secure the governments focus on increasing home ownership. The scheme requires that 25% of affordable housing which a Local Planning Authority seeks, be First Homes. The Written Ministerial Statement states that:

“From 28 June 2021, a home meeting the criteria of a First Home will also be considered to meet the definition of ‘affordable housing’ for planning purposes. The First Homes Criteria means:

- *A First Home must be discounted by a minimum of 30% against the market value; and,*
- *after the discount has been applied, the first sale of the home must be at a price no higher than £250,000 (or £420,000 in Greater London).*

Local authorities will be able to set a deeper minimum discount at either 40% or 50% and impose lower price caps, if they can demonstrate a need for this through evidence.”

- 3.7 Regarding the impact on the Council, this will have implications for the tenure mix we can secure through affordable housing and potential viability on sites. However, we are considered to be in a transitional position and do not need to reflect the policy requirement or apply it to all applications received from the implementation date. This is because we have a submitted Local Plan which is under examination. We would, however, be expected to establish if we are able to implement First Homes in other ways including through Neighbourhood Planning, policy statements or if an applicant for planning permission requests it.
- 3.8 Officers, across relevant services, are working together to further understand the implications of First Homes and it is also anticipated that Housing Committee will need to be informed accordingly.

4.0 Neighbourhood Planning

- 4.1 The decisions regarding the Local Plan continue to influence the ability of neighbourhood planning groups to progress their plans. Officers have contacted groups for an update and unless we have received information to the contrary, have assumed that their position has not changed since the last update in March 2021. The following provides brief updates where we have them:
- 4.2 **Caterham Chaldon and Whyteleafe (CCW)** this has successfully passed referendum and is seeking to be adopted. This is dealt with under another item on the agenda.
- 4.3 **Tatsfield** are working with the Council to deliver some affordable housing and will continue to progress the Neighbourhood Plan in due course.
- 4.4 **Limpsfield** Parish Council continue to prepare a Conservation Area Management Plan, an action arising from the adopted Neighbourhood Plan. Officers have previously provided feedback on an initial draft and await a request to further input.
- 4.5 **Burstow** have confirmed that they await the outcome of the decision on the Local Plan.

5.0 Budget

- 5.1 There is no direct financial implication of this report. Costs associated with the high-level transport modelling have been met through the Local Plan budget.

Other options considered

As an update report there are no alternative options being considered.

Consultation

No formal consultation requirements directly relate to this report.

Key implications

Comments of the Chief Finance Officer

The Council's resources are under considerable pressure and expenditure must be kept within existing budgets. All expenditure must be closely monitored to ensure that this happens.

There are no direct revenue or capital implications from this report.

Comments of the Head of Legal Services

The comments made in this report are of a general nature and therefore at this stage, there are no legal implications. The report has provided an overall context for Members at this stage of the Council's local plan; updated on the Planning Bill and on Neighbourhood Plans.

The Local Plan is a key planning document, which supports the strategic policies of the Council and forms part of the statutory planning framework to enable and assist the delivery of the District's future development requirements. Without the High-level transport modelling results, the Inspector will not be able to reach a conclusion on the Council's Local Plan.

Similarly, it is difficult to assess what the precise impact of the planning reforms without further details. Nonetheless, the Government does seem to be planning for a vision of the future and is set on implementing the modernisation the current planning system.

The Council is required to support local communities in development of their Neighbourhood Plans. It is already clear that communities undertaking Neighbourhood Plans have had support from this Council, not just from the Planning Service but from a variety of service areas as they progress. The Council is not permitted to influence the content of the Neighbourhood Plan at any stage. Following a successful referendum, the Council must 'make' the Neighbourhood Plan part of the Council's Local Plan giving it the same status as the Local Plan for determining planning applications. The CCW Neighbourhood Plan would become part of the Council's plans and strategies and so, a Full Council decision is required.

Housing

The First Homes initiative may have implications for the Council's implementation of affordable products. This is being taken forward by relevant housing officers.

Equality

Equalities Impact Assessments have been carried out throughout the preparation of the Local Plan and the policies of the Plan affect all sections of our community.

Climate change

Whilst car use does have impacts for climate change and emissions, this is an update report and does not propose policy. Therefore, there are no significant environmental / sustainability implications associated with this report.

Appendices

None

Background papers

None

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