

Local Plan progress options: Inspector response - ID16 and ID19

Planning Policy Committee - Wednesday, 5th January 2022

Report of: Chief Executive

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

The Council has been preparing a Local Plan which is undergoing examination by Planning Inspector Mr Philip Lewis, on behalf of the Secretary of State. Mr Lewis has identified several issues and concerns with the submitted draft plan and has asked the Council to make a decision regarding how it wishes to proceed with the Local Plan and the ongoing examination.

The Council has been awaiting key information around J6 of the M25 and the capacity of the junction. The junction capacity and opportunity to mitigate any issues is fundamental to the Council being able to fully understand the implications for the Local Plan and our ability to deliver development.

The work to determine J6 capacity and the timing and scope of any upgrade to the junction to accommodate anticipated traffic growth from development proposals set out in the emerging "Our Local Plan 2016 to 2033" have now become clearer as a result the study undertaken on the Council's behalf by DHA Transport in consultation with National Highways and Surrey County Council Highways. DHA Transport will be present at the meeting to assist in providing amplification or clarification of the outcomes of the J6 capacity study.

This report sets out the findings of the J6 capacity study so that the Committee has the information needed to enable a decision to be made on how the Council should respond to the Inspector at its next meeting on 20th January 2022.

Attached to this report is a further draft holding response to the Inspector by the Chief Executive explaining the process the Council is going through and its timescale in order to give a considered response to his correspondence to the Council (ID16 and ID19).

This report supports the Council's priority of:

- Creating the homes, infrastructure and environment we need – both now and in the future.
- Supporting economic recovery in Tandridge – from lockdown to growth that everyone benefits from.
- Becoming a greener, more sustainable District – tackling climate change.

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Recommendation to Committee:

That in accordance with its delegated powers, the Committee agree the attached draft letter from the Chief Executive to the Inspector (Appendix 1) being sent and that further consideration of how to progress with the Local Plan and respond to the Inspector's correspondence in ID16 and ID 19 is deferred until the Committee's next meeting on 20th January 2022.

Reason for recommendation:

The Planning Inspector examining the draft Plan has issued correspondence to the Council (ID16 and ID19) which, amongst other things, seeks a decision from the Council in terms of how it wishes to proceed with the Local Plan.

Until now, the Council's ability to make a decision has been hindered by a lack of information and understanding of implications around Junction 6 of the M25, which is already operating over capacity.

This information is now available and is presented to the Committee to assist its consideration of a formal response to the Inspector at the 20th January, 2022, Committee meeting.

1.0 Introduction and background

- 1.1** The Council has been preparing its Local Plan since 2014. In January 2019, the Council submitted Our Local Plan: 2033 to the Planning Inspectorate, for examination. The examination in public on the draft plan took place during October and November 2019 and it was well attended by developers, community groups, residents and other interested parties.
- 1.2** In December 2020, the Inspector issued the Council with his interim findings (ID16), setting out several concerns with the plan, particularly regarding Junction 6 of the M25 and the Council's ability to demonstrate that the Plan was deliverable.
- 1.3** With the Inspector's agreement, the Council has sought to consider the implications for the Plan in the context of the capacity and opportunities to mitigate issues with Junction 6. Due to issues outside the Council's control, this work has experienced delays despite best efforts to meet the original deadline in the early summer. The work has only very recently been completed and agreement has been reached with National Highways (NH) and Surrey County Council Highways (SCCH) on the scope and timing of necessary improvements to J6 to accommodate forecast traffic growth, including that from the Local Plan development options.
- 1.4** Attached to this report as Appendices for Members information are the suite of documents that set out the outcomes of the DHA Transport study of J6 on behalf of the Council and the formal responses of the statutory highway authorities (NH and SCCH) which have participated in the study, as follows:
- A Position Statement dated December 2021 by DHA Transport
 - A M25 Junction 6 Technical Note dated 17.12.21 by DHA Transport
 - A drawing A-1523-H-01 rev P3 showing the required improvements to J6 prepared by DHA Transport
 - An e-mail dated 20 December 2021 from National Highways setting out their response to the DHA Technical Note
 - An e-mail dated 21 December 2021 from Surrey County Council Highways setting out their response to the DHA Technical Note
 - the Council's response to the Route Investment Strategies consultation.

1.5 In summary, the findings of the study are:

- all of the J6 improvement works shown on DHA Transport drawing A-1523-H-01 rev P3 would fully mitigate the impact of Local Plan growth to 2035, in accordance with the requirements of the National Planning Policy Framework; SCCH make clear in their e-mail dated 21 December 2021, that they consider the scheme (excluding the east-bound M25 off-slip which is dealt with below) should be delivered by 2030 to ensure that there is a sufficiently long interval prior to the delivery of any further scheme for the benefit of cost effectiveness and to limit disruptions to the network
- the eastbound M25 off-slip would require upgrading to accommodate forecast traffic volumes by 2030, regardless of the Local Plan, to avoid unacceptable highway safety implications for users of the M25; the aim should be to try to achieve this upgrade, which will require acquisition of third party land, by 2027; no costings are yet available for these works the need for which has been identified late in the study
- with respect to the other M25 merges and diverges, the westbound off-slip, westbound on-slip and eastbound on-slip are of a suitable standard to accommodate Local Plan growth to 2035 in their existing configurations
- the estimated cost of the improvement works (excluding the east-bound M25 off-slip upgrade) would be an estimated outturn cost of £5,009,900 (exclusive of VAT); no sources of funding for these works has yet been identified but, contrary to what is stated in National Highways e-mail of 20 December 2021, the Council has made its own response to the Department of Transport with respect to its Route Investment Strategies consultation; this is included in the documents presented to Members.

1.6 A representative from DHA Transport will be present at the Committee meeting on 05 January 2022, to assist in answering Members' questions. Given that the Christmas and New Year holidays intervene in the period between now and the Committee meeting, it would be very helpful if Members seeking clarification on anything in this report and it's attached documents could e-mail their questions in advance to either Marie Killip or Cliff Thurlow by 30th December, 2021. This will assist officers and DHA transport to prepare their responses.

Consultation

Regarding the direct implications of this report, discussions with the Chief Executive, Interim Chief Planning Officer and specific Members have taken place.

Key implications

Comments of the Chief Finance Officer

The financial challenges the Council has been under and will experience in the medium-term are well rehearsed. The financial implications on the next stages of the Local Plan will be significant for the Council and need to be on the basis of a robust business case before options are put forward to the Inspector. Any improvements work as set out above which will require significant investment of the c£5m identified to date, but potentially considerably more, can only be undertaken if external funding sources are secured.

Comments of the Head of Legal Services

Given work undertaken to date, and the need to respond formally to the Inspector's correspondence (ID16 and ID 19), now is a timely stage to provide Members with more detailed information on the documents received from DHA Transport.

Should the recommendation of this report be endorsed, then a further report will then be presented to this Committee on 20th January 2022 with a view to consider the next response to the Inspector. Any response provided must not raise any soundness issues.

Equality

The draft Local Plan seeks to deliver development solutions that provide homes, community facilities and infrastructure for all areas of our community. As such, the decisions regarding the Local Plan has implications for how the Council can meet its housing, employment and development needs, and thus how it can provide for our community. As part of the Local Plan preparation, Equalities Impact Assessments were carried out at each plan-making stage, to ensure that matters of equality were considered comprehensively.

Climate change

The draft Local Plan sets policies which would contribute to the mitigation of Climate Change when development takes place. The climate agenda has moved on significantly since the Plan was prepared and, should the Plan progress, the Inspector would need to consider whether the Plan goes far enough in contributing to net zero national targets. He may seek to do this through the main modifications process where it is legitimate to do so.

Appendices:

Appendix 1 – Chief Executive’s draft response to the Inspector

Appendix 2 - Position Statement dated December 2021 by DHA Transport

Appendix 3 - M25 Junction 6 Technical Note dated 17.12.21 by DHA Transport

Appendix 4 - Drawing A-1523-H-01 rev P3 showing the required improvements to J6 prepared by DHA Transport

Appendix 5 - E-mail dated 20 December 2021 from National Highways setting out their response to the DHA Technical Note

Appendix 6 - E-mail dated 21 December 2021 from Surrey County Council Highways setting out their response to the DHA Technical Note

Appendix 7 - Tandridge District Council’s response to the National Highways Route Investment Strategies consultation.

Background papers - None