

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 10th March 2022 at 7.30pm.

PRESENT: Councillors Sayer (Chair), Farr (Vice Chair), Black, Blackwell, Botten, Caulcott (substitute), Duck, Jones, Lockwood, Prew and Steeds

PRESENT (Virtually): Councillors Dennis

ALSO PRESENT: Councillors Crane, Gillman, N.White and Pursehouse

ALSO PRESENT (Virtually): Councillors Bloore, Moore and C.White

274. MINUTES OF THE MEETING HELD ON THE 20TH JANUARY 2022

These were confirmed and signed as a correct record.

275. 2022/23 TRANCHE 2 BUDGET (PLANNING POLICY)

As explained during the previous cycle of meetings, the following approach had been taken to the allocation of pressures and savings to the respective policy committees as part of the 2022/23 budget setting process:

Tranche 1 – savings and pressures which were straightforward to allocate (these had been agreed by the respective policy committees during the previous cycle of meetings)

Tranche 2 – pressures regarding inflation (£174k), salary increments / National Insurance staffing costs (£193k) which were being held as ‘corporate items’, pending allocation to policy committees during the March / April 2022 cycle of meetings

Tranche 3 – the more complex cross-cutting savings (also being held as ‘corporate items’) which would require service reviews and business cases to ensure accurate distribution to policy committees during the June 2022 cycle of meetings.

A report was submitted which proposed that this Committee’s:

- share of Tranche 2 pressures be £14k as per Appendix A; and
- fees and charges be as per Appendix B.

The recommended fees and charges had, where appropriate, been uplifted by inflation. However, greater increases were applied in situations where previous charges had been below market rates.

The report also explained that the Council's approach to charging for pre-application (non-householder) fees was to be reviewed with reference to fees charged by other authorities, including the fee structure, charging method and price, to ensure that appropriate costs were recovered. For these fees to be in place as soon as possible, the report recommended that authority be delegated to officers, in consultation with the Chair and Vice Chair, to resolve the final charges.

During the debate, the Chief Planning Officer confirmed that:

- the charge for developers to make formal (pre-application) presentations to the Planning Committee would be included in the above-mentioned review (the review would also include the potential for planning performance agreements with developers which, among other things, would enable the cost of applicable officer time to be recouped)
- the charges for street naming and numbering would also be reviewed
- annual adjustments of CIL fees are set according to a national formula and the Council has no discretion to apply greater annual increases
- once fees had been agreed for the financial year ahead, the relevant Committees had discretion to further amend them during the financial year if considered appropriate to do so.

Clarification was sought regarding the following sentence in the 'legal implications' section of the report:

“ ... In particular, Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources.”

The Chief Planning Officer would ask the Head of Legal to advise Councillor Steeds how individual Members should be expected to fulfil this responsibility.

RESOLVED – that:

- A. subject to further consideration by the Strategy & Resources Committee on the 7th April 2022 regarding the overall allocation of Tranche 2 pressures and savings, the revised 2022/23 net budget for the Planning Policy Committee at **Appendix A** be approved;
- B. the uplifted Fees & Charges for the Planning Policy Committee (**Appendix B**) with the exceptions of the pre-application fees (non-householder) be approved; and
- C. authority be delegated to the Interim Chief Planning Officer and Chief Finance Officer, in consultation with the Chair and Vice Chair of the Planning Policy Committee, to review and set the fee method, structure and price for pre-application fees (non-householder).

276. LOCAL PLAN PROGRESS OPTIONS: INSPECTOR RESPONSE - ID16, ID19 AND ID20

In accordance with the Committee's resolutions of the 5th and 20th January 2022, correspondence (TED50 and TED51) had been issued to the Planning Inspector to:

- provide information about the capacity of Junction 6 of the M25 and mitigation of capacity issues; and
- seek a response on the options before the Council in terms of how to progress its Plan.

A response from the Inspector (ID20) had been received on the 11th February 2022. A report was presented with an officer assessment of the further information which the Inspector required (as specified within ID20) to "*determine whether and/or how the examination should progress...*". This covered the following matters:

- (i) Junction 6 M25 mitigation
- (ii) the deliverability / developability of Strategic Policy SGC01: South Godstone Garden Community, including an Action Area Plan and land assembly
- (iii) recalculating the Objectively Assessed Housing Need (OAN)
- (iv) Housing Land Supply (HLS), to include calculation of the 5-year HLS
- (v) provision for education facilities
- (vi) provision for Gypsies, Travellers and Travelling Showpeople.

ID20 advised that the Council would be expected to adhere to a strict timetable for undertaking the necessary work, evidenced by monthly reports to the Inspector if the Plan was to progress.

A detailed project plan was being prepared to ensure that the Council could fully consider the resourcing implications of the Inspector's requirements. The report concluded with the following proposed 'next steps':

- *Officers, via the Chief Executive and Programme Officer, to seek clarification from the Inspector on matters identified in the report, as well as any others which arise.*
- *Following receipt of clarification from the Inspector, a formal response to ID20 be prepared and issued via the Chief Executive and Programme Officer, in consultation with the Chair and Vice Chair and finance regarding the budget for the work. There is merit to move this on and not to postpone it until the next Committee meeting on 23rd June 2022. It is noted that the Council will be in the 'period of sensitivity' (what has often been referred to in the past as 'purdah') shortly and particular care should be taken in the three weeks before polling day. However, the main purpose of the Council's response is to equip the Inspector with the information he has requested at the earliest opportunity. It is unlikely that such information would be construed as being party political or otherwise controversial in the context of the local election.*

The Chief Planning Officer advised that:

- 'fall back positions' (in the event that the Local Plan does not proceed to adoption) would include a review of local planning policies to ensure they remained fit for purpose in protecting the District from inappropriate development in the context of the National Planning Policy Framework;
- once the required clarification had been received from the Inspector, a critical path analysis would be produced to help identify what resources were needed to fulfil the requirements of ID20 (and no more) and whether they would be provided directly by the Council or commissioned from other providers.

The need to achieve effective input from Members regarding the proposed next steps was discussed, including at least one informal Q&A session with officers. In response to concerns that the process could be delayed due to the District elections on 5th May, the Interim Chief Planning Officer undertook to liaise with the Head of Legal regarding the nature of Member level forums that could take place without breaching pre-election rules.

It was confirmed that, in the Local Plan funding table on paragraph 23 of the report, the £748,000 provision for 2021/22 represented a fully unspent amount which could be carried forward into 2022/23 to supplement the £452,000 provision shown for that year.

Members drew attention to the importance of securing adequate infrastructure to sustain future housing growth, especially as the Objectively Assessed Housing Need was likely to increase in light of ID16. Officers advised that, nevertheless:

- site yields would need to be re-tested in terms of both:
 - further strategic highways modelling to ascertain the likely impact on roads; and
 - education provision, especially in terms of whether sites in Warlingham and Hurst Green should provide education facilities
- the Infrastructure Delivery Plan would need to be updated.

The need to target resources at the essential requirements of ID20 was highlighted during the debate, as was the challenge of having to secure funding sources for required infrastructure. Officers also confirmed that Surrey Highways had been asked for an update on the required improvements to the A22 / A264 Felbridge junction.

RESOLVED – that:

- A. the content of the report be noted; and
- B. the proposed next steps be agreed.

277. SURREY COUNTY COUNCIL'S MINERALS AND WASTE LOCAL PLAN ISSUES AND OPTIONS CONSULTATION (REGULATION 18)

Surrey County Council (SCC), as the Minerals and Waste Planning Authority (SMWPA), was responsible for preparing and maintaining an up-to-date local development plan. Surrey's current development plan documents for minerals and waste management had been adopted in 2011 (Surrey Minerals Plan 2011) and 2020 (Surrey Waste Local Plan 2019-2033). In line with Government policy, SCC had resolved to move away from preparing separate documents and to replace them with Surrey's first joint Minerals and Waste Local Plan (SMWLP) which would be:

- used to guide decisions about future minerals and waste management planning applications;
- a material consideration for Surrey Districts and Boroughs in preparing their local development plans and making their planning decisions.

The SMWLP was at the 'Issues and Options stage' and SCC had consulted relevant stakeholders, including Tandridge, under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council would have subsequent opportunities to comment on and feed into the emerging SMWLP document.

The Committee considered a report which highlighted:

- (i) significant concerns regarding the carrying forward of the adopted SMWLP allocation for a 'waste to energy' facility at Lambs Business Park and the need for SCC to clarify the amount of waste required to support it and how that waste would be delivered to the site (road or rail) – this could significantly impact on the available capacity of Junction 6 (M25) and the A22 to sustain other essential development in the District; and
- (ii) issues raised with respect to mineral safeguarding, primarily to address what are economically important mineral resources and the need to differentiate those of national importance (e.g. silica sand) from ubiquitous minerals such as chalk which lay in highly constrained areas of Tandridge, including the Surrey Hills Area of Outstanding Natural Beauty which was likely to be expanded.

The report concluded that these matters should be subject to further discussion with the SMWPA before the Council submits its initial consultation response. An extended submission deadline of 21st March 2022 had been granted for this purpose.

Debate focused on the Lambs Business Park issue at (i) above and the view that this site allocation (for a 'waste to energy' facility) should be considered afresh

RESOLVED – that a response to the consultation be delegated to the Interim Chief Planning Officer, in consultation with the Chair and the Vice-Chair of the Committee.

278. SURREY 2050: PLACE AMBITION CONSULTATION - DRAFT RESPONSE

Surrey Futures, working in partnership with the County Council, Surrey Districts / Boroughs and other key stakeholders, were consulting on this strategy which sought to identify collective objectives over the next 30 years in terms of 'good growth'.

The strategy was based on the following priorities:

- 1: Improve connectivity both within Surrey and between strategic hubs
- 2: Enhance the place offer of Surrey's towns
- 3: Maximise the potential of our Strategic Opportunity Areas; and
- 4: Invest in natural capital and deliver nature recovery.

It also identified eight Strategic Opportunity Areas, including two which were relevant to the District, namely the M23 Gatwick Corridor (SOA7) and the M25 J6/A22 South Godstone (SOA8).

The Place Ambition did not replace any local proposals and priorities but sought to promote a long term, co-ordinated and cross boundary approach to planning and managing the impacts of growth. It would be used to help shape projects and to seek the support of the county's wider sub-national partners and Government, particularly in relation to accessing additional funding and investment opportunities for infrastructure and to support a zero-carbon future.

Officers had submitted draft comments as a holding response to meet Surrey Future's 4th March deadline. This proposed that greater emphasis should be placed on infrastructure requirements and that the District's challenges regarding the A22/A264 and M25 should be reasserted. The response also captured the need to place more onus on Surrey County Council, as the upper tier authority with responsibility for infrastructure, and for SCC to be more proactive in its engagement with neighbouring authorities to defend against border developments which further exhaust our struggling infrastructure. Other comments advocated a better definition of 'good growth' to reflect something more than just housebuilding and to include further detail on how rural communities could benefit from the Place Ambition.

It had been agreed that final comments could be submitted following consideration by the Committee to reflect Members' views. In this respect, Councillor Blackwell, seconded by Councillor Farr, moved an amendment for text to be added to the initial response which covered:

- the limitations of growth in the green belt
- the need to acknowledge the varying characteristics of the different Surrey Districts / Boroughs and the impact of the Area of Outstanding Natural Beauty
- the need to address the implications of the Government's 'levelling up' initiative and environmental / climate change issues.

Councillor Blackwell's amendment for incorporating the additional text (shown by underlining in Appendix C) was agreed. It was also agreed that a copy of the Council's response to Surrey Futures be sent to the Planning Inspector.

RESOLVED – that the response to the Surrey 2050: Place Ambition consultation at Appendix C be agreed.

279. REVISION OF THE PLANNING PROTOCOL

The Committee received a verbal update from the Chief Planning Officer. He confirmed that the Planning Protocol Working Group had met to review the existing version and had concluded that the new protocol should be considerably shorter. A draft of the revised version would be reviewed by the Group at its next meeting with a view a final draft being submitted to the Committee on the 23rd June 2022.

A Member request that the protocol include a mechanism for implementing paragraph 132 of the National Planning Policy Framework at the pre-application stage was noted.

Rising: 9.09 pm

Appendix A - Revenue Budget 2022/23

Planning Policy Budget

	2021/22	2022/23		2022/23
	Annual Budget	Tranche 1 Budget	Movement	Tranche 2 Budget
	£k	£k	£k	£k
Organisational:				
Planning Applications & Advice	661	361	(26)	335
Planning Strategy & Policy Guidance	294	294	22	316
Appeals	0	40	0	40
Enforcement	50	224	12	236
Tree Preservation & Advice	0	92	3	95
Local Development Plan - Evidence	174	174	7	182
Transfer to/from Neighbourhood Plan Reserve	8	8	0	8
Street Naming	(3)	(3)	(5)	(8)
General Fund	1,185	1,190	14	1,204
Community Infrastructure Levy (CIL)	0	0	0	0
Land Charges	0	0	0	0
Non General Fund	0	0	0	0
Planning Policy	1,185	1,190	14	1,204
Transaction type:				
Staffing	1,788	1,788	12	1,800
Non Staffing	376	416	5	421
Income	(2,644)	(2,679)	(6)	(2,684)
Use of Reserves (Non General Fund)	1,665	1,665	3	1,668
Net Budget	1,185	1,190	14	1,204

	Tranche 2:			
	Pay	Non Pay	Income	Net Budget
	£k	£k	£k	£k
Organisational:				
Planning Applications & Advice	1,011	62	(738)	335
Planning Strategy & Policy Guidance	301	15		316
Appeals		40		40
Enforcement	221	15		236
Tree Preservation & Advice	95	0		95
Local Development Plan - Evidence	4	178		182
Transfer to/from Neighbourhood Plan Reserve		8		8
Street Naming			(8)	(8)
General Fund	1,631	319	(746)	1,204
Community Infrastructure Levy (CIL)	118	1,682	(1,800)	0
Land Charges	51	87	(138)	0
Non General Fund	169	1,769	(1,938)	0
Planning Policy	1,800	2,088	(2,684)	1,204

Note: Whilst updating the pay budgets, some posts have been aligned to reflect the current structure

Appendix B: Fees & Charges

Planning Committee - Fees and Charges	Gross Charges (Incl VAT if applicable) Current Charges 2021/22	Proposed Gross Charges (incl VAT if applicable) 2022/23	Percentage Increase 2022/23 %	Budgeted Income 2021/22 £	Actual YTD at Sept21	Expected Outturn 2021/22	Proposed Budget 2022/23
Planning Fees*							
Planning Application Fees (set nationally)	Varied List	Varied List	0.0%	584,600	362,374	584,600	634,600
Planning Conditions (set nationally)	97.00	97.00	0.0%	6,500	330	6,500	6,500
Charges for Pre-application Meeting (Non Householder)	£171 to £1469	To be finalised	To be finalised	79,800	2,590	15,000	64,800
Charges for Pre-application Meeting (Householders)	122.00	127.00	4.5%	25,000	5,425	25,000	25,000
High Hedges (new)	0.00	800.00		0	0	0	0
Community Infrastructure Levy (CIL)*				1,800,000	330,512	700,000	1,800,000
Convenience Retail	£103 per Sq Meter	£103 per Sq Meter	0.0%				
Residential	£123 per Sq Meter	£123 per Sq Meter	0.0%				
Street Naming & Numbering	From £12 to £180	From £10 to £200		3,200	4,720	8,000	8,000
Land Charges							
LLC1	28.00	30.00	7.5%	27,200	4,768	9,536	27,200
CON29	138.00	180.00	30.0%	110,500	62,935	115,000	115,000
Extra Parcels	24.00	25.00	4.0%				1,000
Part 2 Questions (CON 290)	21.60	25.00	16.0%				
Solicitors own Questions	62.00	65.00	5.0%				
Refresher Searches (new)	0.00	60.00	0.0%				
Section 106 service (no Budget)	10.00	25.00	150.0%				100
Total Fees and Charges				2,636,800	773,654	1,463,636	2,682,200

APPENDIX C

APPENDIX C

Response to the Surrey 2050: Place Ambition consultation
(additional text, as per the amendment moved by Councillor Blackwell, is underlined)

Thank you for consulting with Tandridge District Council on the draft Surrey 2050: Place Ambition. We welcome the continued engagement and involvement in the Place Ambition and the joint working which is taking place with other authorities, across Surrey.

Due to the strategic significance of the Place Ambition, our final response will be considered and agreed by the Council's Planning Policy Committee at its meeting on 10 March 2022. However, given your consultation deadline of 4 March 2022, we felt it would be helpful to share what we will be presenting to the Committee in advance of its meeting. A final response will be sent to you following the meeting on 10 March.

1. The Council welcomes the joined-up approach to recognising how various local and countywide plans and strategies should work to shape the County as a whole. The Place Ambition looks across boundaries and to promote a long term, co-ordinated and cross boundary approach to planning and managing the impacts of growth. In general terms, the principles regarding what the document is seeking to achieve are supported.
2. It is agreed that whilst Surrey is an important contributor to the United Kingdom's economy, there is a significant need to address the existing and future infrastructure deficit which places constraint on investment opportunities and development potential. Although the Place Ambition seeks to provide the necessary partnership framework for this to be achieved it is not felt that this goes far enough.

The Council feel that there would be merit in reinforcing the importance and need for a more robust approach from Surrey County Council as the infrastructure provider and next tier authority, to more proactively exercise its duty to cooperate with regard to Local Plans and other strategies from areas bordering Tandridge and wider Surrey authorities. This will ensure residents are not adversely impacted by large developments on our borders which put extra strain on an already exhausted infrastructure. This action by Surrey is necessary if the four strategic priorities of the Place Ambition are to be achieved.

While it is recognised that the Place Ambition is not a Surrey County Council document, but that of the Surrey Futures, the significance of County as the accountable authority for key infrastructure, must be highlighted, together with the need for its actual delivery.

Tandridge's infrastructure networks and our communities, have been particularly impacted by the plans of neighbouring authorities and support from Surrey County council is essential if positive outcomes are to be achieved and inappropriate and detrimental development avoided. Recent examples where more proactive action from Surrey County Council would have been beneficial include:

- I. Mid Sussex District Council Site Allocations Development Plan Document, which does not take account of the traffic impacts on the A22/A264 Felbridge Junction from allocations SA19 (200 houses south of Crawley Down Road) and SA20 (550 houses Imberhorne Farm). The Felbridge junction A22/A264 is a known issue to the Surrey County Council, and while the County Council are seeking to commission necessary studies on the corridor, earlier action and more active resistance to the Mid Sussex DPD at the preparatory stage would have been more effective.

- II. The Regulation 19 consultation on the review of the Croydon Local Plan which proposes intensification of development on sites near the border of Tandridge/Surrey but which does not take account of the impacts on existing flooding problems in the north of Tandridge or on Tandridge infrastructure such as the road network including the A22, junction 6 of the M25 and the B269 through Warlingham.

The impacts of the London Plan and the plans of greater London authorities are acutely felt by Tandridge and Surrey and this is significant to the Place Ambition and what it seeks to achieve. It is crucial that the Place Ambition captures the need for Surrey County Council to be more proactive in championing the needs and challenges for authorities such as Tandridge, if 'good growth' is to be secured. As such, it is requested that the significant role of Surrey County Council in defending against negative impacts of London, is included in the Place Ambition and how non-action can act as a hindrance to success.

3. For the eight Strategic Opportunity Areas (SOAs) across Surrey to be effective there must be a clear recognition of the need for investment in new strategic infrastructure and to address existing infrastructure deficiencies and improve connectivity both within Surrey and between other strategically important economic areas. This is most acutely felt by the residents and businesses of Tandridge which, unlike the more western districts and boroughs, have not benefitted from investment through government funding such as Housing Infrastructure Funds, nor large scale developer contributions, due to the more limited levels of development which reflects the rural nature of the district and the 94% green belt, designation.

To date, the authors of the Place Ambition have sought to assist the Council in trying to reflect the challenging position of its emerging Local Plan. Wording for SOA8 has previously been revised to ensure that there is an emphatic reference to the need for infrastructure improvements, regardless of whether the Council's Local Plan progresses or not. Further to this, while matters around the Local Plan remain uncertain, the Council request that the wording of SO8 be further revised to emphasise the need for infrastructure upgrades and that improvements to the A22 (south and north), the A264 Felbridge Junction, junction 6 of the M25 and the A25 in the west and east of Tandridge are required regardless of any Local Plan outcome in order to deal with the existing traffic problems, poor air quality and high carbon emissions. Without any emerging plans for Network Rail to upgrade lines and the continued challenges at the Windmill Junction in East Croydon, it can be assumed that cars will continue to be the main method of travel for the foreseeable futures and an over reliance on modal shift to more sustainable methods of travel and public transport is not helpful. The Council are open to discussions as to whether this would warrant a change to the mapping of SO8 to better follow the transport corridors, than as currently depicted.

4. The Council feel that it would be a positive step to emphasise the definition of 'good growth' with the understanding that 'growth' doesn't only come from development, but as something that relates to community betterment and infrastructure delivery. While it is understood that development and funding often go hand-in-hand, this is considered to be short sighted and actually 'good growth' can also come from infrastructure delivery, funded independently of house building and schemes of community betterment such as green space, which benefit our communities. This view was shared by both developers and authorities at the Surrey Developer Forum conference, in December 2021, where it was felt housebuilding has become a singular focus for growth, yet the holistic importance of planning and good growth should be about benefitting an area in a balanced way, not just about building houses.

5. Good growth” is a key feature running throughout the Place Ambition. However, this needs to recognise the rural nature of Tandridge, which is 94% green belt and the limitations this places on growth. There is a lack of detailed analysis for the difference in character, localism, transport, road networks, business opportunities and development limitations across the county between different boroughs and districts with focus being placed on Surrey as a whole. Although mentioned as a fact, little importance appears to have been given to the significance of the areas in the AONB. The document also makes no mention of the impact of the AONB review on the potential for development and growth. The Place Ambition has a predominant urban and built-form focus, there is little regard for rural areas and how the Place Ambition can cater/recognise their needs. As such, it is suggested that a rural section be included.
6. The county is already densely populated (as referenced in the report under “Surrey Facts and Figures”) and congested. Little weight appears to have been given to the Government’s intention of levelling up to address these issues where it intends to focus economic growth, infrastructure, funding and development into areas away from the South East to where it is needed. The Place Ambition appears to be at odds with this agenda. In addition, the report does not properly address the importance of mitigating climate change, implementing the new Environment Act, or producing a green infrastructure plan.
7. Despite the Place Ambition highlighting infrastructure improvements, there is little reference to the significance of flooding either as a general point, or in the action plans for the SOAs. With an increasing emphasis on climate change mitigation, increasing extreme weather events and increased housing development that may not be properly off-set in terms of infrastructure; flooding is a drain on resources and causes much distress for communities and businesses across the County. Further recognition of the need for suitable and effective flood mitigation should be included.

In conclusion

Once again, the Council thanks Surrey Futures for consulting with us. As set out, while the purpose of the document is supported and is a positive step towards cross boundary strategic planning, the fundamental concern relates to the challenges around infrastructure. For Tandridge, our district and its residents have been underprovided for, for a significant period. Good Growth for the district is that which must be underpinned by guaranteed new and improved infrastructure of all types, only then is the option of future development something that can be looked on favourably. We hope that our comments are of assistance and that the severity of situation, faced by districts and boroughs such as Tandridge, can be properly captured and further emphasised in the next iteration of the Surrey 2050: Place Ambition.