

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 24th November 2022 at 7:30pm.

PRESENT: Councillors Sayer (Chair), C.Farr (Vice-Chair), Blackwell, Bloore, Booth, Gray, Jones, Lockwood, Prew and Steeds

ALSO PRESENT: Councillors Allen, Crane, S.Farr, Gillman, Moore and N.White

ALSO PRESENT (Virtually): Councillor Pursehouse

APOLOGIES FOR ABSENCE: Councillor Botten

166. MINUTES OF THE MEETING HELD ON THE 22ND SEPTEMBER 2022

While these minutes were confirmed and signed as a correct record, Councillor Steeds raised an issue concerning the planning protocol covered by Minute 104. She considered that paragraphs 18.1 and 18.5 of the protocol (since adopted by Council on the 20th October 2022) appeared contradictory, i.e.

- Paragraph 18.1 stated that public speaking at Planning Committee meetings was limited to three speakers per application, i.e. one in favour; one objector; and the relevant Parish Council.
- Paragraph 18.5 suggested that, in exceptional circumstances, more than three speakers might be allowed to speak per application, i.e. *“Exceptionally, the Chair may decide during the meeting to increase the time available, for example if an application straddles a parish boundary or if a large number of people wish to speak...”*

The Chair advised that these two paragraphs of the planning protocol would be reviewed after the meeting with a view to amendments being made if considered necessary.

167. DECLARATIONS OF INTEREST

Councillor Allen declared a non-pecuniary interest on the basis that he would be speaking to the Tatsfield Neighbourhood Plan item (Minute 175).

Councillor Lockwood declared a non-pecuniary interest in the Lingfield Conservation Area Appraisal item (Minute 176) as she was a member of both Lingfield Parish Council and the Lingfield Neighbourhood Plan Steering Group.

168. QUESTIONS SUBMITTED UNDER STANDING ORDER 30

Two questions were submitted by Councillor Lockwood. Copies of both questions, together with the responses given by the Interim Chief Planning Officer and Councillor Sayer, are attached at Appendix A.

169. CIL WORKING GROUP - 14TH NOVEMBER 2022

The minutes of this meeting of the CIL Working Group were considered. Upon moving the reception of the minutes and the adoption of the Working Group's recommendations, Councillor Blackwell, seconded by Councillor Steeds, proposed an additional recommendation in connection with Item 3, which concerned three prospective CIL bids from GP practice managers later in 2022/23. Councillor Blackwell's motion sought to enable the Council to determine those bids within a short timeframe by delegating the necessary authority to the Chief Executive, in consultation with the CIL Working Group Members. It was confirmed that such consultation would be based on the same type and detail of bid documentation as previously provided for CIL Working Group meetings. Upon being put to the vote, this motion was agreed.

Regarding Item 6 of the minutes (UK Prosperity Funds) Members questioned whether "*bids aimed at combatting rural crime*" could include CCTV projects. Councillor Blackwell, as Chair of the CIL Working Group, would seek to clarify this with the Executive Head of Communities. This matter prompted a wider discussion about CCTV initiatives being pursued by Parish Councils.

RESOLVED – that, regarding the minutes of the CIL Working Group's meeting on the 14th November 2022, attached at Appendix B:

- A. the minutes be received and the recommendations in items 3, 4 and 5 be adopted; and
- B. authority be delegated to the Chief Executive, in consultation with members of the CIL Working Group, to determine any bids brought forward in connection with Recommendation A of Item 3, namely:
 - internal re-modelling of the Oxted Health Centre
 - solar and power bank for the Smallfield surgery
 - extension of the Caterham Valley surgery.

170. QUARTER 2 2022/23 BUDGET MONITORING - PLANNING POLICY COMMITTEE

An analysis of expenditure against the Committee's £1,204k revenue budget for 2022/23, as at the end of September 2022 (Month 6) was presented. An £86k overspend was forecast (a £37k improvement from Q1) mainly due to:

- a greater than expected expenditure on salaries, specialist recruitment, counsel's legal advice and external consultancy;
- offset by a surplus on planning application fee income and a net planning enforcement underspend.

Slippage of £1,619k in the Committee's capital programme was forecast due to the re-phasing of expected CIL contributions.

Discussions took place regarding:

- the use of injunctions to deter planning breaches, including the need to publicise successful outcomes to deter future breaches and the fact that the Council had been awarded costs in respect of the High Court action to stop land at the School Plantation, Oxted being used for a Gatwick Airport car parking service (the Chief Finance Officer undertook to provide further information regarding the budgetary arrangements for pursuing injunctions);
- specialist staff recruitment costs and the approach to seeking to fill vacancies in the Planning Policy team.

RESOLVED – that the Committee’s forecast revenue and capital budget positions as at Quarter 2 / M6 (September) 2022 be noted.

171. LOCAL PLAN UPDATE

A report was presented which confirmed that, since the previous meeting, the Chief Executive had not received responses to his letters of 27th September 2022 to:

- (i) the Chief Planner at the Department for Levelling Up, Housing and Communities (seeking clarification regarding the former Secretary of State’s letter dated 28th July 2022 to the Planning Inspectorate which, in the opinion of officers, had imposed significant uncertainty on the Council’s local plan making process)
- (ii) the Planning Inspector (explaining that, in light of possible substantive alterations to Government planning policy, the Council was anxious to avoid incurring further unnecessary expenditure on the Local Plan examination process and would not, for the time being, be sending monthly updates on the progress of its Local Plan work). However, the Inspector had stated that he was waiting for the former Secretary of State’s letter to be withdrawn before issuing a response.

The Council had since clarified to the Inspector that it had not halted all work on the emerging Local Plan, but considered it imprudent to commission work which may become redundant owing to National Planning Policy changes.

The report referred to the recent Court of Appeal judgement (Lisa Smith v SSLUHC [2022] EWHC) which found the national planning policy for traveller sites (PPTS) to be discriminatory. The Council would therefore keep the matter under review, pending the Secretary of State’s response to the judgment, whereby any previous assessment of gypsy / traveller site needs for the Local Plan could be revised to accommodate any possible changes to the PPTS.

The latest position regarding necessary improvements to Junction 6 of the M25 was discussed. Members were advised that National Highways and Surrey County Council were now contemplating a more comprehensive scheme totalling at least £54 million, together with improvement works to the whole of the A22 corridor within Tandridge. It was agreed that a progress report regarding Junction 6 mitigations, including latest available data, be submitted to the Committee’s 23rd March 2023 meeting. The debate on this matter extended to highways implications of developments adjacent to the Mid-Sussex border and previous transportation studies of the A264 / A22 Star Junction.

The potential risk of not having a new Local Plan in place by the end of 2023 (and consequent exposure to the latest iteration of the National Planning Policy Framework) was also discussed.

RESOLVED – that the report be noted.

172. SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (SADPD)

A report was presented which advised that, following a tendering process, discussions were taking place with several consultancy firms about the best way to proceed with the production of a SADPD (to be added to the adopted Development Plan under the umbrella of the existing Core Strategy.) As discussed at the previous meeting, the primary purpose of the document would be to identify a defensible five-year housing land supply, reflecting constraints and infrastructure requirements.

The Chair commented that different ideas had been suggested by consultants and that potential terms of engagement were awaited from the most recent firm to be interviewed. However, she clarified that, in light of the outcome of the previous Committee meeting and subsequent consultation with the Planning Policy Working Group, officers had issued an initial brief as part of the tendering process. That brief was based on the objective of securing something close to a five-year housing land supply and retaining control over the location of new housing developments while protecting the Green Belt. She agreed to circulate the brief to the rest of the Committee and encouraged members of the Working Group to keep their political group colleagues informed of its deliberations so that the Committee was fully sighted about actions taken in between meetings.

The Interim Chief Planning Officer advised that, once consultants had been commissioned and any necessary legal advice considered, a budget and project plan would be prepared. He explained that, while the 'Interim Policy Statement for Housing Delivery' (agreed at the previous meeting) would be a material consideration in the determination of future planning applications, the proposed SADPD would carry additional weight by acquiring formal status as part of the Development Plan. It was also confirmed that, as stated within the report, the cost of preparing the SADPD would be contained within the existing Planning Policy and emerging Local Plan budget.

In response to the debate, the Chair clarified that another Green Belt assessment would not be carried out. The Local Plan Inspector had stated in his Preliminary Conclusions and Advice letter to the Council that the Green Belt assessment already undertaken was adequate.

The Interim Chief Planning Officer confirmed the intention to proceed with a further 'call for brownfield sites' which should assist the Council with its housing land supply obligations. This would be posted on the Council's website, the draft content for which would be shared with Members prior to publication.

RESOLVED – that the report be noted.

173. PRO-FORMA FOR PLANNING PERFORMANCE AGREEMENTS

The Chair advised that this matter stood deferred until the Committee's next scheduled meeting on 19th January 2023. She confirmed that a substantial amount of preparatory work had already been done and looked forward to PPAs (providing bespoke frameworks for dealing with major development proposals) being introduced in the new year.

174. AUTHORITY MONITORING REPORT (AMR) - 1ST APRIL 2021 TO 31ST MARCH 2022

The Localism Act 2011 and subsequent regulations required each local planning authority to produce an AMR regarding the implementation of its Local Development Scheme and other key planning policy matters. A proposed AMR for Tandridge, for the year ending 31st March 2022, was presented.

In recent years, the Council's AMRs had been published under powers delegated to officers without formal consideration by Members. However, in the opinion of the Interim Chief Planning Officer, this and future AMRs should be submitted to the Committee for approval, given their importance within the planning process. As far as the document before the Committee was concerned, the following aspects were debated:

- Policy CSP 8 regarding the provision of Extra Care Housing (for which the Council relied upon the private sector) and the complexities associated with distinguishing Use Class C3 (dwellinghouses) from Use Class C2 (residential care homes)
- the use of The Plantation (West Park Road, Newchapel) in the context of Policy CSP 10 regarding the provision for sites for Travelling Showmen.

RESOLVED – that:

- A. the Authority Monitoring Report (AMR) 1st April 2021 to 31st March 2022 (Appendix A to the report) be approved for inclusion in the emerging Local Plan evidence base and be made available for public and stakeholder scrutiny on the Council's website; and
- B. future AMRs be reported to the Planning Policy Committee prior to publication.

175. TATSFIELD NEIGHBOURHOOD PLAN – REGULATION 16 CONSULTATION

This Plan had been submitted to the Council towards the end of October 2022 in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. The Committee was invited to endorse the next stage of the process whereby the Council, as the Local Planning Authority, would undertake a 'Regulation 16' consultation prior to consideration by an independent examiner.

RESOLVED – that:

- A. the Council publicise for consultation, for a period of 6 weeks during November / December 2022 and January 2023, the submission draft of the Neighbourhood Plan and any supporting documentation in accordance with Regulation 16 of the Neighbourhood Plan Regulations 2012; and
- B. the content of the report be noted.

176. LINGFIELD CONSERVATION AREA APPRAISAL

Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 required local authorities to review, from time to time, the boundaries of conservation areas to ensure they are still relevant. Old Town and Plaistow Street in Lingfield were designated Conservation Areas by Surrey County Council in 1972. These were merged through the designation of the High Street in 1990 by the District Council to form one Lingfield Conservation Area.

Lingfield Parish Council now sought the District Council's permission to appoint Surrey County Council's Historic Environment Planning Team to undertake an appraisal of the Conservation Area (to be funded by the Parish Council) including possible boundary changes.

It was proposed that, once the appraisal had been completed, this Council would undertake the necessary steps for it to be adopted as a Supplementary Planning Document to support its statutory planning functions. The Interim Chief Planning Officer advised that the final sentence of paragraph 1.2 of the report to the Committee should be corrected as follows:

*"Section 72 of the 1990 Act requires the Council, when considering planning applications, to pay special attention **regard** to the desirability of preserving or enhancing the character or appearance of a conservation area."*

RESOLVED – that the Committee agrees to the production of a conservation area appraisal for Lingfield, by Lingfield Parish Council, which can then be used as the basis of a Supplementary Planning Document to be consulted upon and adopted by the Council.

Rising 9.33 pm