

Letter to the Local Plan Inspector sent on 24.03.23

Dear Inspector,

I am writing to update you on the Council's intention for the Tandridge District Council Our Local Plan: 2033 ("the emerging Local Plan"). The Council continues to seek a positive outcome to the Independent Examination of the Plan at the earliest possible opportunity. You have been clear that it is your intention to work with the Council through the Independent Examination process in order to obtain a 'sound' Local Plan that is capable of adoption by the Council.

Since we last wrote to you in August 2022 (TED56b), the Government has clearly signalled significant proposed changes to national planning policy which will be relevant to the consideration of the plan-making context in the District. These changes will further strengthen the importance of getting this Local Plan adopted as soon as possible. The Council cannot afford to wait to start plan-making again under a new system (once that is introduced). Additionally, the local context has continued to evolve. The Council has commissioned planning consultants DAC/Arup to review the current situation and advise us on how best to secure a plan-led approach to managing development at the earliest opportunity. After due consideration of their advice and due to the changes in Government direction, the Council believes that a shortened and modified Local Plan is the best way forward. Under the current circumstances the need to have an up-to-date Local Plan in place in the District is unquestionable and in the public interest. As a result, the Council's resolve to progress our submitted Local Plan through to adoption is now stronger than ever.

The contextual changes which are most relevant to progressing the emerging Local Plan can be summarised as follows:

The recent written Ministerial Statement and publications from the Government, signal a significant change in national planning policy. Changes to the National Planning Policy Framework (NPPF) are intended to be introduced in Spring 2023.

Further changes will be introduced to the planning system in 2024 through the Levelling Up and Regeneration Bill. The government is also clear that Plans in advanced stages of the process should not be withdrawn. The Tandridge emerging Local Plan falls into this category.

There remains, and Government has reinforced this, an overriding need to have up-to-date Local Plans in place as soon as possible. At the moment, the District is seeing speculative and inappropriate planning applications being submitted on Green Belt land and is having to use scarce resources to combat these applications.

The traffic modelling undertaken since the Examination hearings indicates that there is capacity at M25 Junction 6 only until 2027. After extensive work, discussions, and an unsuccessful bid for Government funding, we can see no realistic prospect at this time that an upgrade to Junction 6 can be achieved in the near-term. While all parties remain in regular communication, it is not anticipated that this situation is likely to change. Constraints such as the A264, A22 and other major roads remain, and in some cases such as the A264, will soon become more severe due to recently allocated sites in Mid-Sussex which is adjacent to Tandridge.

The proposed expansion of Gatwick via the DCO process continues to progress. No matter what the final outcome, Gatwick is one of the most influential employers in the area – both directly and through the supply chain. This means that any decision will influence current and future sources of employment, travel patterns, infrastructure and services in Tandridge, which, in turn, will influence any future spatial strategy.

Approach

We believe that the emerging Local Plan can be modified to provide for homes which can be delivered over the medium term within the scope of the transport infrastructure constraints that have been identified.

Through the additional work that the Council has been undertaking, the extent of the constraints has become clearer, and it is possible to identify an upper ‘ceiling’ to growth provision consisting of deliverable sites which are capable of being found sound and within the limits of existing infrastructure capacity.

We summarise the proposed approach to main modifications using the broad Local Plan policy areas in the 2012 NPPF.

Delivery of housing, infrastructure, health, community and local facilities

Update the housing site allocation policies to clarify the amount of open market and affordable housing expected on these sites, and identify the necessary infrastructure that will now be required to support growth in the absence of alternative provision in the Garden Community.

We plan to provide updated evidence on these matters to support these main modifications. This evidence is also intended to address issues that you have raised, such as Heritage Assessment, Education and Health requirements, as well as Gypsy and Travellers provision. Any infrastructure requirements will be incorporated into an updated Infrastructure Delivery Plan.

We also plan to submit updated Statements of Delivery for each of the sites that remain, which will then form the basis for an updated housing trajectory.

The Spatial Strategy will be updated to reflect the above and will also remove the South Godstone Garden Community.

Time period

The revised plan period will be for ten years. A number of factors outside the control of the Council have influenced this proposed modification, including, but not limited to:

The limited life span of “old style” plans such as this one as defined in the Levelling up and Regeneration Bill. However, there is a clear preference to continue to progress the emerging Local Plan to adoption, rather than withdrawing it and ‘starting again’ with a new Local Plan under the existing system. The proposed June 2025 deadline for Councils to submit an ‘old-style’ local plan for Independent Examination means that it is highly unlikely that the Council could successfully progress another Local Plan under the NPPF 2021 in the time available. In addition, the Council is unlikely to be able to begin production of a new-style Local Plan until November 2024 at the earliest (under the arrangements currently proposed by the Government), leaving the District without an up-to-date Local Plan for a prolonged period of time. The earliest anticipated date for the adoption of new-style Local Plans is April 2027, which is over four years away.

If you are minded to progress to adoption with our proposed shortened emerging plan, we then intend to commit to producing a new plan under the new system. As you have suggested in the Examination, the Council can also include a five-year review policy as part of the main modifications.

Capacity issues, as already raised previously, at Junction 6 and on other major roads which are a constraint to growth until such time as mitigation can be secured in the longer term.

Uncertainty over the scale of future growth associated with Gatwick, we believe lends weight to the argument that a shorter plan period, with an agreed period for review, is the most appropriate route.

The shortened plan period is a pragmatic approach that allows for plan-led delivery of housing in the interim period, also using the extensive work that has already been undertaken and that we believe will result in the best outcome for Tandridge and its residents.

Employment

It is the Council's view that it would be inappropriate to introduce new designations for employment sites in the shortened time frame of this emerging Local Plan because they are likely to change again in the next Local Plan which would be expected to incorporate the final decision regarding Gatwick and any updated employment needs assessments.

Conservation and enhancement of the natural and historic landscape and the review of the Surrey Hills AONB boundary

The statutory consultation phase for the ongoing review of the Surrey Hills AONB Boundary began on the 7th of March. We understand the initial proposals are for an increase of around 30% in the area designated as Surrey AONB in Tandridge District. Natural England currently expects to submit the final proposals to the Secretary of State for Defra by summer of 2024. Depending on progress, and on the future of the AGLV designation, main modifications to the emerging Local Plan landscape policies may be necessary.

We are committed to incorporating the suggestion you made in the Examination about including the extensive amount of landscape evidence in the emerging Local Plan.

Development Management Policy areas

The introduction of National Development Management Policies (NDMP) will narrow the scope of Local Plans to predominantly strategic policies. Given the proposal for (NDMP) to become part of the Development Plan, these will supersede local policies on these issues in many instances.

Next Steps

We would welcome working collaboratively with you to update the work programme reflecting the revised approach and potentially any implications should the Government changes be implemented.

We anticipate further engagement with key stakeholders in the delivery of the Plan, reconsideration of the case for exceptional circumstances, the production of proposed main modifications and public consultation on them together with any appropriate further hearings. We would be aiming to have an adopted Plan in place by the end of 2024 subject of course to your agreement and availability.

We expect to be commissioning the following to provide a proportionate evidence base and the relevant main modifications:

- Update site infrastructure, services, health, education, traffic, sports and community facilities, open spaces, heritage, landscape, biodiversity evidence in the absence of the South Godstone Garden Community and to incorporate your comments. This evidence would identify any additional site requirements which would then be incorporated into main modifications for the allocated sites, the Infrastructure Delivery Plan, and any related policies in the emerging Local Plan.
- Update viability assessments.
- Update Statements of Delivery.
- Update Housing Trajectory and Housing Requirement.
- Update to the OAN evidence to include the 2018 household projections and incorporating adjustments that you have specified in ID-16. We believe that extensive new work and hearings on the matter would be disproportionate because you have already concluded *“that there are specific policies of the Framework which indicate that development should be restricted in Tandridge and that in principle, the Plan would be sound in not meeting the OAN in full.”* The Government has recently confirmed that the figure is no more than a “starting point” and that Green Belt boundaries do not have to be reviewed.
- Updated AONB and Local Nature Recovery Network (if these are confirmed in time) to inform the landscape policies.

Conclusion

The Council is firmly of the view that progressing the emerging Local Plan via main modifications would enable a satisfactory and pragmatic conclusion to be reached to the Independent Examination of the Local Plan within expeditious timescales. This approach would provide for a sound plan in a more proportionate and efficient manner, and ensure that the Council has an up to date planning framework for the District on an interim basis until a new Local Plan can be produced under the forthcoming planning system which will emerge in 2024 through the implementation of the Levelling Up and Regeneration Bill and wider changes to national planning policy.

After spending more than £3m on the Local Plan, we are also very aware that not having an interim Local Plan in place – before we can start a new plan under the new system – will leave the Council open to speculative and inappropriate planning applications on Green Belt land which will be financially damaging to the Council due to having to defend against these applications at appeal. We believe that would be a very poor outcome for the Council and for the residents of Tandridge.

We are committed to the process of obtaining a sound local plan and I trust that our proposal will meet with your agreement and support. I invite you to work with us to achieve the outcome that is so eagerly desired and is in the public interest. We very much look forward to working with you to bring the Examination to a close at the earliest possible opportunity.

Yours sincerely

David Ford
Chief Executive