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## **LOCAL PLAN SUB-COMMITTEE**

### **MINUTES**

Of a virtual meeting held on Thursday 17 March 2022 from 7.00pm to 9.08pm

Members of the Local Plan Sub-Committee:

Councillors:	Chris Lloyd
Matthew Bedford (Chair)	Reena Ranger
Sarah Nelmes (Vice-Chair)	Alison Wall
Stephen Cox	Phil Williams (Substitute for
Paula Hiscocks	Cllr Stephen Giles-Medhurst)
Jon Tankard	

Officers in attendance:

Claire May, Head of Planning Policy and Projects  
Mike Simpson, Committee & Web Officer  
Lorna Attwood, Committee Manager  
Sarah Haythorpe, Principal Committee Manager

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#### **LPSC 01/21 APPOINTMENT OF THE CHAIR OF SUB-COMMITTEE**

Councillor Sarah Nelmes moved, duly seconded, that Councillor Matthew Bedford be nominated as Chair of the Local Plan sub-committee.

RESOLVED:

That Councillor Matthew Bedford be appointed Chair of the sub-committee for the Local Government Year 2021/22.

#### **LPSC 02/21 APPOINTMENT OF THE VICE-CHAIR OF SUB-COMMITTEE**

Councillor Chris Lloyd moved, duly seconded, that Councillor Sarah Nelmes be nominated as Chair of the Local Plan sub-committee.

RESOLVED:

That Councillor Sarah Nelmes be appointed Chair of the sub-committee for the Local Government Year 2021/22.

#### **LPSC 03/21 APOLOGIES FOR ABSENCE**

Councillors Stephen Giles-Medhurst sent apologies for absence, with Councillor Phil Williams as substitute.

**LPSC 04/21 MINUTES**

It was confirmed that the Minutes of the Local Plan sub-committee meeting held on 16 February 2021 were a correct record

**LPSC 05/21 NOTICE OF OTHER BUSINESS**

The Chair agreed to take the report and appendices in item 7 as late as they were not available 5 working days prior to the meeting. The reason for the urgency was so that the Council can continue to progress the local plan.

**LPSC 06/21 DECLARATION OF INTERESTS**

None received.

**LPSC 07/21 EXCLUSION OF PRESS AND PUBLIC**

Not applicable

**LPSC 08/21 LOCAL PLAN: CHANGES TO PREFERRED POLICY OPTIONS FOLLOWING REGULATION 18 CONSULTATION**

The Head of Planning Policy and Projects introduced the report which set out some of the main updates required as a result of the 2021 consultation, the changes to National Planning Policy (NPP) and the enactment of the environmental bill that came into force last year.

Amongst the changes was a First Home policy in which 25% of all Affordable Housing provision to be First Homes. The Affordable Housing Policy therefore needed to be changed to ensure compliance with the new Planning Practice guidance.

Appendix 1 showed the changes to the policy in tracked changes format, and Appendix 2 detailed the First Homes policy and criteria.

A Member proposed that Appendix 1, with tracked changes, be adopted.

A Member asked whether developers would still be able to pay in order to reduce the affordable housing requirement as at present. The Head of Planning Policy and Projects replied that the conditions would be the same as at present. Currently developments of 1-9 dwellings will accept a monetary contribution and anything over 10 should be onsite Affordable Housing. The Chair said all kinds of policies that are, in theory, mandatory can be argued by developers on the grounds of viability. The Head of Planning Policy & Projects confirmed that the policies within the Local plan will be subject to a whole plan viability assessment after the Regulation 18 consultation.

A Member asked for clarification of the timeline involved, and whether Regulation 18 will be superseded by regulation 19, and would policies need to be revisited? A Member responded that policies can come back to the LPSC in future.

In response to a further question, the Member was informed that four Planning Officers were working on the project.

On being put to the Sub-Committee the recommendation to note the contents of Appendix 1 for recommending to P&R Committee was declared CARRIED by the Chair, the voting being unanimous.

A Member questioned whether the First Homes policy in Appendix 2 was sufficiently clear. The Chair said it was necessary to read it in conjunction with Appendix 1. The Head of Planning Policy and Projects would amend the wording to clarify that Appendix 2 was tied in with Affordable Housing policy.

A Member moved the amended item, duly seconded.

On being put to the Sub-Committee the recommendation to note the contents of Appendix 2, with an amendment to the wording, for recommending to Policy and Resources Committee was declared CARRIED by the Chair, the voting being unanimous.

The Chair asked the Head of Planning Policy and Projects to provide an overview of Appendix 3, which featured changes to biodiversity, trees and woodlands. The Environment Act finally came into effect and from 2023 it would be a requirement to accommodate biodiversity needs in Local Plans, although it would probably come into effect prior to that date. A Member asked if the biodiversity policy could be applied to new planning applications before a Local Plan was agreed, to which the response was affirmative. The Member was happy to move the item on that basis.

A Member expressed concern about the biodiversity baseline, particularly how it was set and enforced. The Head of Planning Policy and Projects said the Defra Biodiversity matrix was not due to be introduced until 2023 and a lot of detail was still to be worked out. The Chair said that developers would no doubt argue against planning rules on the basis of viability.

A Member asked why Maple Lodge Nature Reserve was not on the list of Sites of Scientific Interest, and whether it been forgotten. The Chair said it would be covered by the generic description of sites in 10.33, and the Head of Planning Policy and Projects agreed to adjust the wording in the Appendix.

With reference to the requirement to create tree-lined streets, a Member asked whether developers would pick up the costs of arboreal aesthetics. It was stated in response that it was part of the landscape proposal. The Chair said that as with all Planning conditions that authorities tried to impose as mandatory, developers were likely to claim to be unviable. The Member cited the Wharf Lane development which sold for millions, and asked whether this policy provided the Planning authority with any more teeth.

The Head of Planning Policy and Projects said viability had always been an issue and always would be. Affordable Housing policy was part of core strategy for ten years so this should not be a surprise to developers.

There followed a lengthy dialogue in which the merits of using the word 'must' as opposed to 'should' in the policy was debated, and the Head of Planning Policy and Projects agreed to look again at the etymology to make the policies more robust. A Member said it was a constant source of frustration that the developers unpick planning policies.

With the changes incorporated as discussed, a Member was happy to move the item.

On being put to the Sub-Committee the recommendation to note the contents of Appendix 3, with amendments as specified, for recommending to Policy and Resources Committee was declared CARRIED by the Chair, the voting being unanimous.

With regard to Appendix 4, the Head of Planning Policy and Projects explained that the Council had been asked by Northwood HQ to create a policy to support development at the base, to ensure surrounding development would not be a problem. Furthermore, the MOD may need to reduce the number of buildings on the site in future and the Council's support in this matter was requested.

A Member was happy to move the policy on the basis that it had been shared with and agreed by Northwood HQ.

A Member asked whether the base wanted an area of undeveloped land surrounding it. The response was that this was not the case, the policy was to mitigate against the possibility of noise from any potential new development that would impact the operations of the MOD site. A Member sought clarity on the types of buildings likely to be built on the site as part of any redevelopment, and was referred to appendices 4 and 6, after which the Chair said the policy was very much weighted in favour of Northwood HQ. A Member added that it is likely to be properties on the periphery of the base that will need to be refurbished as they are most subject to disrepair.

On being put to the Sub-Committee the recommendation to note the contents of Appendix 4, with an amendment to the wording, for recommending to Policy and Resources Committee was declared CARRIED by the Chair, the voting being unanimous.

The Head of Planning Policy and Projects said representations were made by Thames Water asking to add some text to the policy in Appendix 5 regarding water supply and sewerage. The revised policy made it clear that developers were encouraged to contact Thames Water as soon as possible in the process (Point 7.40).

A Member asked whether the changes in policy were to be presented as different versions and include the tracked changes. The Member was not expecting an immediate answer, and was willing to move the policy. The Head of Planning Policy and Projects said the changes could be made clear when the policy was due to go to consultation.

A Member expressed pleasure that it was necessary to have permeable driveways when constructing new houses. It was understood that planning permission was not required in such instances, but would be if plans did not incorporate a permeable driveway.

A Member said many porous driveways don't allow water to soak away, and building sites often dump water onto the road. The Member would like to see a proper sub-base on driveways, and for this to be enforceable. Driveways needed to be permeable, not porous. The Chair said guidance in this matter was already in place, and suggested that the Member send proposed wording to the Head of Planning Policy and Projects.

A Member referred to point 7.40 and said more water and sewerage capacity was needed on account of the number of new homes being built, and the wording within the policy was too woolly. An adequate infrastructure had to be in place, and asked that the item be reworded. The Head of Planning Policy and Projects said the issue was not the responsibility of the Planning Authority, and the Chair suggested the removal of the reference to it.

A Member understood that the need for planning permission for driveways was based on size, and that rules were in place. How can this regulation be enforced?

The Member had asked at previous Council meetings about flood zones, and believed that the Environment Agency had been written to and asked if a response been received. The Chair said this referred to planning applications as opposed to the Local Plan, but accepted that enforceability was required when driveways did not meet permeability standards. The Chair suggested the Member send Committee Services an email regarding the receipt of a reply from the EA concerning flood zones.

In response to a question from a Member regarding an amendment to the wording pertaining to permeability and porousness of driveways, the Chair suggested the policy in Appendix 5 be approved by the sub-committee with the caveat that it be subject to amendment with the text to be provided by the Member.

On being put to the Sub-Committee the recommendation to note the contents of Appendix 5, with amendments to the text as agreed, for recommending to Policy and Resources Committee was declared CARRIED by the Chair, the voting being unanimous.

The Chair said the Appendix 6 listed the representations received, and it was just for the Members to note.

**RESOLVED:**

That the changes to the Local Plan preferred policy options be agreed by the Local Plan sub-committee, subject to amendments as discussed, and be recommended to the Policy and Resources Committee for Regulation 18 consultation.

#### **LPSC 09/21 ANY OTHER BUSINESS**

There was no other business.

**CHAIR**