

## **Environment and Sustainability Committee 31 January 2023**

### **Implications of proposed changes to National Planning Policy Framework on Spelthorne's submitted Local Plan**

#### **Appendix 2: Councillor questions and Officer responses from Local Plan Task Group 23 January 2023**

A meeting of the Local Plan Task Group took place on 23 January 2023, where the PowerPoint presentation (Appendix 1) was given followed by questions and discussions between the Task Group members and Officers.

#### Councillor questions and Officer responses

- Clarification requested regarding the likely number of family homes that would be lost if the Greenbelt sites were removed.
  - Confirmed 873 home reduction of which 567 would be family homes with gardens and 428 would be affordable homes.
- Could the remaining sites deliver better quality design and more affordable homes?
  - Brownfield sites do not normally have the same viability to deliver as much affordable housing as Green Belt sites and densities need to be optimised as set out in the NPPF. Once the Local Plan is adopted the team can produce design codes to ensure all development is produced to the highest possible design.
- There are current flood warnings out for the River Thames; concerns raised about the impact of additional development in Staines on flood risk. Some properties in Staines have been reclassified and insurance premiums have rocketed and some people are finding it difficult to purchase insurance.
  - The Planning Practice Guidance of Flood Risk and Coastal Change was updated on 25 August 2022, during the Reg 19 consultation. The changes include changing the definition of flood zone 3B, the functional flood plain, to 1 in 30 years rather than 1 in 20 years. As a result, consultants Aecom are updating the Strategic Flood Risk Assessment (SFRA) Level 1 and will then update the SFRA Level 2. National Planning Policy on flooding requires development not to worsen flood risk and if possible, to improve it. Insurance is not a matter for the Local Plan to address.
- Concern over the wider cost of Local Plan delay on Spelthorne Assets and financial implications.
  - The prompt Examination and adoption of the Local Plan would provide greater certainty for developers and would allow the use of the zoning approach set out in the Staines Development Framework, however the Council owned sites are on brownfield land and so can come forward without the Local Plan. Withdrawing the Local Plan from the Examination process will incur additional

financial costs as evidence becomes out of date and needs updating. This will include updating the transport modelling and the total could amount to tens of thousands of pounds and we estimate around £100k. This would be in addition to the costs already incurred to date on the Local Plan review. Withdrawing the Local Plan would also result in the Staines Development Framework not progressing further as this relies on the Local Plan to be implemented.

- Question regarding housing targets and why cannot we use more up-to-date data.
  - The Government have decided not to amend the Standard Method used to determine housing need, so the use of 2014 figures still apply. This may be reviewed after 2021 Census data is released in 2024. However, before then there is likely to be a general election in May 2024 which may result in a change in Government. It is not known if an alternative Government would stick with this approach to the Standard Method.
  
- What happens if we withdraw the Local Plan?
  - We would need to formally notify the Secretary of State that we wish to withdraw the Plan and they would discharge our appointed Inspector Jameson Bridgwater. We would need to undertake a number of new Task Group meetings to agree a revised strategy and take this to E&S for agreement. The evidence base would need to be updated including the transport modelling which would need to be scheduled in by Surrey CC. There would need to be at least one round of public consultation, potentially two. All consultation responses would need to be complied and the entire process may take around two years.
  
- Concerns raised regarding speculative development if the process is delayed.
  - Officers are also concerned about speculative development if the Local Plan is delayed. It is likely that applications will come forward in the interim. A recent decision by the Secretary of State, issued on 14 December 2022 (after the publication of Michael Gove's Ministerial Statement of 6 December 2022) granted permission for 970 homes in the green belt north of York. The planning inspector and the SoS, while both acknowledging that the garden village scheme would represent inappropriate development and result in significant harm to the green belt, considered that the benefits of the scheme 'clearly' outweighed the harm and therefore that very special circumstances existed. The Chair added that the York decision was more homes on one site than all of the green belt release sites in the Spelthorne Local Plan combined. A change of

course would result in the significant delay to adopting an up-to-date local plan, as discussed above and in the interim period the need for housing does not go away. We are historically underdelivering, are not able to demonstrate a Five Year Land Supply and this, together with the fact that the 2009 plan is out of date leaves the Council with little protection against speculative development, both on green belt sites and brownfield sites, where the zoning proposals offer greater opportunity to protect sensitive parts of Staines.

- Question regarding the use of constraints to reduce housing targets
  - The use of physical constraints (for example green belt or flood zones) did not appear in the NPPF as a reason to use an alternative methodology to calculate housing need; we are raising this matter in our consultation response. The NPPF consultation document focuses on demographic changes such as an unusually high elderly populations as in the Isle of Wight and Cornwall. Spelthorne's demographic trends are similar to many other LPAs, in Surrey, the wider southeast and indeed nationally.
  
- How affordable are affordable homes?
  - Affordable Housing is defined as per Annex 2 of the NPPF. Various typologies sit under the term 'Affordable Housing'; however this is generally 80% of local market rent levels. The cost of affordable housing is dependent upon the type of product, with this generally split into affordable housing for rent and for ownership. Appendix 3 provides additional information on the types of affordable housing as well as the expected costs of affordable housing to both rent and purchase for Spelthorne.
  
- Now the Government deadline has been extended to June 2025, suggestion to use the additional two years to produce a Local Plan which our residents want.
  - There have never been mandatory targets, so that is not a change set out in the NPPF consultation. No other authority at that stage had succeeded having their Local Plan found sound with a housing number under the standard method figure. With the proposed changes set out in the consultation draft, it may now be easier to argue that we cannot meet the housing number. The implications of this are set out in the presentation.
  
- Suggestion to tweak the Local Plan by amending the housing number and resubmit the Plan in six months
  - Amending the number of homes planned for is not a tweak to the Local Plan, it is a significant change with implications that would

require evidence to be updated and at least one further round of consultation.

#### Councillor comments

- Comments on the Local Plan having been drawn up after years of work, amounting to hundreds of hours of officer time and professional advice.
- Need to recognise the importance of the implication of reducing housing numbers.
- Adopting the Local Plan this year would offer five-years of protection from external changes and able to focus on Design Codes and related issues.
- The Local Plan has cost a huge amount of time and money and Officers and Members have invested hundreds of hours in meetings. We cannot consider withdrawing as this will increase the risk of speculative development for another two years while we only have the 2009 Core Strategy to rely on. It is not unreasonable to keep the Plan on track.
- The subject which received the largest number of representations was Local Green Space and designating Local Green Space is part of the Local Plan process.
- A progressing Local Plan can be used to defend non-allocated Green Belt sites.
- The risks of not having a Plan are greater, especially when all of the main parties agree that delivering new homes is a priority.