

Briefing note on urgent decision to allocate additional Local Plan and Design Code resources

Summary

For the Committee to formally note the Urgent Decision made on 11 September 2024 to allocate an additional resource of £114k to ensure work can continue to run in parallel on the Local Plan and the Design Code. In particular, we needed to ensure that we retained the confidence of the Local Plan Inspector so that we can get back to Examination in a timely manner.

This decision was made by the Chief Executive in consultation with the Leader and Deputy Leader of the Council as per the Constitution (i.e. it was a decision which was so urgent that it could not wait until the next scheduled meeting of the Council or relevant Committee as we needed to get in staff resources immediately). An Urgent Action report was submitted with the request.

In light of the urgent need to ensure that both the Local Plan and Design Code work continue to run in parallel, and in particular to ensure that we retain the confidence of the Local Plan Inspector that we can get back to Examination in a timely manner, this decision could not wait until the next CPR Committee on 15 October

Background

We are hopeful that once the outstanding points regarding flooding from the EA have been addressed that the Council will be in a position to move back to Examination (all subject to the approval of the Local Plan Inspector). This will take the resource of the whole Strategic Planning team to deliver.

If no additional resources had been found, the work on the Design Code would have been put on pause from early September until after the end of the Examination (hopefully Spring 2025). This would have represented a seven-month delay, adding to the two-month delay that was agreed by the Design Code Project Board on 12 August. The end date for delivery would therefore have slipped from March to May 2025 (or June if there no extraordinary E&S committee is put in place to agree the final document).

The Design Code is a key document to ensure we can deliver high quality development across the borough. Councillors are rightly placing a high importance on this to guide developers.

Options appraisal

Two options were put forward in the urgent action report.

Option 1 would have ensured sufficient resources were allocated to enable the Local Plan to get back to Examination in Spring 2025 and for the Design Code to continue at its current pace (with the already agreed 2-month delay) at a cost of £114k.

Option 2 would have allowed the Local Plan Examination to continue at its current pace, but would have paused the Design Code work until end of January 2025 when we would have re-started the wide community engagement and the appointment of

the Citizens Panel. This would have resulted in a 4-month delay. The end date for delivery would therefore have slipped from May to September 2025. This would have allowed the consultation and appointment of the Citizens Panel to run in parallel with the hoed for return to Examination, with the draft Design Code following afterwards.

Option 1 was agreed under the Urgent Action on the basis that it was critical for the borough to move forwards with the Local Plan (subject to the agreement of the Local Plan Inspector), protect our borough from predatory development, and deliver a Design Code to ensure that development coming forward in the future is of a high quality.

Resourcing

No money was available in the Local Plan 2024/25 revenue budget to cover the additional staffing costs. Nor were there savings from the wider Place, Protection and Prosperity budgets to help offset the additional resource requirement.

An in-year growth bid was therefore required to secure the additional resourcing to deliver these two critical pieces of work to safely secure the future of the borough.

The Council has a Green Belt Fighting Fund Reserve. It was accepted that there was a robust justification for using this reserve to secure the additional resource:

1. Delivering a Local Plan now will provide greater protection for our green belt. If the Inspector directs that we withdraw the plan and start afresh we will have to start the plan with a 20% higher housing requirement and will need to review green and grey belt. We would also have a duty to cooperate with neighbouring Councils to assist heir housing delivery if they cannot do so themselves, which is a considerable risk (Elmbridge numbers have gone up over 100%)
2. The Design Code needs to look to the future and should not just focus on our towns and traditional suburban areas. It also needs to set out clear expectations for any schemes which may come forward in the green belt. This is particularly important as they may be separate from other established areas, or they may need to sit alongside them. How they are treated in design terms will be critical.

The Reserve sits at £900k, with £190k already allocated or due to be before year end (design code work, public inquiries and hearings). Assuming these are required, the balance in the reserve at year end would be £710k. Using an additional £114k, would drop the balance to £596k

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