

Community Planning Panel

08/06/2022 6:30pm

Attendees:

RBC:

Georgina Pacey (GP) (Local Plans Manager)

Stephanie Broadley (SB) (Senior Planning Policy Officer)

Mike Corbett (MC) (Senior Planning Policy Officer)

Paul Wade (PW) (Planning Policy Officer)

CPP members:

Englefield Green Neighbourhood Forum (EGNF)

Ottershaw & West Addlestone Residents Association (OWARA)

Egham Residents' Association (ERA)

Franklands Drive Residents Association (FDRA)

New Haw Residents Association (NHRA)

Friends of Hythe (FoTH)

Thorpe Ward Residents' Association (TWRA)

Englefield Green Village Residents' Association (EGVRA)

Hurst Lane Residents Association (HLRA)

Ottershaw Neighbourhood Forum (ONF)

The Chertsey Society (TCS)

Stroude Residents Association (SRA)

Apologies given by:

Lyne Residents' Association (LRA)

Levelling Up and Regeneration Bill presentation

GP gave a presentation on the Levelling Up and Regeneration Bill (LURB).

Key issues involve:

- Proposed changes to the planning system
- The proposal to replace CIL with a National Infrastructure Levy
- Creating beautiful places and improving environmental outcomes
- Regeneration

Questions asked:

FoTH: regarding the housing target number has there been any hint as to direction on travel on that? Have you had a detailed response from Government yet?

GP: We have not received a response from the Govt at this time, though the Levelling up White Paper is looking to spread the number away from the South East. The planning industry expects a reduction of possibly 30-40% but this is a rumour only, and there is nothing definite yet.

ERA: Kwarsi Kwarteng (MP for Spelthorne) has said that centrally set targets are due to be scrapped. Have you heard about that at all?

GP: I have heard about him making that statement; however, we will need to wait until the detail comes out before we take forward a definite Plan. If it takes a while for the new methodology / figure calculation to come out, we may delay going forward with a definite strategy until things are clearer. This will need to be discussed with our members.

SRA: is there going to be any increase in the speed of planning enforcement? The extension of enforcement periods to ten years is quite concerning in that it might allow Council's to take even longer over enforcement issues.

GP: We will look to see if there is anything on speeding up enforcement in the LURB and will add it to the minutes:

The Bill notes that it will *'amend and strengthen the powers and sanctions available to local planning authorities to deal with individuals who fail to abide by the rules and process of the planning system'*.

The proposed changes to the enforcement regime are summarised below:

- An extension to the period in which enforcement action will be taken to ten years in all cases, thereby removing the current four-year rule which applies to development consisting of building, engineering, mining or other operations and the change of use of any building to a single dwellinghouse.
- The introduction of enforcement warning notices which provide a new power for Councils to use where they become aware of an unauthorised development that has a 'reasonable prospect of being acceptable in planning terms' i.e., that it could be regularised via the submission of a planning application within a specified period. The enforcement warning notice will require a retrospective application to be submitted in a specified time, otherwise further enforcement action will be taken.
- Increased fines associated with certain breaches of planning. The existing cap on the fine for failure to comply with a breach of condition notice and failure to comply with a section 215 notice (maintenance of land) is removed. In addition, fees for retrospective applications are to be doubled.
- An extension to the time period for temporary stop notices from 28 to 56 days.
- Providing the Planning Inspectorate with the power to dismiss certain appeals where undue delay is caused by the appellant. In such cases, the appellant would be notified that the appeal may be dismissed unless steps specified in the notice are taken within a specified time.
- Tightening of the scope of appeals against enforcement notices to allow only one opportunity to obtain retrospective planning permission.

- Enabling temporary relief for enforcement action against prescribed planning conditions, and, where necessary, to remove constraints on operations (e.g., for construction and delivery times).

As can be seen from the above, there is nothing specific currently that relates to speeding up the process, but there are a number of potentially quite useful changes to be brought in by the LURB. However, the Bill has only recently been through its second reading and there will be a Committee Report stage and third reading where further amendments could be made before it goes to the House of Lords, where again further changes could be made.

EGVRA: do we have any ideas of a timescale on the progress of the Bill through Parliament?

GP: we expect it will take a year, but then there will also be more time needed to implement the required regulations which will provide the needed detail.

EGVRA: Do you think this Bill generally contains positive changes to allow residents / local people to have more say about their area?

GP: there are some lines throughout the Bill which point to this, but we cannot be certain until we get the final detail from the Government.

HLRA: is there any definition about what a 'street' is in terms of 'street votes'? There could be a lot of unintended consequences.

GP: all we have currently is the headlines that have been put out about it. We will see if there is anything else we can find in the Government's announcements and put that in the minutes:

- 'Street votes', will give residents the power to propose new developments on their street and enable neighbourhood residents to take planning powers into their own hands. The wider community can then hold a referendum on whether the project should receive planning permission or not.
- Building work would be approved if a third of neighbours do not object, and the new development adheres to "styles favoured locally to make sure that it complements the local area".

As can be seen, there is very little detail on what these 'street votes' will mean / look like and we will have to wait for the Government to provide this.

NHRA: will the required changes to the NPPF affect employment needs and policy? Will the changes to the Duty to Cooperate (DtC) affect potential development in neighbouring areas e.g., in neighbouring New Haw?

GP: the Government has talked about changes to employment policy in the NPPF, but we don't have the detail yet. We don't know in detail what the replacement to the DtC will look like yet. We think it will be less of a legal test and more of an alignment soundness test so not a showstopper which it has been for many Local Plans previously. You will still need to cooperate with your neighbours in the Local Plan process, even if it's no longer a legal requirement. It has been suggested that Joint Spatial Strategies can be prepared between two or more local authorities. However, it is not clear whether sanctions will be introduced, if authorities don't work together, or what the incentive would be for carrying out these Joint Strategies, particularly given the tight timescales for producing Local Plans.

NHRA: As Runnymede has 1.1 jobs per resident, we don't need any more jobs do we?

GP: we are currently having a Housing and Economic Development Needs Assessment (HEDNA) produced, and other key evidence base documents prepared for us. These should be completed over the summer, but they are not ready yet. We may need to arrange a special CPP to discuss this and what other key evidence documents say.

TCS: could we get more information about street votes?

GP: we will need to get more information from Government, but we will add in any information we can find into the minutes. Please see the above.

ERA: the lack of coordination on a united front on housing targets and pushing back against them under the Duty to Cooperate is deplorable. We cannot take the Government's word on protecting the Green Belt.

GP: if councils don't say something and a neighbouring Local Plan gets through whilst planning for a number lower than their calculated need, then at examination some of their under-supply could be put onto an adjoining area. So, councils sometimes seek to protect themselves from others who are under delivering. Additionally, lobbying against housing numbers / targets is political and not something that officers can get involved in. That is something for Councillors and MPs. We also don't know what Government really means by increasing protection for the Green Belt, again, we will have to wait until we have more detail from them.

Climate change and sustainable development strategy

SB gave a presentation on the Council's climate change and sustainable development strategy.

Key points from this include:

- The existing policy framework
- Current policies that relate to climate change
- Identifying issues
- What could a new Local Plan do to speed up decarbonisation?
- Energy efficiency standards
- Future homes and building standard
- Policy options
- Community energy planning
- Adaption measures

Questions asked:

EGVRA: what is the relationship between planning and building regulations? Can planning really enforce higher standards than that set out by building regulations?

SB: we should have our own standards in the Local Plan in case the Government doesn't make this a requirement. Building regulations are minimum standards, so if we can prove through whole plan viability evidence that higher standards can be met, we can ask for higher standards. We need robust evidence for this so we will be looking into the possibility of procuring this as part of the Local Plan preparation process. The Government's Housing Standards Review 2015 introduced optional building control standards for water efficiency and for accessibility within housing and if a Council wanted to apply them through the building control regime, then it could only do so if the standards

were first adopted through Local Plan policy and required by planning condition on a scheme-by-scheme basis. It is for this reason that these issues were included in the Runnymede 2030 Local Plan.

EGVRA: Should we be specifying standards in neighbourhood plans? Or can we not require higher standards?

SB: This is challenging to achieve. Your draft Neighbourhood Plan supports higher standards, which is welcomed, but if you *require* higher standards you would need a lot of evidence for this, including viability evidence. Any Neighbourhood Plan policy setting higher standards might also be considered to go beyond the adopted Local Plan standards and therefore not in compliance with it.

TWRA: what is the situation in relation to releasing Green Belt land for energy projects, is there a way around that as currently it is frowned upon in national policy?

SB: it may come down to the impacts on the Green Belt and if the impacts on it are temporary or not. If we could get some more feedback through the Issues and Option consultation on the appetite for this, that would be useful.

TWRA: would it be possible to introduce an Article 4 Direction regarding small scale Permitted Development developments (e.g. conservatories etc.) which cause flooding? The Environment Agency (EA) are not helpful as they do not reply to the Council on planning applications. Can you get the EA to provide better / specific advice instead of their standing advice?

GP: we can look again at the flooding policy and see if we can improve it. The Government is not in favour of the blanket use of Article 4 Directions over large areas so it's hard to implement one without a lot of strong evidence. The EA are the statutory consultee, so we must take their advice.

TWRA: Meadlake Ditch Flood Group are a community group to be added as a local community group interested in climate issues.

NHRA: the EA have backtracked on objections to the building on the Byfleet Road allocation. They have given a nod to developing it. The water table is only 0.5m below the surface here. Can you feed back to the EA that communities are concerned about this issue?

GP: Need to engage with the Environment Agency directly or make a representation on the amended scheme at this site under the planning application process.

TWRA: applicants use desktop studies which do not understand local conditions. These need to be strongly challenged by RBC. Can you ask EA for advice on how to object / challenge them?

GP: I suggest you ask Victoria Gibson (the Development Manager of the Development Management Team) about this as this goes into how Development Management assess these reports. We do not respond on these as this issue is the responsibility of the EA and Surrey County Council (SCC) (as the Lead Local Flood Authority).

EGVRA: you can do a desktop study that will show the real local conditions using the plentiful available geological information. Developers are asked to provide and pay for them, so they show what they want it to say.

GP: it is the role of EA and SCC to assess the technical information in these reports.

ERA: the new Local Plan will have a big credibility problem if it doesn't object to Heathrow third runway.

GP: I will soon be going to a meet with them to see what they have to say. This may have changed post-Covid so it will be interesting to see what they say as the groups around Heathrow expansion are becoming active again after largely remaining quiet for the last two years.

Communications strategy update

PW gave a presentation updating CPP members about the Council's communications strategy.

Key points from this include:

- Engaging with schools
- Attending community events
- Drop-in sessions
- Social media
- Local Plan animations
- Printed media and newspapers
- Posters and leaflets
- Online response forms
- Focus groups
- Groups identified thus far

Questions asked:

FoTH: when will the Issues and Options consultation take place? And what does it involve?

GP: autumn this year. The biggest changes will relate to developing our spatial strategy – how much development and where it will go, as well as climate change. There will also be smaller changes to many policies to make sure they align with national policy changes etc. This will all be set out in the Issues and Options consultation document.

FoTH: people need to know what they are being asked about, so long documents are not any good. Don't ask people about things they cannot influence and things you have already decided as this discredits the whole exercise.

GP: we are trying to simplify things as much as possible, it's hard to do but important to get it right. There is a lot to consider, but we are trying to keep it as concise as possible and avoid planning jargon.

EGVRA: the documents need to be kept as short as possible and easy for people to understand. Questionnaires can't be too long and difficult for people to complete to make the consultation credible. For the Englefield Green Fair on the 18th June – can we get some ideas about what you are planning to do with it in advance that would be good.

TWRA / TNF: people don't engage until the development comes forward though apathy. If you can simplify things as much as possible that would be helpful. We are happy to disseminate things through our local mailshots and email lists etc. Thorpe Together magazine goes out quarterly which might be useful. Cllr Harden does the editorial for that. Potential locations for consultation that RBC could use include the Rutherford Room as opposed to the village hall in Thorpe as its much cheaper with similar facilities. Penton Park community facility could also be used as lots of people use that.

HLRA: do you have target levels of responses from certain demographics? How do we get the next generations involved? Most people who get involved are of an older demographic. You will be getting a different response from younger people which would be good.

GP: we don't have targets and we never have. We want to consult as widely as possible. We will be looking to collect information this time about demographics to get a better idea of who we are reaching and where the gaps are.

HLRA: if the demographic mix of responses is very different to the mix of the area, then you might want to take account of that imbalance when considering the responses received.

GP: we will be looking at who is responding and see where we need to do further work to engage those who don't get involved.

GoTH: highlighting which areas can be influenced by people to the public would help manage expectations. Feedback on what people have influenced would be useful so people feel like they have been heard and action has been taken considering this.

GP: Feedback is very important, and we will be looking how to enhance this.

ERA: RBC should not use questionnaires that only offer A and B, people need to be able to say what they want.

GP: we are trying to avoid that and having the option for people offer alternatives under an 'any other comments / ideas' option.

Q and A on the written update

GP: please email us if you have any comments on this as the meeting has over-run.

AOB

None

Meeting finished at 8:30pm.