

Review of the Runnymede 2030 Local Plan (Planning Policy, Judith Orr)

Synopsis of report:

This report updates the Planning Committee on the progress with Local Plan preparation and sets out why officers are pausing the commencement of the Issues and Options consultation, at least for a short period.

Recommendation(s):

None. This report item is for information.

1. Context of report

- 1.1 The Runnymede 2030 Local Plan (2015-2030) was adopted in July 2020. The Local Plan was examined under the transitional arrangements against the 2012 National Planning Policy Framework (NPPF), which required Local Plans to have a 15-year time horizon. However, there was nothing to prevent part of this time horizon occurring prior to adoption. This meant that even though the 2018 NPPF had been published in July 2018, the 2030 Local Plan didn't need to take account of the amendment contained in it which stated that strategic policies should look ahead over a minimum 15-year period from adoption (underlining my emphasis).
- 1.2 In light of this change in policy at a national level, the Inspector agreed to allow Runnymede to adopt its 2030 Local Plan (with only 10 years remaining on the Plan period post adoption) but on the proviso that the Council commenced an early review of its Plan. This is captured at paragraph 5.19 of the Local Plan which states:

The Council will commence a review of the Runnymede 2030 Local Plan as soon as possible to ensure that it is able to meet the requirement of the NPPF to complete a review of the plan within 5 years of the date of adoption of this plan. In practical terms this will mean that the Borough Council commences its review early in 2021, in order to complete a review before the summer of 2025...In accordance with the NPPF, the review will also need to plan for a 15-year period from the date of its adoption (i.e., 2040).

- 1.3 In line with the above commitment, the review of the Runnymede 2030 Local Plan commenced in January 2021. At the time of writing this report, the review is well underway with key parts of the updated evidence base, and the Issues and Options document itself drafted.

2. Report and options considered

- 2.1 In February 2022, the Government published its Levelling Up the United Kingdom White Paper. This paper made a number of important statements which have the potential, if introduced, to have a significant (albeit positive) impact on the development of the review of the Runnymede 2030 Local Plan, known as the Runnymede 2040 Local Plan.

In support of levelling up, the UK Government will target the majority of delivery on brownfield sites outside London and the South East and states that the Government's proposals '*will reduce pressure on housing and on greenfield and Green Belt sites in overheated areas of London and the South East'*
- 2.2 In particular, although the Levelling Up White Paper sets out that the Government remains committed to its 300,000 annual target for the delivery of new homes, it also states that, '*In support of levelling up, the UK Government will target the majority of delivery on brownfield sites outside London and the South East*' and states that the Government's proposals '*will reduce pressure on housing and on greenfield and Green Belt sites in overheated areas of London and the South East'*

- 2.3 In May 2022, the Levelling up and Regeneration Bill (LURB) was published. The levelling up legislation, which went through its second reading in the House of Commons in June 2022, is set to substantially alter the planning system. This is likely to include the way national housing requirements are worked out and set locally, which will have significant effects on planning and house building. At the second reading of the Bill, the Government announced that a prospectus paper, setting out proposed changes to the NPPF, would be published in July 2022. This did not materialise, and publication is not expected until after a new Prime Minister is in post.
- 2.4 As a result of the current uncertainty, several planning authorities are halting or revising their local plan timetables to await more details on the national policy changes that the Levelling Up and Regeneration Bill will bring. A few of the many examples of councils who have paused work on their Local Plans include:
- **Hertsmere** - Members resolved to abandon its newly published draft plan due to opposition from residents about the level of proposed Green Belt release.
 - **Ashfield** - Has paused work on its local plan, while it waits for clarification on housing targets from the Government.
 - **Arun** - Paused work on its local plan to await proposed reforms to the planning system.
 - **Mid Sussex** - Members voted to defer discussion of its draft updated local plan to await the outcome of any change in Government policy.
- 2.5 Officers share the view that it would be sensible to pause the commencement of the Issues and Options consultation in Runnymede until the new Prime Minister is in place and their position in relation to the LURB and planning/housing policy is understood. This is because, as it stands, the annual level of housing need in Runnymede is assessed under the Government's Standard Method as being for 549 dwellings per annum. This is a high level of housing need, beyond the current housing requirement of 500dpa in the Runnymede 2030 Local Plan. Meeting this level of need in full is highly likely to require removal of additional land from the Green Belt.
- 2.6 However, it appears that under Levelling Up, the Government's position on planning to meet housing needs across the country is likely to change. This could have significant implications for the development of the spatial strategy in the next iteration of the Local Plan (i.e. how much growth we plan for and where it is directed to).
- 2.7 Officers had hoped that the NPPF prospectus consultation planned for July would provide sufficient information and steer to enable the Issues and Options consultation to go ahead in October. However, without this prospectus being published, there is considered to be too much uncertainty to proceed.
- 2.8 Officers therefore propose to await the appointment of a new Prime Minister and further information from the Government on the Levelling Up agenda and what it is likely to mean for the development of Local Plans in the South East of England before progressing further.
- 2.9 During this period of pause, officers propose to further refine the contents of the Issues and Options document where appropriate, in discussion with Members. It is also proposed, following discussions with Counsel, that officers accelerate the timetable for the production of the remaining parts of the Green Belt evidence base. The two pieces of evidence which need to be completed are:

1-A site specific assessment of land introduced to the Authority by third parties after the 2030 Local Plan was produced. This work will be the final piece of evidence in determining whether there are any further small sites which could potentially (and further to a range of wider considerations related to overall site sustainability) be considered for release from the Green Belt. This would be an addendum to the Green Belt Review Part 2 and would follow the same methodology.

2-A strategic Green Belt Review which looks at how the Green Belt is performing in Runnymede at appropriate large-scale geographies. This is following the Council's commitment at its Examination in Public into the soundness of the Runnymede 2030 Local Plan to carrying out a strategic review with the other Surrey Authorities. Relevant extracts from the Inspector's letter into the soundness of the Local Plan are as follows:

...in the light of all the factors affecting Runnymede, I consider the longer-term needs can best be addressed by a Surrey-wide approach, as committed to by the planning authorities. This will enable full account to be taken of the nature of the Green Belt in Runnymede and other districts and its importance in protecting the regional function of the wider Green Belt.

Furthermore, Runnymede's Green Belt is part of the first substantial area of open land on the south-western edge of London, and much of it is fragmented in nature. It would not be in the interests of sustainable development of the borough or its surroundings to seek to pre-judge the outcome of a joined-up approach on this fundamentally important spatial policy for the wider area (paras 53 and 54).

- 2.10 Whilst the second stage of the Surrey Local Strategic Statement, and its commitment to a Surrey wide Green Belt Review fell away when it was replaced by the Surrey 2050 Place Ambition (a decision taken by Surrey County Council Future Steering Board in July 2019), this piece of work, or a similar piece of work based on a robustly defined alternative geography is believed by officers and Counsel to be necessary and required. It is considered preferable to complete the Green Belt evidence base prior to the Issues and Options consultation (previously, completion of this work had been timetabled to be completed prior to the second public consultation on the Local Plan known as the Preferred Options and Draft Plan consultation) as it is possible that the findings could impact on the spatial strategy options considered 'reasonable'.
- 2.11 An amended Local Development Scheme (LDS) (the document setting out the timetable for the production of the Local Plan and other Development Plan Documents) will need to be produced and brought back through the Planning Committee, and then approved at Full Council. However, at the time of writing this report, it is unclear what length of delay may be recommended. It is therefore proposed to bring the LDS back through the Planning Committee in late 2022/early 2023 when it is hoped that there will be more steer at a national level following the appointment of the new Prime Minister.

3. Policy framework and legal implications

- 3.1 As set out earlier in this report, the Runnymede 2030 Local Plan (2015-2030) was adopted in July 2020. The Local Plan contains a commitment at paragraph 5.19 to review the Plan, starting in 2021, in order to complete the review before the summer of 2025.
- 3.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require local planning authorities to review Local Plans (such as the Borough Local Plan) every five years to ensure policies remain relevant and effectively address the needs of the local community. This is reflected in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG), which sets out the process that should be followed to review local plans. Reviews should be completed no later than five years from the adoption date of the Plan. The Runnymede 2030 Local Plan reaches its fifth anniversary in July 2025.

- 3.3 Pausing the commencement of the Issues and Options consultation is likely to mean that the replacement Local Plan may not be in place by July 2025 as the existing timetable for the review and update process allows very little margin for slippage. Dependant on changing circumstances and evidence, policies may be considered out-of-date and carry less weight when determining planning applications when they are more than 5-years old. However, the advice of Counsel is that as long as our housing land supply does not become critically low (below 3 years), we are likely to be successful in defending ourselves against speculative development in the Green Belt given the high level of policy protection given to this designation.
- 3.4 A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended). It must be made available publicly and kept up-to-date so that local communities and interested parties can keep track of progress. As such, it is important that an amended LDS is brought back to Planning Committee as soon as practicable. The proposal to bring the LDS back through the Planning Committee in late 2022/early 2023 is genuinely believed by officers to be the earliest opportunity to update the LDS based on the facts available at this time in light of the uncertainty noted earlier in this report. In the meantime, information will be published on the Council's website which will advise that the commencement of the Issues and Options consultation has been paused and that an updated version will be published as soon as practicable thereafter.
- 3.5 Members are invited to note that this report does not require a decision to be taken by this Committee as the Council has delegated decisions as to "...*the progression of any part or all of the Local Plan.*" to the Corporate Head of Economic Development and Planning Policy and the Local Plan Manager within its current Constitution, both of whom recommend pausing the commencement of the Issues and Options consultation further to consulting with Counsel prior to this meeting. In accordance with the Council's Consultation Strategy, the Chairman of the Committee has been informed of the intention of Officers in advance of this course of action.

4. Financial and resource implications

- 4.1 Pausing the commencement of the Issues and Options consultation may mean that some policy spend on certain elements of the Local plan evidence base is deferred to the next financial year. However, whilst this is likely to be the case, other pieces of work have been brought forward. Overall, no additional budget is forecast to be required in the current financial year. There is currently sufficient resource within the Planning Policy team to progress the Local Plan Review.

5. Equality implications

- 5.1 The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the need to:
- Eliminate unlawful discrimination, harassment or victimisation;
 - Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
 - Foster good relations between those who share a relevant characteristic and persons who do not share those characteristics;
- in relation to the 9 'Protected Characteristics' stated within the Act.
- 5.2 There is currently an up to date Local Plan in place for the Borough. An Equality Impact Assessment has been undertaken for the Local Plan as a whole and equalities considerations associated with each Local Plan policy robustly assessed. The same type of assessment will be completed to support the next iteration of the Local Plan.

6. Environmental/Sustainability/Biodiversity Implications

- 6.1 Pausing the commencement of the Local Plan Issues and Options consultation will allow some resource within the Planning Policy team to be freed up to produce a Blue and Green Infrastructure Strategy for the Council. This strategy, which will be developed in discussion with a range of other Council departments and external consultees, will focus on the natural environment and how by creating a strong, well considered network of green and blue corridors and spaces, the Council can support adaption and resilience to climate change, halt loss of and improve biodiversity and contribute to the health and wellbeing of our communities. The production of this Strategy will also underpin the Council's approach to securing the 10% Biodiversity Net Gain (BNG) from new development as set out in the Environment Act, and which becomes mandatory in Winter 2023.

7. Other Implications

- 7.1 None.

8. Conclusion

- 8.1 Officers are pausing the commencement of the Issues and Options consultation until a new Prime Minister has been appointed and their intentions in relation to the Levelling Up agenda and planning reforms are clearly understood. This will protect the position of Runnymede and ensure that the new Local Plan is robust and reflects the most up to date national planning policy guidance. This pause will also allow the Green Belt evidence base to be completed prior to the Issues and Options consultation in line with Counsel advice. A further report will be brought back to the Planning Committee in the latter part of this year/early next year with an amended LDS, which will quantify the length of pause proposed.

(For information)

Background papers

None.