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Elmbridge Borough Council

Individual Cabinet Member Decision Making - Planning Services

Report of decisions taken on 12 October 2018

Present:

J.W. Browne (Portfolio Holder for Planning Services)

5/18 Declarations of Interest

There were no declarations of interest.

6/18 Portfolio Holder's Opening Remarks

Whilst acknowledging that the two reports had been considered by the Local Plan Working Group at its meeting on 25 September 2018, the Portfolio Holder for Planning Services thanked the Members of the Working Group for bringing the importance of these documents to his attention and the suggestion of seeking approval for publication on the Council's website at the earliest opportunity.

Matters of Report

7/18 Draft Development Management Advice Note 1: Understanding Housing Need Draft Development Management Advice Note 2: Optimising Development Land

(Link to Council Priorities: P1)

The Portfolio Holder for Planning Services considered a report that set out the details of a draft Development Management Advice Note 1: Understanding Housing Need and a draft Development Management Advice Note 2: Optimising Development Land.

The Portfolio Holder was advised that these two draft Development Management Advice Notes would form part of a series of Advice Notes being prepared to assist applicants, planning agents and developers, on key matters arising through the Local Plan preparation.

Whilst the Advice Notes did not introduce new policy or change existing policy, they did outline the expectations for new residential schemes coming forward and provided initial guidance on how new proposals could respond to local development needs.

With regard to the draft Development Management Advice Note 1: Understanding Housing Needs, the Portfolio Holder noted that this explained what the local housing need was and how the Council was approaching this matter in assessing planning applications.

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In respect of the draft Development Management Advice Note 2: Optimising Development Land, the Portfolio Holder that this set out the Council's approach to ensuring the limited development land within the Borough was optimised.

On consideration of the report, the Portfolio Holder reiterated the qualitative information from the Strategic Housing Market Assessment (SHMA) which had identified the need for smaller homes (1 to 3 bedrooms) within the Borough. In this regard, the Portfolio Holder asked whether there was any way the Council could instruct developers to build smaller units within developments in order to meet the SHMA requirements. The Deputy Planning Policy Manager advised that Core Strategy Policy CS19 set out the Council's approach to securing a proportionate mix of housing types and sizes and this was also supported by Development Management Policy DM10 which required residential development on sites of 0.3 hectares or more to promote house types and sizes that met the most up to date local housing need whilst reflecting the character of the area. Furthermore, the Deputy Planning Policy Manager advised that it was hoped to strengthen this approach through the revised National Planning Policy Framework (NPPF) so that this would apply to all sites regardless of their size.

The Portfolio Holder for Planning Services supported the two Advice Notes and accordingly

Resolved that the Development Management Advice Note 1: Understanding Housing Need and Development Management Advice Note 2: Optimising Development Land be approved for publication on the Council's Website.

8/18 [Draft Exemption of Small Sites & the Vacant Building Credit Statement- Update September 2018](#)

(Link to Council Priorities: P2)

The Portfolio Holder for Planning Services considered a report that provided details of the updated Exemption of Small Sites and the Vacant Building Credit Statement, that had been prepared following the publication of the revised National Planning Policy Statement (NPPF) in July 2018.

The Portfolio Holder was reminded that in the summer of 2016, the Council had decided to continue to apply Policy CS21 (Affordable Housing) in the decision-making process and to consider on a case by case basis the weight to be given to conflicting local and national planning policy. At that time, this element of national policy had been issued through a Government Written Ministerial Statement (WMS) together with changes to Planning Practice Guidance (PPG). The WMS set out that local planning authorities should not seek affordable housing contributions on development sites of 10 dwellings or less.

To support the decision to continue the application of Policy CS21, the Council had published a position statement, the first of which had been published in 2016. In February 2017, the statement had been updated and it looked at planning applications and appeals over the six-month period following the

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amendment to the Planning Practice Guidance and the Council's decision to continue to apply Policy CS21.

The Portfolio Holder was advised that within the revised NPPF, published in July 2018, the provision set out in the WMS had been formally incorporated into national policy. In this regard, a conflict now existed in respect of the Council's approach to affordable housing provision as set out in Policy CS21 'Affordable Housing' of the adopted Elmbridge Local Plan: Core Strategy (July 2011).

Accordingly, a draft Statement had been prepared which outlined the Council's position on the revised NPPF and how it intended to take forward decisions where there was a conflict between local and national policy.

The Portfolio Holder noted that the draft Statement explained the local circumstances and provided justification for the continued approach of seeking affordable housing contributions on developments of 10 units or fewer, on a case by case basis.

From past delivery, it was clear that the current policy approach had not had an adverse impact upon the delivery of new homes on small sites or had been financially harmful to small and medium enterprise developers.

The draft Statement also reflected on the successful delivery of Policy CS21 evidencing how the contributions to date had enabled the Council to support the delivery of both new affordable units and ensure the more effective provision of its existing stock and reduce under occupation.

On consideration of the report and draft Statement, the Portfolio Holder for Planning Services supported the need to continue to consider Policy CS21 Affordable Housing as part of the decision-making process for any relevant application and where applicants / developers considered that the charge was disproportionate, the relevant information setting out scheme viability could be submitted for independent assessment as set out in the Developer Contributions Supplementary Planning Document.

Resolved that the Exemption of Small Sites and the Vacant Building Credit Statement (update September 2018) be approved for publication on the Council's Website.

The meeting commenced at 9.18 am and concluded at 9.28 am

J.W. Browne
Portfolio Holder for Planning Services

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Democratic Services Officer

Mrs. T. Hulse

Principal Committee and Member Services Officer

Other Officers in attendance

A. Harrison

Head of Legal Services

Mrs. R. Thorold

Deputy Strategy & Planning Policy Manager

Mrs. A. Kantepudi-Bird

Senior Planning Policy Officer

M. Corbett

Planning Policy Officer