

Committee: Individual Cabinet Member Decision Making - Planning Services

Date of meeting: 23 July 2018

Subject:	Local Plan Position Statement following Drake Park Appeal Decision
Lead Officer:	Deputy Planning Policy Manager
Portfolio Holder:	Councillor James Browne, Portfolio Holder for Planning Services
Link to Council Priorities:	P2
Exempt information:	None
Delegated status:	For Resolution
Key decision:	No

Executive Summary:

This report reflects on key matters raised by the Secretary of State and the Planning Inspector in their respective reports on the 'Drake Park' decision which relate to the preparation of Elmbridge's new Local Plan.

A draft Local Plan Position Statement has been produced to highlight the key matters and assure stakeholders and interested parties that the Council is committed to responding positively to the challenge of housing and affordability in Elmbridge and is working hard to progress a new Local Plan.

Local Plan Working Group agreed on 23 June 2018 that approval should be sought from the Portfolio Holder to publish the Local Plan Position Statement on the Council's website.

Recommendation: that the Cabinet Member for Planning Services approve the position statement for publication on the Council's website following a two-week call-in period.

Report:

1. Background

- 1.1 The 'Drake Park' application sought outline planning permission for over 1,000 homes and supporting services. The site is within land designated as Green Belt; a strong policy tool which seeks to keep land open, where new development is considered inappropriate (subject to limited exceptions) which is, by definition, harmful to the Green Belt and should not be allowed except in Very Special Circumstances.
- 1.2 The Council refused planning permission in November 2016 on four reasons, primarily that the proposal would be inappropriate development in the Green Belt and would be harmful to the character and openness of the Green Belt and that the applicant had not demonstrated Very Special Circumstances.

- 1.3 This decision was appealed in part on the grounds that the need for new homes and the current limited supply of housing land would outweigh the harm to the Green Belt.
- 1.4 The appeal was recovered by the Secretary of State (SoS) as it involved 'proposals for residential development of over 150 units or on sites over 5 ha, which would significantly impact upon the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities and proposals for significant development in the Green Belt'.
- 1.5 Following a Public Inquiry held in October/ November 2017, the appeal was recommended for dismissal by the Planning Inspector, which was upheld by the SoS in May 2018.

2. Key Matters

- 2.1 Officers have taken stock and evaluated the key matters raised by the SoS and the Planning Inspector in their respective reports on the 'Drake Park' decision which relate to the preparation of Elmbridge's new Local Plan. The key matters are below:
 - a) The SoS and Planning Inspector's reports highlight the importance of a plan-led planning system. They both concluded that, in this instance, the provision of housing did not amount to 'Very Special Circumstances' necessary to justify inappropriate development in the Green Belt even when there is a deficit in housing land supply and subsequently supply policies are deemed out of date. However, both commented that it seemed 'more than likely than not that the emerging local plan will promote some Green Belt sites for housing'.
 - b) The identification of an objectively assessed need figure for housing (OAN) and 5- year housing land supply figure for Elmbridge was a key theme. However, the debate on housing need figure is likely to become redundant, when the national standardised housing methodology is introduced by the Government in the revised NPPF. This is due to be published in July 2018.
 - c) The Planning Inspector under a took an assessment of the Borough's 5 year housing land position. This equated to a current housing land supply of 2.65 years. This is a realistic reflection of the Council's current position (2017/18). Officers are currently undertaking additional work to identify further land within the Borough which has the potential for housing. The outcome of this work is expected to increase our housing land supply position.
 - d) The commentary within the respective SoS and Planning Inspector's reports highlighted the pressing need to progress the new Local Plan.

- 2.2 The draft position statement highlights the key matters and seeks to assure stakeholders and interested parties that the Council is committed to responding positively to the challenge of housing and affordability in Elmbridge and are working hard to progress a new Local Plan.
- 2.3 To discourage further speculative planning applications, the draft position statement concludes with details of how to promote land for development through the Local Plan process.

3. Conclusion

- 3.1 Formal member approval is sought to publish the Local Plan Position Statement as set out in Appendix A of this report following a two-week call-in period.

Financial implications:

The cost of defending the Drake Park appeal was £202,678.00

Environmental implications:

None for the purpose of this report.

Legal implications:

None for the purpose of this report.

Equality Implications:

None for the purpose of this report.

Risk Management Implications:

None for the purpose of this report.

Community Safety Implications:

None for the purpose of this report.

Background papers:

None

Enclosures/Appendices:

Appendix 'A': Draft Local Plan Position Statement following Drake Park Appeal Decision

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