JOINT SCRUTINY COMMITTEE

15 May 2014

*Councillor Terence Patrick – Chairman
*Councillor Zoe Franklin – Vice-Chairman

Councillor Melanie Bright
Councillor David Carpenter
*Councillor Adrian Chandler
Councillor Mark Chapman

The Mayor, Councillor David Elms
*Councillor Andrew French
Councillor Lizzie Griffiths
*Councillor Angela Gunning
Councillor Jayne Hewlett
Councillor Christian Holliday
*Councillor Philip Hooper
*Councillor Jennifer Jordan
*Councillor Diana Lockyer-Nibbs

*Councillor Julia McShane
*Councillor Bob McShee
Councillor Anne Meredith
*The Deputy Mayor, Councillor Nikki Nelson-Smith

*Councillor Jennifer Powell
*Councillor Isieult Roche
*Councillor Tony Rooth
*Councillor Pauline Searle
*Councillor Nick Sutcliffe
*Councillor Neil Ward
*Councillor Jenny Wicks
*Councillor David Wright

*Present

Councillor Sarah Creedy, (Lead Councillor for Housing and Social Welfare), Councillor Matt Furniss, (Lead Councillor for Environment), Councillor Monika Juneja, (Lead Councillor for Planning), Councillor James Palmer, (Deputy Leader of the Council and Lead Councillor for Infrastructure) and Councillor Paul Spooner, (Lead Councillor for Licensing and Governance) were also in attendance.

JS4 – APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were submitted on behalf of Councillors Melanie Bright, David Carpenter, Mark Chapman, Lizzie Griffiths, Jayne Hewlett, Christian Holliday and Anne Meredith.

In accordance with Council Procedure Rule 17(m), Councillors Liz Hogger, David Goodwin and Caroline Reeves attended as substitutes for Councillors Mark Chapman, Lizzie Griffiths and Anne Meredith respectively.

JS5 – LOCAL CODE OF CONDUCT- DISCLOSURE OF INTERESTS

There were no disclosures of interest.

JS6 – DRAFT GUILDFORD BOROUGH LOCAL PLAN: STRATEGY AND SITES FOR CONSULTATION

The Joint Scrutiny Committee considered the draft Local Plan: strategy and sites prior to it being considered by Executive on 4 June and for approval by Council on 19 June for Public Consultation. The consultation period would be undertaken over a period of twelve weeks starting in July. The draft Local Plan would replace the current Local Plan adopted eleven years ago in 2003 and sets out a new spatial development strategy to guide growth and development across the borough over the plan period up to 2031. A number of evidence based documents support the plan and the Joint Scrutiny Committee met on 3 April to consider them.
The Joint Scrutiny Committee was invited to advise the Head of Planning Services of any comments they had on each of the following draft documents and to consider the questions detailed below that may assist their debate:

Appendix 1 – Strategy and Sites Issues and Options Consultation Note
Appendix 2 - Draft Local Plan
Appendix 3 – Community Involvement in Planning Statement of Community Involvement (SCI)
Appendix 4 – Local Development Scheme

1) How will councillors ensure that our consultation processes are appropriate and proportionate and how can councillors be able to play a full part in ensuring that the community can engage effectively in the consultation process.
2) How will the analysis of representations and comments during the consultation influence the further development of the Submission draft Guildford borough Local Plan: Strategy and sites?
3) What plans are there to ensure that the Evidence Base is kept up to date?

The Joint Scrutiny Committee was reminded that it was not its role to develop planning policy. The draft Local Plan would be the subject of public consultation on at least two further occasions.

The Joint Scrutiny Committee resolved that Public Speaking Procedure Rules be suspended to allow more time for public participation at this meeting. Therefore, in accordance with Public Speaking Procedure Rule 2 (a), the following persons addressed the Joint Scrutiny Committee:

(1) Mr Malcolm Young
(2) Mr James Lacey
(3) Mr Steve Molnar
(4) Mr Peter Walker
(5) Mr Julian Lyon
(6) Mr Mustapha Smith
(7) Mr Graham Hibbert
(8) Mrs Karen Stevens
(9) Mrs Susan Parker
(10) Mr Peter Elliott

(The Joint Scrutiny Committee requested that the comments given by the Interim Policy Manager in response to Mrs Susan Parker’s presentation be circulated to all councillors for their information.)

Having heard the views of the public speakers and asked questions on particular issues, the Joint Scrutiny Committee made comments and submitted questions to which officers gave the following responses:

- Officers agreed to share with councillors the brief to GL Hearn on the production of the Strategic Housing Market Assessment (SHMA). The 2007 SHMA was in force at the time and had been superseded by the NPPG. Edge Analytics had detailed a number of different scenarios on page 58, where it was assessed whether a robust approach had been followed in each case. In terms of challenging GL Hearn’s views, the SHMA has been an iterative process. The first draft was undertaken after a 4-week engagement and a second draft produced. Guildford Borough Council continued to work with neighbouring authorities Woking and Waverley on producing a
joint SHMA. This will take into account the NPPF, assessment of the whole housing market area and new population growth calculations. It was not clear yet what impact these variables would have on the final objectively assessed housing number.

- The Joint Scrutiny Committee noted that whilst GL Hearn’s 5-year calculations in relation to migration were higher than 10-year trends, a 5-year period was consistent with the way that the Office for National Statistics (ONS) calculated population projections. It was therefore considered a more robust approach going forward particularly when we come to examination. Using the 10-year trend was also predating the expansion of the European Union and the migration flows that had occurred because of that and unlikely to be indicative of future trends going forward. Based on feedback received from the University of Surrey they are expecting an increase in the number of international students but an adjustment had been applied, as the growth in the future was likely to be lower than experienced in the previous decade as illustrated in Appendix C – Evidence Base.

- The National Planning Practice Guidance was very clear that whilst the three tests could allow for an upwards adjustment there was no case for a downward adjustment and the demographic trend was really seen as the minimum. Although the jobs growth forecast indicates no requirement for an upward adjustment, there is no case to lower it, as we would not be meeting minimum requirements.

- In terms of identification of land for a school in West Clandon and a crematorium in Normandy/Flexford, the policy would stipulate what that land would be used for. The land would be unsuitable to be used for anything else. Guildford Borough Council would continue to work with partners, including Surrey County Council to ensure that any land allocation made for this use was deliverable and achievable in that location.

- In terms of the spatial distribution, the sites within West and East Horsley total 500. Looking at the remainder of the village sites, Effingham had approximately 300. Land had also been safeguarded in the west of the borough at Fairlands for 500 homes and 1000 for Normandy and Flexford. With the Area of Outstanding Natural Beauty (AONB) constraining much of the southern part of the borough, it was always going to be the northern part of the borough that would experience most growth. With the development at Ash, officers considered that there was a fair distribution of growth going forward.

- Officers agreed to include reference to green environment and heritage in the vision and ambition section of the Draft Local Plan.

- Officers re-assured councillors that ‘Hard to Reach’ groups were part of the Community Engagement Strategy adopted in 2011 and would be consulted on the draft Local Plan whilst also engaging councillors in this process. The consultation period had also been extended from six to 12 weeks.

- In relation to the enforceability of travel plans, the Joint Scrutiny Committee noted that being consistent with the NPPF, travel plans were applied to large-scale developments and enforced by policies and conditions supported by Surrey County Council. A fee was paid so that Surrey County Council can assess the sites to ensure targets were met. If targets are not met, sanctions can be applied by charging or taking other enforcement measures.

- National Trust Guidance was issued in September 2011 in relation to river priorities and would be made available to councillors should they wish to view a copy.

- Confirmed that the reference in policy 4 should be amended to refer to all of the Site Allocations and not policy 20, which is the North Street Site Allocation.

- Officers agreed to bring forward the various topic papers.

- Clarified that paragraph 3.4 of the report had omitted reference to the second stage which related to the production of development control policies, submitted by the end of this year.
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- To amend the key diagram on page 15 to include Worplesdon Station and would continue to work with Woking Borough Council.
- To use 2010 statistics as opposed to 2007 indices which are referenced in the introduction. Positive change was more readily evident in Stoke for example using the 2010 statistics.
- To add ‘where applicable’ to page 20 of the draft Local Plan specifically referring to the table where it states to ‘Support communities in developing their neighbourhood plans, where applicable’.
- In relation to the four sites around West Horsley, confirmed that the proposal to allocate sites around villages to receive new homes were based upon a number of factors such as deliverability, suitability, evidence base, settlement hierarchy and the need to safeguard an appropriate amount of land as well as distribution across the whole of the borough. This was an evidence based selection exercise which informed the selection of the sites whereby just over 500 homes were proposed over four sites. By comparison, there are 400 homes proposed in the Send and Send Marsh area as well as 300 homes proposed in Effingham. In relation to timescales, emphasis was placed on the 5-year land supply. Smaller sites would be looked at first, as the strategic larger sites would not be delivered until later on. It was therefore essential that we demonstrate to the Inspector that we can meet the 5 year housing land supply.
- In relation to flood risk, the strategic flood risk assessment was currently being updated which would include an assessment of sites in terms of the sequential test. In relation to the site mentioned to the north of West Horsley, only a small part of that is in flood zones 2 and 3 which would be part of any planning application consideration but potential design and layout was also a key element of the decision making process.
- The Joint Scrutiny Committee noted that Guildford Borough Council needed to meet its full and objectively assessed housing needs. Referred to an appeal Solihull vs. Gallagher whereby objectively assessed housing need was given particular standing whilst acknowledging the careful balance against Green Belt considerations.
- The Joint Scrutiny Committee was concerned in relation to the wording of policy 1 and the presumption in favour of sustainable development. The Joint Scrutiny Committee was advised that this was a model policy, the planning inspectorate used in Local Plans. The Planning Services team would review this to ensure that it was correct.
- In relation to policy 2, the flexibility margin on housing provision would be explained further by way of additional wording.
- Guidance changed in respect of Section 106 monies and the penultimate paragraph of policy 17 reflects that change. Councils must now take into account market conditions over time and provide flexibility in respect of this requirement.
- The Head of Planning Services and the Lead Councillor for Planning are happy to meet with any councillors who have any areas of concern on the Draft Local Plan, ensuring that councillors are consulted on sites that are co-joined and cross over ward boundaries.
- Confirmed that a park and ride scheme had not been included on the key diagram on page 15, as a suitable site had not yet been found. However, Guildford Borough Council continued to work with Surrey County Council on this matter and will be noted in the Infrastructure Delivery Plan.
- Confirmed that a number of extant planning permissions failed to be built every year. 89% of borough was covered by Green Belt, 11% was in the urban area, and countryside beyond the Green Belt, some re-alignment of the Green Belt had to occur to accommodate growth.
• In relation to Appendix G where it was commented that the uses of sites detailed was prescriptive, it was clarified that, there was a requirement to identify needs and sites within the allocated plan period and there was also a requirement to demonstrate how we could meet that need.

• In relation to land that was safeguarded, it was clarified, that this land would only be developed if the need arose due to the lack of development on other allocated sites. This debate would happen as the local plan was reviewed and housing needs reassessed at that stage.

• In relation to Community Infrastructure Levy (CIL), it was confirmed that parishes and areas that had an adopted neighbourhood plan would receive a greater proportion of CIL monies and was a legislative requirement.

• The Lead Councillor for Planning summarised the work that she had undertaken to meet the duty to co-operate:
  o has liaised and engaged with the statutory authorities and continues to do so;
  o spoken to parish councils and residents associations for which there is no statutory obligation to undertake but is right to;
  o spoken to the Lead Councillors for Planning at Woking, Rushmoor and Waverley Borough Councils.
  o led a ‘Duty to Co-operate’ conference and invited representatives from other authorities too.
  o event held with all leaders of district and borough councils in Surrey to look at not only housing provision but the infrastructure to support it.

(The webcast showing the debate on this matter may be viewed here, timed at 00:02:03)

In conclusion, the Joint Scrutiny Committee,

RESOLVED: That the Head of Planning Services be requested to consider the following matters arising from the Joint Scrutiny Committee’s consideration of the draft Guildford Borough Local Plan: Strategy and Sites for Consultation before the documents are considered by Executive on 4 June and for approval by Council on 19 June 2014:

1. To include reference to green environment and heritage in the vision and ambition section of the Draft Local Plan.

2. To investigate how we might improve our consultation with ‘Hard to Reach’ groups and to invite councillors to be involved in the process.

3. To amend policy 4 to make appropriate reference to individual site allocation policies.

4. To bring forward the various topic papers.

5. To add ‘where applicable’ to page 20 specifically referring to the table where it states to ‘Support communities in developing their neighbourhood plans, where applicable’.

6. To note that the Head of Planning Services and the Lead Councillor for Planning are happy to meet with any councillors who have any areas of concern on the Draft Local
Plan, ensuring that councillors are consulted on sites that are co-joined and cross over ward boundaries.

7. To share with councillors the brief to GL Hearn on the production of the Strategic Housing Market Assessment (SHMA).

8. To express concern over the housing number as set out in the Draft Local Plan and to ask the Head of Planning and the Lead Councillor for Planning to review the housing number before going to Executive for consideration on 4 June and Council on 19 June 2014.

9. To include Worplesdon Station on the map on page 15 of the Draft Local Plan.

Chairman Corporate Improvement Scrutiny Committee
12 June 2014

Chairman Customer and Community Scrutiny Committee
15 July 2014