

THREE RIVERS DISTRICT COUNCIL

At a meeting of the Local Plan Sub-Committee held in the Penn Chamber, Three Rivers House, Rickmansworth, on Thursday, 17 October 2024 from 7.00 - 9.56 pm

Present: Councillors Stephen Giles-Medhurst (Chair), Louise Price, Christopher Alley, Steve Drury, Vicky Edwards, Andrea Fraser, Philip Hearn, Tony Humphreys, Chris Mitchell and Andrew Scarth.

Also in Attendance:

Councillor Sara Bedford, Councillor Rue Grewal, Councillor Ciaran Reed and Councillor Jon Tankard

Officers in Attendance:

Marko Kalik, Head of Planning Policy and Conservation
Emma Lund, Senior Committee Officer
Aaron Roberts, Senior Planning Officer
Alison Scott, Director of Finance

External in Attendance:

Jon Bishop, Three Rivers Joint Residents' Association

LPSC44/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cooper, Cox and Nelmes.

Councillor Humphreys substituted for Councillor Nelmes and Councillor Fraser substituted for Councillor Cooper.

The Committee stood and observed a moment's silence in memory of former Councillor Roger Seabourne.

LPSC45/23 MINUTES

The minutes of the meeting held on 11 September 2024 were confirmed as a correct record and signed by the Chair.

LPSC46/23 DECLARATION OF INTERESTS

There were no declarations of interest.

LPSC47/23 IMPLICATIONS OF NPPF CONSULTATION AND TRANSITIONAL ARRANGEMENTS ON LOCAL PLAN PROGRESS

The Head of Planning Policy and Conservation gave a presentation covering the implications of proposed planning reforms and transitional arrangements on the progress of the Local Plan. The presentation included the Local Plan background; the evidence base work and consultations which had been carried out to date; local housing need; the risks of continuing to Regulation 19; and the reasons for the recommendation which was before the Committee to delay the Regulation 19 consultation and undertake further evidence work. This followed a recent Government consultation on a draft NPPF which proposed a revised method for assessing housing need which would result in a circa 15% increase in the housing need target to 739 dwellings per annum (dpa) from 640.

For reasons which included the very significant difference between the proposed housing requirement (under both the current standard methodology and the proposed new methodology) and the low growth local housing need figure of 270 dpa which had been consulted on at the Regulation 18 stage, the sub-committee heard that officers were of the view that the current Local Plan would be very likely to be found unsound at examination, even if assessed against the 2023 NPPF. In the unexpected event that it were found to be sound at examination, the proposed transitional arrangements for the new NPPF would require the production of a new Plan within a fixed timescale of 18 months to meet the Government's proposed new housing target. This was because there was a gap of more than 200 dwellings per annum between the authority's housing need figure and the emerging housing requirement.

The sub-committee also heard that Suitable Alternative Natural Green Space (SANG) requirements on sites in the zone of influence for the Chiltern Beechwoods special area of conservation could result in the removal of two sites (nearly 200 dwellings); the Gypsy and Traveller Accommodation Assessment required updating and work to address unmet need; and the 270 dpa consulted on at Regulation 18 was now likely to be closer to 200 dpa due to a reduction in developable areas / removal of sites. Additional work was therefore needed on both SANG and the Gypsy and Traveller Accommodation Assessment before the Plan would be ready for submission. The Committee was informed that there is a statutory obligation for the Local Planning Authority to submit a plan believed to be sound, legally compliant and ready for examination at the time of submission.

Officers advised that a new Open Space, Sport and Recreation Study was being requested by Sport England as the existing study was from 2019. Officers advised that such a study might take a year. The Chair and Members asked that this be checked with Sport England, and if a far shorter timescale could be used.

Officers drew attention to the fact that the Plan would in due course need to meet the requirements of the 2024 NPPF, irrespective of whether or not the Regulation 19 consultation was delayed. It was therefore proposed to immediately commence the further evidence work which would be required in order to robustly defend a lower housing figure than the emerging NPPF. This would include a Green Belt review to assess the strategic impact of Green Belt release over the whole of the plan area.

If the delay was agreed, the proposed new timeline for the Plan was for Regulation 19 consultation in February / March 2026, submission for examination in June / July 2026, and adoption in November / December 2026. Officers were to bring a report to the Policy and Resources Committee on this and asked to see if this timeline could be shorter.

Jon Bishop addressed the sub-committee on behalf of the Three Rivers Joint Residents' Association. The sub-committee heard that the Association supported the current low growth / Green Belt protection option and proposed a dual track approach of progressing with the Regulation 19 consultation and commencing the additional work required in parallel, to allow flexibility in the event that implementation of the new NPPF were delayed.

Members of the sub-committee asked questions about the presentation and report, which were responded to by officers.

In debate Members discussed the risk of loss of autonomy and of having housing targets imposed which would likely be significantly higher than those assessed by the Council itself (and result in greater loss of Green Belt); resource availability; financial implications; the extent of the likely delay to the process; and the best way of protecting the Green Belt from speculative development.

Councillor Hearn proposed and Councillor Edwards seconded an amendment to the recommendations that the Regulation 19 consultation should not be delayed but should instead be brought forward to January 2025, with the Plan to be submitted in February 2025;

that all funding needed to make the outstanding evidence available in time should be made available; and that an emergency Full Council meeting should be called in order to agree the required funding package.

The Chair and officers advised that such a timetable with the required additional work and the statutory 6 weeks' Regulation 19 Consultation was unrealistic and not achievable for a sound Local Plan.

On being put to the vote the amendment was declared LOST by the Chair; the voting being 4 in favour and 6 against.

The following Councillors voted in favour of the amendment: Councillors Alley, Edwards, Fraser and Hearn.

The following Councillors voted against the amendment: Councillors Drury, Giles-Medhurst, Humphreys, Mitchell, Price and Scarth.

An amendment to the recommendations was then moved from the Chair as follows:

That the Local Plan Sub-Committee recommends to the Policy and Resources Committee that:

- the Regulation 19 publication of the Local Plan be delayed at this time but be prepared to re-consider at minimum notice should circumstances change, including the setting up of emergency Policy and Resources and Full Council meetings.
- Officers be authorised to undertake the further evidence work on Green Belt, Urban Capacity, Open Space, Sport and Recreation, Gypsy and Traveller Needs, SANG and whole plan viability.
- Officers should prepare an updated Local Development Scheme setting out an updated timetable for the Local Plan.

On being put to the vote the amendment was declared CARRIED by the Chair, the voting being 6 for, 0 against and 4 abstentions.

RESOLVED:

That the Local Plan Sub-Committee recommends to the Policy and Resources Committee that:

- The Regulation 19 publication of the Local Plan be delayed at this time but be prepared to re-consider at minimum notice should circumstances change, including the setting up of emergency Policy and Resources and Full Council meetings.
- Officers be authorised to undertake the further evidence work on Green Belt, Urban Capacity, Open Space, Sport and Recreation, Gypsy and Traveller Needs, SANG and whole plan viability.
- Officers should prepare an updated Local Development Scheme setting out an updated timetable for the Local Plan.

LPSC48/23 LOCAL PLAN: UPDATED DRAFT POLICIES FOR REGULATION 19

The Senior Planning Officer spoke to the report, which presented updates to the draft Local Plan policies from the Draft Local Plan Regulation 18 Part 1: Preferred Policy Options document. The majority of the policies (appendices 1-20) had previously been considered at meetings of the Local Plan Sub-Committee during summer 2024; the report set out the further

changes which had been made as a result of those meetings. A small number of other policies were attached (appendices 21-24) which had not been brought to the summer 2024 round of Local Plan Sub-Committees.

The Chair thanked the Three Rivers Joint Residents' Association for its helpful input and advance notice of a number of suggested minor changes, which officers would take into consideration. Jon Bishop, Chair of the Three Rivers Joint Residents' Association addressed the sub-committee to present the suggested changes.

The sub-committee asked questions and agreed amendments to the draft policies as shown below.

Appendix 2 – Chiltern Beechwoods SAC Policy

In response to questions about why Dacorum and St Albans both applied this policy where there was more than 10 in a development, whereas in Three Rivers the policy was 100, officers responded that the reason for this, as well as for the removal of the concept of SAMM within the policy, had been informed by Natural England's response to the Council and was on the basis that Three Rivers did not form part of the strategic solution to the Beechwoods SAC.

Appendix 4 – Advertisements

Officers to look at amending the wording of point 5 to 'Advertisements, *and* shop fronts and displays must:'

Appendix 11 – Green and Blue Infrastructure Policy

The words 'where appropriate' to be replaced with 'where possible' and the words 'where appropriate' to be removed from policy point 6.

Appendix 12 – Housing Density Policy

Point 2 to refer to 'net housing density' rather than 'housing density'.

Appendix 19 – First Homes

Officers to check whether the criteria for demonstrating a local connection at paragraph 19.9 of having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months was required by law, or whether a period longer than 6 months could be specified, and amend the policy if possible.

Appendix 21 – Biodiversity Policy

Officers, in consultation with Herts Ecology, to look at strengthening the wording of point 12 to seek to take account of the relative status of species and provide additional protection for red list, threatened or endangered species.

Officers to look at whether the benefits referred to at point 7 could refer specifically to public benefits.

Officers to look at amending the wording of policy point 8 to refer to 'specific location', with no other location existing which could meet the need. Therefore, the last two lines of the policy point should read: '...for the development in that specific location, no other possible location exists that could meet the need and the benefit of the development clearly outweighs the loss or harm.'

Appendix 23 – Vision for Three Rivers and Strategic Objectives

A further point to be added to the strategic objectives 'to ensure that the biodiversity of the district is protected', with a specific focus on vulnerable species.

Officers to look at amending the wording in the first objective relating to 'rented affordable homes and family-sized homes' to instead refer to 'socially rented homes and smaller family-sized homes.'

Officers to review the wording of the second sentence of the third objective relating to previously developed land, which doesn't seem to make sense.

Officers to review this wording relating to 'edge of settlement' sites later in the same paragraph. This should either refer to 'sustainable edge of settlement sites' or be removed completely.

A strategic objective to protect the Green Belt to be added.

Appendix 24 – Overarching Policy on Sustainable Development

An addition to be made to point 3(e) to discourage replacement of usable existing buildings where re-use and renovation could achieve the same outcome.

Point 3(f) be amended to include a phrase about the protection of vulnerable species.

RESOLVED:

That the Local Plan Sub-Committee notes the contents of the report and recommends to the Policy and Resources Committee the following policy updates as amended above and subject to further clarification to be provided by officers in relation to points noted above:

- Residential Design and Layout
- Chiltern Beechwoods SAC
- Heritage and Historic Environment
- Advertisements
- Deliveries, Servicing and Construction
- Ground Conditions, Contamination and Pollution
- Northwood Headquarters
- Green Belt
- Green Belt Appendix
- Provision for Gypsies, Travellers and Travelling Showpeople
- Green and Blue Infrastructure
- Housing Density
- Trees, Woodlands, Hedgerows and Landscaping
- Broadband and Electronic Communications
- Sustainable Transport and Travel
- Open Space, Play Space and Recreation
- Retail and Leisure
- Affordable Housing
- First Homes
- Employment and Economic Development
- Biodiversity
- Renewable and Low Carbon Energy Development
- Vision for Three Rivers and Strategic Objectives
- Overarching Policy on Sustainable Development

CHAIRMAN