
Local Plan Sub-Committee MINUTES

**Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on
Monday, 12 May 2025 from 7.00 - 9.58 pm**

Present: Councillors Stephen Giles-Medhurst, Louise Price, Christopher Alley, Oliver Cooper, Steve Drury, Vicky Edwards, Philip Hearn, Chris Mitchell, Sarah Nelmes and Andrew Scarth

Also in Attendance: Jon Bishop (Three Rivers Joint Residents' Association) and Councillor Jon Tankard

Officers in Attendance:

Michael Davey, Planning Officer (Policy)
Marko Kalik, Head of Planning Policy & Conservation
Emma Lund, Senior Committee Officer
Aaron Roberts, Senior Planning Officer

LPSC62/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Stephen Cox.

LPSC63/23 MINUTES

The minutes of the meeting held on 11 March 2025 were confirmed as a correct record and signed by the Chair.

LPSC64/23 NOTICE OF OTHER BUSINESS

There was none.

LPSC65/23 DECLARATION OF INTERESTS

There were no declarations of interest.

LPSC66/23 LOCAL PLAN - FURTHER REGULATION 18 CONSULTATION

Jon Bishop of Three Rivers Joint Residents' Association addressed the sub-committee on agenda items 5, 6 and 7.

The Local Plan Sub-Committee received a report which set out Counsel's advice with regard to undertaking an additional Regulation 18 consultation on new sites and which sought Member agreement for the Council to conduct a Regulation 18 consultation in the summer. The specialist legal advice had been sought following discussions at the February meeting of the Local Plan Sub-Committee on whether a further Regulation 18 consultation was needed for new sites submitted as part of the call for sites.

Counsel's advice was that although it was not considered a breach of Regulation 18 to proceed straight to Regulation 19 publication of the plan without conducting further Regulation 18 consultation on new sites, there would be a high risk of legal challenge or the plan being found unsound at examination if the Regulation 18 consultation was not completed prior to progressing to Regulation 19.

With regard to the effect on timescales of the additional consultation, officers advised that the intention was to bring a report to the June LPSC meeting on the sites to be put forward for consultation, which would then require approval at a special meeting of the Policy & Resources Committee. Approval of the consultation document would be sought at Full Council in July, following which a 6-week consultation would be undertaken. In addition to the new sites there were also likely to be several new or updated policies included as part of the same consultation.

In response to questions the Sub-Committee heard that two additional agency staff members had been recruited to assist with the work and officers would continue to progress the evidence work for the Regulation 19 consultation in tandem with the work required for the Regulation 18 consultation.

Although concern was expressed about the potential impact on the timescale, Members commented that it was important to ensure that the risk of challenge was mitigated. Members also drew attention to the need for communications around the consultation to clarify its scope and highlighted that it should have the same prominence and publicity as the other Regulation 18 consultations.

RESOLVED:

That the Local Plan Sub-Committee agrees that an additional Regulation 18 consultation on newly submitted sites, any new or updated policies, and any sites with higher indicative capacity than previously consulted upon, be completed prior to Regulation 19 publication of the Local Plan.

LPSC67/23 UPDATED DRAFT HOUSING POLICIES FOR REGULATION 19 AND REMOVAL OF THE COUNCIL'S POLICY POSITION STATEMENT ON FIRST HOMES

The Local Plan Sub-Committee received a report which sought member agreement for updates to the draft Local Plan housing policies in response to changes to national planning policy, updated evidence base, and consideration at previous Local Plan Sub-Committee meetings. Specifically, the report presented updates to the Housing Mix and Affordable Housing Policy and removal of the First Homes policy.

In relation to Housing Mix, the Sub-Committee heard that this had been updated to reflect the 2024 Local Housing Needs Assessment; the remainder of the policy remained the same as previously agreed aside from minor amendments to figures in the supporting text. The update had resulted in an adjustment to the housing mix for market housing which decreased the requirement for larger homes and increased the requirement for smaller homes.

Following discussions with the Council's Housing Team, the social housing and affordable rented housing mix had also been adjusted to bring it into line with the needs of those on the housing register and those in temporary accommodation. The mix of affordable home ownership had not been changed, as it was considered to remain appropriate.

Members commented and agreed changes to the Housing Mix and Type Policy as follows:

- Point 10 should be amended to: 'Proposals for Houses in Multiple Occupation (HMOs) that require planning permission will *only* be supported where the balance of housing types and character of the immediate locality would not be adversely affected....'

- Officers undertook to give consideration to whether it would be appropriate to require the housing mix within developments to be set out at the outline application stage where there were no commercial reasons which prevented this.
- A Member suggested replacing the table at paragraph 2.8 of the policy with table 8.21 of the Local Housing Needs Assessment, which gave a higher number of larger homes and a lower number of smaller homes and that this would reflect the wording at paragraph 2(a) of the policy. Paragraph 2.10 of the policy, which explained the divergence from the LHNA figures could then be deleted. Responses were given that the LHNA figures were indicative and did not preclude the Council having different policy aspirations; the change to the table to increase the provision of larger homes would adversely affect housing density; and that there was an over-supply of larger homes and a historic under-supply of small properties which needed re-balancing. On being put to the vote the proposed amendment fell.

In relation to the Affordable Housing Policy, the Sub-Committee heard that this had also been updated in line with the 2024 Local Housing Needs Assessment. The requirement for 40% of all new housing being affordable housing had been retained, including within minor developments. In terms of affordable housing for rent, the policy set out that as a guide, 70% of affordable housing for rent should be social rent and 30% should be for affordable rent. In terms of home ownership, the policy set out that as a guide 50% of affordable home ownership provision should be First Homes and 50% should be shared ownership. These figures would be subject to a whole plan viability assessment, and as such may be subject to change. Key changes to the policy included reference to specialist housing; addition of sections on tenure split, Green Belt and First Homes (following the proposal to remove a specific First Homes Policy from the emerging Local Plan), and an increase to the Local Connection Test residency criteria from 6 months to 12 months.

Members commented and agreed changes to the Affordable Housing Policy as follows:

- A committee member suggested removal of the section on Green Belt, given that it replicated provisions of the National Planning Policy Framework. Other committee members considered that it should remain in the interests of clarity for members of the public.
- A committee member considered that the need for affordable home ownership was greater than 30% and suggested that the split between affordable home ownership and affordable rent should be 50%/50% rather than 30%/70%. This view was not shared by some other committee members, who commented that the Housing Team had indicated there was a stronger need for social housing, meaning that the 70% figure was appropriate.
- In terms of the Local Connection Test, a committee member suggested that this should apply to all affordable housing rather than just First Homes and this was accepted by the Sub-Committee, with officers to review the wording of the policy and reasoned justification.
- A committee member suggested that the Local Connection Test should be waived for all veterans, and not only those who left service within the last 5 years and this was accepted by the Sub-Committee.
- Officers were asked to look at section 3.15 and consider re-wording it so that it applied only to divorced or separate spouses or civil partners of a member of the Armed Forces where that spouse or civil partner was leaving Forces accommodation as a result of that divorce or separation. This was accepted by the Sub-Committee.
- A committee member suggested that the Local Connection Test should be amended to remove the sibling test and that the criteria required to meet the test should be

strengthened. Officers undertook to review the wording with consideration to the comments made by members, and to review the criteria against those authorities of a similar size and demographic with adopted local plans.

- Officers were asked to consider adding keyworkers within the criteria for the Local Connection Test.
- A committee member suggested amending the wording of paragraph 3.13 so that it referred only to the national standard criteria for First Homes (and not the annual income threshold which may be subject to change) and this was accepted.

In relation to the First Homes policy, the Sub-Committee noted that changes had been made to national policy following the publication of the new NPPF in December 2024 which, for the reasons set out in the officer's report, meant that it was no longer considered appropriate to retain a First Homes Policy within the emerging Local Plan. Officers were therefore recommending that it be removed as a standalone policy and incorporated within the Affordable Housing Policy. Additionally, it was recommended that the Council's policy position statement on First Homes be withdrawn and removed from the Council's website and that the tenure mix for affordable housing under Policy CP4 of the Core Strategy (2011), which as a guide seeks 70% of the affordable housing provided to be social rented and 30% to be intermediate, is re-instated until the adoption of the emerging Local Plan.

Members discussed whether a First Homes discount of 40% might be included. Officers responded that once the whole plan viability work had been completed, the Sub-Committee's views would be sought on where the Council's priorities should be and this would include consideration of the First Homes discount.

RESOLVED:

1. That the Local Plan Sub-Committee notes the contents of the report, and recommends to the Policy & Resources Committee the following policy updates, subject to the amendments and comments noted above:
 - Housing Mix Policy (Appendix 2)
 - Affordable Housing Policy (Appendix 3)
 - Removal of First Homes Policy (Appendix 4)
2. That the Local Plan Sub-Committee recommends to the Policy & Resources Committee to withdraw the Council's Policy Position Statement on First Homes (Appendix 5) and remove it from the website, and the tenure mix for affordable housing under Policy CP4 of the Core Strategy (2011), which as a guide seeks 70% of the affordable housing provided to be social rented and 30% to be intermediate is re-instated until the adoption of the emerging Local Plan.

LPSC68/23 UPDATED DRAFT SUSTAINABILITY POLICIES FOR REGULATION 19

The Sub-Committee received a report which set out the issues which the new Local Plan would need to address in relation to sustainability and which set out the policy wording to be contained within the new Local Plan.

Committee members asked questions and sought clarification on the policies which were responded to by officers.

Councillor Jon Tankard spoke on the item and it was agreed that his comments would be passed to officers for consideration.

Members' comments and suggested changes included:

- Policy X E should be amended to clarify that it also included the process of replacing dwellings.
- Some committee members commented that the cost implications associated with the policies needed to be understood and that requiring performance in excess of Part L did not warrant the associated financial burden. Officers responded that there was some cost analysis in the evidence, but that it would be further looked at as part of the viability work. Once the viability work was completed, choices would need to be made with regard to where the Council's priorities lay. Other committee members commented that the additional costs associated with carbon reduction initiatives needed to be balanced against the cost savings in reduced energy use; that they could be achieved at relatively little cost; and that the Council had shown a commitment to achieving Net Zero and which would inevitably involve some cost.
- Officers were asked to check whether the energy offset figure of £2.31/kWh in paragraph 14 of Policy X A – Net Zero Operation in New Build Residential Development should be £2.31 per kW of capacity. A committee member recommended that the figure be removed from the policy.
- In response to a question about whether the fact that the policies would require performance in excess of national standards could result in the Plan being found unsound at examination, officers advised that the approach taken represented a middle ground in terms of the options the Council had considered. Whilst some modifications may be needed, it was not considered that it would result in the Plan being found to be unsound. If the very safest approach had been taken, the Council would be unlikely to achieve its Climate Emergency Declaration and Net Zero targets.
- A committee member suggested that paragraph 1 with A1.1 of Policy X A should be replaced with 'development is strongly encouraged to improve on the relevant Target Emissions Rate standard set out in the building regulations Part L as applied at the time of development'. Officers undertook to consider this.
- A committee member suggested that the wording of paragraph 13 in Policy X A should be amended with the wording up to 'net zero' being replaced with 'Where it is technically or financially unviable to achieve on-site...'. Officers undertook to consider this.
- A committee member suggested that the first paragraph of Policy X A should be amended to 'All new build dwellings (use class C3 and C4) except householder applications are required to meet the following requirements:' and that householder applications should be excepted across all of the policies except for substantial demolition of a building. Officers undertook to give consideration to clarifying which policies were applicable to householder applications and which were not.
- A committee member suggested the following amendment to Policy X E: 'Buildings can be demolished where the building makes a negative contribution to a Conservation Area or otherwise does harm to a heritage site and where demolition would reduce that harm.' On being put to the vote this proposal fell.

RESOLVED:

1. That the Local Plan Sub-Committee notes the contents of the report and recommends to the Policy and Resources Committee the following draft policies, subject to the amendments and comments noted above:
 - X A - Net Zero Operational Carbon in New Residential Development
 - X B - Net Zero Operational Carbon in New Build Non-Residential Development

- X C - Climate-adapted Design and Construction
 - X D - Embodied Carbon and Waste
 - X E - Reducing Carbon Emissions in Existing Buildings
2. That the Local Plan Sub-Committee recommends to the Policy and Resources Committee that delegated authority be granted to the Head of Planning Policy & Conservation in consultation with the portfolio holder to make minor changes to the draft policies.

CHAIR