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## THREE RIVERS DISTRICT COUNCIL

**At a meeting of the Local Plan Sub-Committee held virtually/remotely on Tuesday 13 June 2023 from 7.00pm - 8.45 pm**

**Present:** Councillors Councillor Stephen Giles-Medhurst, Councillor Matthew Bedford, Oliver Cooper, Stephen Cox, Steve Drury, Philip Hearn, Rue Grewal, Chris Lloyd, Chris Mitchell, Phil Williams and Sarah Nelmes

**Also in Attendance:**

Andrea Fraser, Ian Morris, Paul Rainbow and Jon Tankard

**Officers in Attendance:**

Anita Hibbs  
Marko Kalik  
Sarah Haythorpe

**LPSC1/23 APPOINTMENT OF THE CHAIR OF THE SUB-COMMITTEE**

Councillor Sarah Nelmes moved, duly seconded, that Councillor Stephen Giles-Medhurst be nominated as Chair of the Local Plan sub-committee.

RESOLVED:

That Councillor Stephen Giles-Medhurst be appointed Chair of the sub committee for the Local Government Year 2023/24

**LPSC2/23 APPOINTMENT OF THE VICE-CHAIR OF THE SUB-COMMITTEE**

Councillor Sarah Nelmes moved, duly seconded, that Councillor Matthew Bedford be nominated as Vice-Chair of the Local Plan sub-committee.

RESOLVED:

That Councillor Matthew Bedford be appointed Vice-Chair of the sub committee for the Local Government Year 2022/23.

**LPSC3/23 APOLOGIES FOR ABSENCE**

None received.

**LPSC4/23 MINUTES**

It was confirmed that the Minutes of the Local Plan sub-committee meeting held on 6 June 2022 were a correct record and would be signed by the Chair.

**LPSC5/23 NOTICE OF OTHER BUSINESS**

None received.

**LPSC6/23 DECLARATION OF INTERESTS**

None received.

**LPSC7/23 LOCAL PLAN - HOUSING NEED AND GREEN BELT APPROACH**

Under Council Procedure Rule 35(b) a Member of the Joint Residents Association spoke on the report.

The Chair used their discretion under Council Procedure Rule 35(d) to allow another member of the public to speak on this item.

Councillor Stephen Giles-Medhurst moved, seconded by Councillor Chris Lloyd, the following amendment to the recommendations as provided in the officer report.

#### Recommendation 11.1

That the Local Plan Sub Committee:

- Note the contents of this report
- Agree the approach to housing need as detailed in the report and Green Belt where only sites in areas of moderate Green Belt harm or less, as set out in the Stage 2 Green Belt Review, are considered acceptable for residential development unless the site is considered strategic and the benefits of the site are considered and can be justified with supporting evidence to outweigh the harm caused by its release from the Green Belt.

Notwithstanding the above that Officers,

1. Conduct a further search for brownfield land, with publicity to landowners and the public.
2. In preparing any draft Local Plan it will be an evidence-based approach to safeguard undeveloped Green Belt land.
3. That final decisions on any proposed Green Belt release and thus the indicative housing numbers only be considered after all the above has been undertaken and agreed by councillors.

Councillor Chris Mitchell moved, duly seconded, that in bullet point 3 that the word “final” be added before the word indicative.

This amendment was accepted by the proposer of the motion.

The Head of Planning Policy and Conservation advised the report detailed the relationship between housing need and the Green Belt and whether an alternative method to the government’s standard method would be appropriate, and details on a constraints-based approach to the Green Belt.

In 2020, the Local Housing Needs Assessment was completed, which replaced the Strategic Housing Markets Assessment. For this work we used the standard method, which concluded there were no exceptional circumstances for using an alternative method.

The R18 consultation in 2021, also used the standard method, which provided a housing total of 12,624 dwellings. Taking away completions, commitments (planning permissions) and a windfall allowance of what would be expected to come forwards outside of the plan, this left a target of 10,678.

The potential sites in the R18 plan added up to 8,973 dwellings, which was 1,705 short of the standard method target. We did receive some additional sites and went out for consultation on those that were considered suitable, however, we didn’t manage to meet that standard method target.

The government have consulted on proposed changes to the planning system; where they reiterated that the standard method would remain unchanged until the new Households' Projections data from the census is published in 2024.

It was proposed that the NPPF should make it clearer that the standard method is a starting point but is not mandatory. Members noted the housing figure could then go down not just up. No changes have yet been made to national policy, the regulations or the planning practice guidance, so does not have any weight for calculating the standard method.

The guidance does set out that an alternative method can be used in exceptional circumstances. However, the examples they give are of a large student population or very large proportion of elderly population, and we don't fall into either of these categories. Officers are not convinced that we would meet any exceptional circumstances for using an alternative method.

The guidance also clearly states that using more recent Households' Projections than 2014 would not be acceptable.

Officers don't believe that exceptional circumstances are present and should not use an alternative method to the standard method. Officers therefore proposed a constraints-based approach to Green Belt release so as to protect the most valuable areas of Green Belt. The Stage 2 Green Belt review would be used as the evidence underpinning this approach. Strategic sites in higher areas of Green Belt will be considered on a case-by-case basis at future Local Plan Sub-Committee meetings as whether the benefits they deliver in terms of infrastructure and affordable housing outweigh the harm to the Green Belt.

In the R18 consultation a couple of years ago the start date of the plan was backdated, to start 5 years after the old plan expired, but officers do not consider this is the right approach, and this view is backed up by the examination at Watford Borough Council, where the Inspector advised that the plan does not need to be backdated, because the standard method in itself, using the 2024 projections does account for under delivery.

In our case this reduces the plan period from what was 20 years to 18 years. Adoption is expected in 2026, therefore the plan period will end in 2041. Using the 637 dwellings per annum this then gives us 11,466 dwellings.

In summary, standard method target for 2018-2038 plan was 12,624 dwellings. This drops to 11,466 dwellings for the 2023-2041 plan, with the new approach.

In order to meet the standard method, we had to consider Green Belt release, and this was done as part of the R18 plan. Brownfield sites had been considered in the urban area and then an urban capacity study was conducted that looked at 350 sites across the District. Unfortunately, the vast majority of these were either unsuitable or unavailable, where the landowners' agreement could not be obtained. As a result, the housing need was considered as an exceptional circumstance for Green Belt release through the plan. This was the approach the Government Inspectors took at examination, but no local plan was successful at examination, arguing a case for lower numbers based on Green Belt.

As part of the government consultation, it is being set out that housing need is not an exceptional circumstance. However, the NPPF does not state what the exceptional circumstances are and therefore, officers feel that this is an area of ambiguity, and a matter of interpretation. Officers are proposing using the Green Belt as a constraint, with the basis of this being the stage 2 Green Belt review, and that the evidence needs to be based on robust evidence.

The Green Belt review set out a 7 point scale of harm to the Green Belt, based on potentially removing a parcel of land; what affect it would have to the openness of the Green Belt, the strength of the boundaries, and the effect of the neighbouring parcels of land, and as a result these were categorized into a harm rating from low, through to very high.

Officers are proposing to only consider sites with a harm rating of up to moderate, and in the R18 consultation, sites with a harm rating of very high have even been considered. There are a few exceptions; officers would recommend still considering strategic sites on a separate basis, and weighing up their benefits, the infrastructure and compensatory measures they can provide for the Green Belt.

The recommendation going forward is to only consider sites with a moderate harm rating and then the strategic sites of approximately 500 dwellings, and bringing those back to the Local Plan sub-committee with all the other sites that are being considered with comments from the previous consultation, and including the latest versions of the site assessments.

Members of the sub-committee made comments/points from the report on the housing numbers, strategic sites, appropriate housing numbers for the District, R18 consultation, Government consultation on the NPPF, building on the Green Belt, levels of harm to the Green Belt and the motion Council had agreed on the Local Plan in December 2022.

Councillor Oliver Cooper, seconded by Councillor Rue Grewal, then moved the following amended recommendation as follows:

- Note the contents of this report
- Agree that only Green Belt sites that are both:
  - (a) in areas of moderate Green Belt harm or less, as set out in the Stage 2 Green Belt Review, and also
  - (b) already at least substantially developed
- are considered acceptable for residential development.

Notwithstanding the above, that Officers,

1. Conduct a further search for brownfield land, with publicity to landowners and the public.
2. In preparing any draft Local Plan, it will be an evidence-based approach to safeguard undeveloped Green Belt land.
3. That final decisions on any proposed Green Belt release and thus the indicative housing numbers only be considered after all the above has been undertaken and agreed by councillors.

Members raised points on being put to the Committee the second amended recommendation was declared LOST by the Chair the voting being 4 For, 6 Against and 1 Abstention.

On being put to the Committee the first amended recommendation with the additional word in Point 3 was declared CARRIED the voting being 8 For, 3 Against and 0 Abstentions

RECOMMEND:

That the Local Plan Sub Committee:

- Note the contents of this report

- Agree the approach to housing need as detailed in the report and Green Belt where only sites in areas of moderate Green Belt harm or less, as set out in the Stage 2 Green Belt Review, are considered acceptable for residential development unless the site is considered strategic and the benefits of the site are considered and can be justified with supporting evidence to outweigh the harm caused by its release from the Green Belt.

Notwithstanding the above that Officers,

4. Conduct a further search for brownfield land, with publicity to landowners and the public.
5. In preparing any draft Local Plan it will be an evidence-based approach to safeguard undeveloped Green Belt land.
6. That final decisions on any proposed Green Belt release and thus the final indicative housing numbers only be considered after all the above has been undertaken and agreed by councillors.

**CHAIR**

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