

Extraordinary Council Meeting

- Date** 2 July 2019
- Time** 8.30 pm (or on the rising of the Employment Committee training, if later)
- Location** New Council Chamber - Town Hall, Reigate



ADDENDUM TO THE AGENDA

5. Review of the Reigate & Banstead Local Plan: Core Strategy Pages 3 - 44

The Reigate and Banstead Core Strategy was adopted in July 2014. Recent changes in planning legislation require that local plan documents such as the Core Strategy are subject to review within 5 years of their adoption. The report, which is to follow via an addendum, will set out the conclusions of a review of the adopted Core Strategy, which has been undertaken in accordance with the Planning Practice Guidance. The Council will be asked to approve the conclusions of the review.

6. Local Development Scheme Pages 45 – 64

The Local Development Scheme sets out the timetable for preparation of local plan documents. It is a statutory requirement for the Council to publish and maintain it. In view of the conclusions of the review of the Core Strategy (see agenda item 5), the Council will be asked to approve an updated Local Development Scheme to replace that adopted in February 2019.

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SIGNED OFF BY	Head of Planning
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TO	Council
DATE	Tuesday, 2 July 2019
EXECUTIVE MEMBER	Portfolio Holder for Planning Policy

KEY DECISION REQUIRED	Y
WARDS AFFECTED	(All Wards);

SUBJECT	Review of the Reigate & Banstead Local Plan: Core Strategy
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RECOMMENDATIONS
<ul style="list-style-type: none"> (i) That the review of the Reigate and Banstead Local Plan: Core Strategy included at Annex 1 be approved and adopted; (ii) That the Reigate and Banstead Local Plan: Core Strategy continue to be deemed up to date for the purposes of planning decision-making across the Borough
REASONS FOR RECOMMENDATIONS
<p>(i) and (ii) The Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) requires a review of local plans, such as the Core Strategy, to be completed every five years, starting with the date of their adoption. The Council's Core Strategy was adopted on 3 July 2014 and therefore must be reviewed by 3 July 2019. This review has been undertaken and concludes that none of the policies within the Core Strategy requires updating or modification at this time. Adopting the review will ensure compliance with statutory requirements and will provide certainty to stakeholders that the Core Strategy is up to date.</p>
EXECUTIVE SUMMARY
<p>The Reigate and Banstead Local Plan: Core Strategy was adopted on 3 July 2014. In accordance with changes to planning legislation that came into force in April 2018, the Council must complete a review of it by 3 July 2019.</p>

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Reviewing a plan means undertaking an assessment to determine whether the policies need updating. There is no prescribed format for a review, however, the process for undertaking a review is set out in legislation and national policy and there is some guidance within the Planning Practice Guidance.

In line with the statutory obligations, a thorough review of each individual policy within the Reigate and Banstead Local Plan: Core Strategy has been undertaken, following the legislation, national policy and PPG. This review concludes that each of the policies is in broad conformity with the provisions of the 2019 NPPF and all other relevant national policies. It also identifies that the latest evidence and monitoring data demonstrates that the policies of the Core Strategy are operating effectively and delivering positively against the requirements, objective and indicators in the plan. Consequently, it concludes that none of the policies in the Core Strategy requires updating or modification at this present time.

The above recommendations are subject to approval by Full Council.

STATUTORY POWERS

1. The Planning and Compulsory Purchase Act 2004, The Planning Act 2008, The Localism Act 2011, the Housing and Planning Act 2016 and associated regulations (including the Town and Country (Local Planning) (England) Regulations 2012 ('the 2012 Regulations')), set the statutory framework for the preparation and review of local plan documents by the Local Planning Authority. National policy in relation to the review of local plan documents is provided through the National Planning Policy Framework 2019, supported by National Planning Practice Guidance.
2. By virtue of Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended), the Council is under a statutory obligation to complete a review of local plan documents every five years, starting from the date of adoption of the document¹.

BACKGROUND

3. The statutory requirement to review local plan documents within specific time periods was introduced through a relatively recent amendment to the Town and Country Planning (Local Planning)(England) Regulations 2012 which came into force on 6 April 2018.
4. The Local Plan: Core Strategy was adopted on 3 July 2014 and, as such, it reaches the fifth anniversary of its adoption on 3 July 2019.
5. The Core Strategy forms part of the Council's statutory development plan for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004. The policies within the Core Strategy include the overarching spatial strategy for the pattern, scale, amount and quality of development in the borough. This includes setting the housing delivery requirement.
6. The Core Strategy covers the period from 2012 to 2027 (commonly referred to as the "plan period"). The Core Strategy includes within it (paragraph 8.17) a commitment to

¹ In accordance with Section 23 (Adoption of local development documents) of the Planning and Compulsory Purchase Act 2004.

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commence a review of the Core Strategy within 5 years of this adoption; however, the recent changes in the planning regulations now require a review to be completed every five years starting with the date of adoption.

7. The Core Strategy was prepared in accordance with relevant legislation (as confirmed in the Core Strategy Inspector's report) and was therefore found to be legally compliant. The Core Strategy was also deemed "sound" subject to a number of main modifications, when assessed against national policy that was in force at the time of the examination (the 2012 National Planning Policy Framework).
8. The requirement to review local plans at least every five years is also taken forward in the 2019 National Planning Policy Framework (NPPF), notably paragraphs 31 to 33 and there is associated guidance in the national Planning Practice Guidance (PPG), including a number of factors that local planning authorities can consider when undertaking a review, including:
 - Conformity with national policy
 - Changes to local circumstances; such as a change in local housing need
 - Their Housing Delivery Test performance
 - Whether the authority can demonstrate a 5 year supply of deliverable sites for housing
 - Their appeal performance
 - Success of policies against indicators in the Development Plan, as set out in their Authority Monitoring Report
 - Plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need
 - Significant economic changes that may impact on viability
9. The PPG advises that that a local planning authority may need to gather new evidence to inform their review and sets out that "proportionate, relevant and up-to-date evidence should be used to justify a decision not to revise policies".

KEY INFORMATION

Review of the Reigate & Banstead Local Plan: Core Strategy

10. As per the requirements of the relevant regulations², a review of the Core Strategy must be completed by 3 July 2019.
11. It is important to note that there is a clear distinction between a review of a plan, and an update or modification to it. The Regulations require a review but whether, having conducted the review, an update is required, is a matter of judgment for the Council. The NPPF makes this distinction clear by confirming that "*policies in local plans should be reviewed to assess whether they need updating*", demonstrating that a review may be a precursor to preparation or a new or updated plan, but also it may not if evidence and circumstances dictate otherwise.
12. There is no prescribed format for a review; however, they are addressed in the NPPF and there is further guidance within the national Planning Practice Guidance (PPG) as to how they should be undertaken, as described in the Background section above. The PPG specifically advises, "*the review process is a method to ensure that a plan*

² Specifically Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended)

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and the policies within remains effective”.

13. It should be acknowledged that there have been changes in national policy, and the planning system more generally, since the Core Strategy was adopted. This includes the publishing of a revised National Planning Policy Framework by the Government in February 2019³. The key changes in national policy and in the planning system since the adoption of the Core Strategy are set out in the Review document at Annex 1. Careful consideration has been given to the conformity of the policies in the Core Strategy with this latest national policy.
14. A thorough review of each individual policy within the Reigate and Banstead Local Plan: Core Strategy has been undertaken, following the legislation, national policy and PPG. The detailed review document, which considers and assesses the specific factors and evidence advised in the PPG for each policy is provided at Annex 1.
15. The review concludes that each of the policies is in broad conformity with the provisions of the 2019 NPPF and all other relevant national policies. It also identifies that the latest evidence and monitoring data demonstrates that the policies of the Core Strategy are operating effectively and delivering positively against the requirements, objective and indicators in the plan. Adoption of the Development Management Plan (DMP) shortly will further support the Council in maintaining the current strong progress in delivering against the Core Strategy.
16. Whilst the review identifies that there have been inevitably been some changes in circumstances since the Core Strategy was adopted, it concludes that these are not considered to necessitate updates to the policies in the Core Strategy.
17. As a result, the overarching conclusion of the review is that there is no need to modify or update any policies of the Core Strategy at this time.
18. The review does identify a number of specific matters that, although not presently considered to justify modification to a policy, could trigger a further review and possibly necessitate an update of the plan in part or in full in the future. Careful on-going monitoring of these matters will enable the Council to respond promptly and appropriately should circumstances change.
19. Counsel has reviewed the contents of the review document and advised that, in his view, *“the document reads well and is clearly based on a careful and thoughtful review. I consider that it complies with the statutory requirement and, such as there is, the guidance on conducting reviews in the PPG.”*
20. As a consequence of the review, the Core Strategy continues to provide an up to date strategic policy framework for managing development across the Borough and for decision taking on planning applications.

OPTIONS

21. The options available to Council are as follows:
22. Option 1: Approved and adopt the review of the Reigate & Banstead Local Plan: Core Strategy: The Council is required to complete a review of the Core Strategy by 3rd July in order to comply with legislative requirements. A comprehensive review has been conducted, taking account of relevant legislation, policy and guidance. It has considered the factors guided by the Planning Practice Guidance, including

³ Which followed an earlier revision in July 2018.

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conformity with current national policy, local circumstances (including any changes in circumstances), and relevant evidence and monitoring data as to the current local situation and performance of the plan. The review has concluded that none of the policies presently require updating or modification. Adopting the review will provide certainty and clarity to all stakeholders in respect of the status of the Core Strategy. **This option is recommended.**

23. Option 2: Do not adopt the review of the Reigate & Banstead Local Plan: Core Strategy: The Council is required to complete a review of the Core Strategy by 3rd July in order to comply with legislative requirements. Failing to adopt the review would mean that the Council does not comply with its statutory obligations. It may also have adverse consequences for how the Core Strategy is treated and weighed in the determination of planning applications, particularly given changes in national policy relating to the calculation of housing land supply. This could give rise to considerable uncertainty for all stakeholders. This option is not recommended.
24. Option 3: Adopt a review with different conclusions to those set out in Annex 1: Council could chose to adopt a review that concludes that one or more of the policies in the Core Strategy does require updating or modification. However, as above, a comprehensive review has been conducted; taking account of relevant legislation, policy and guidance and this has concluded that none of the policies presently requires updating or modification. Clear evidence or explanation would be needed to support alternative conclusions. A conclusion that policies do need updating would have implications for the weight which might be afforded to those policies in the determination of planning applications until such time as the Council had completed the full (or partial) updating of those policies through the normal plan-making process. This option is not recommended.
25. Recommendation (ii) would reinforce the Council's decision to adopt the conclusions of the review (should the full Council support recommendation (i)).

LEGAL IMPLICATIONS

26. The review has been carried out in accordance with the relevant legislative requirements. Counsel advice has been sought on the statutory obligations regarding reviews and on the interpretation of relevant policy and guidance.
27. The risk of legal challenge in relation to the review is considered at paragraphs 34 to 36.

FINANCIAL IMPLICATIONS

28. The review has been undertaken using existing resources within the Planning Policy team. Adoption of the review is not considered to give rise to any other financial implications.

EQUALITIES IMPLICATIONS

29. The review of the Core Strategy is not considered to give rise to any equality implications.
30. For context, the Core Strategy itself was subject to Equalities Impact Assessment (EqIA) screening prior to its adoption which concluded that the Core Strategy would

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have a positive impact on a number of target groups and a neutral impact on others.

COMMUNICATION IMPLICATIONS

31. Should the Council endorse and adopt the review, it would be made public on the Council's website in accordance with the Planning Practice Guidance. The Council must publish the reasons for this decision within 5 years of the adoption date of the plan; the resolution of Council together with the review at Appendix 1 would satisfy this requirement.
32. The conclusions of the review may be of interest to local communities and stakeholders. Should any enquiries arise, these will be dealt with by the Planning Policy team with support from the Communications team as appropriate.

HUMAN RESOURCES IMPLICATIONS (if applicable)

33. The review and recommendations in this report are not considered to give rise to any human resources implications.

RISK MANAGEMENT CONSIDERATIONS

34. The primary risk should the Council endorse and adopt the review of the Core Strategy is the potential risk of a judicial review by a third party aggrieved at its conclusions or procedure. This risk applies to much of the Council's plan-making activities.
35. Should Council take the decision to adopt the review, there is potentially a period of up to three months within which a judicial review could be mounted⁴. Whilst the review (and therefore the conclusions of it) would remain "adopted" until the outcome of any challenge, a legal challenge of this nature could bring considerable uncertainty for planning within the borough. Defending a legal challenge (in the first instance in the High Court and potentially beyond) could also have significant financial and resource implications.
36. Counsel advice has been sought on the interpretation of legislation and policy associated with conducting a review of local plan documents. Furthermore, officers have sought to minimise the risk of legal challenge by ensuring that the relevant legislation, policy (in the NPPF) and guidance (in the national Planning Practice Guidance) has been followed and complied with in conducting the review. Counsel has also advised that they do not consider that the requirements of the Duty to Cooperate apply to plan reviews conducted under Regulation 10A and that they do not consider there to be any implied requirement to undertake public consultation on the review.

OTHER IMPLICATIONS

37. No other implications have been identified.

CONSULTATION

⁴ The timeframe for a legal challenge would depend upon whether the adoption of the review by full Council was considered to be decision under the Planning Acts (in which case the ordinary time limit would be 6 weeks) or not (in which case the timeframe would ordinarily be 3 months).

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38. As above, Counsel has advised that they do not consider there to be any implied requirement to undertake public consultation on the review. No consultation has therefore been undertaken, nor is any planned.

POLICY FRAMEWORK

39. The Core Strategy forms part of the Council's Policy Framework as it is a Development Plan Document prepared in accordance with the Planning and Compulsory Purchase Act 2004.

BACKGROUND PAPERS

Numerous background papers and evidence documents are referenced within the Review at Annex 1. Links are provided to these documents where appropriate within Annex 1.

The following are also relevant:

- National Planning Policy Framework February 2019:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf
- National Planning Practice Guidance:
<https://www.gov.uk/government/collections/planning-practice-guidance>, including in particular the section on plan-making which is available at:
<https://www.gov.uk/guidance/plan-making>

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Review of the Reigate & Banstead Local Plan: Core Strategy

**Regulation 10A of the Town and Country Planning
(Local Planning)(England) Regulations 2012 (as
amended)**

June 2019

Review of the Reigate & Banstead Local Plan: Core Strategy

Introduction

The Reigate & Banstead Local Plan: Core Strategy

The Reigate & Banstead Local Plan: Core Strategy (“the Core Strategy”) was adopted by Full Council on the 3rd July 2014. The Core Strategy forms part of the Council’s statutory development plan¹.

The Core Strategy sets the overall spatial strategy for the borough of Reigate & Banstead. The Core Strategy covers the period from 2012 to 2027 (commonly referred to as the “plan period”); hence, half of the plan period has currently elapsed.

As set out at paragraph 1.6 of the Core Strategy, the document contains:

- (a) A spatial vision setting out what we want the borough to look like in the future
- (b) A set of strategic objectives, outlining the issues that need to be addressed in order to realise our spatial vision
- (c) A series of strategic policies that will deliver our vision and objectives. These policies are specific to Reigate & Banstead, but also recognise the difference that exist within the borough. The policies provide a framework to inform and co-ordinate future development and investment in the borough, and to guide decision-making on development proposals.

The policies within the Core Strategy include the overarching spatial strategy for the pattern, scale, amount and quality of development in the borough. This includes setting the housing delivery requirement.

The Core Strategy was prepared in accordance with relevant legislation (as confirmed in the Core Strategy Inspector’s report) and was therefore found to be legally compliant. The Core Strategy was also deemed “sound” subject to a number of main modifications, when assessed against national policy which was in force at the time of the examination (the 2012 National Planning Policy Framework).

Legislation, policy and guidance governing plan reviews

The Core Strategy includes within it (paragraph 8.17) a commitment to commence a review of the Core Strategy within 5 years of this adoption.

However, as a result of an amendment to the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) which came into force on 6 April 2018, local planning authorities are now required to review local development documents within specified time periods.

In respect of a local plan such as the Core Strategy, Regulation 10A (1)(a) requires that the review must be completed every five years, starting with the date of adoption. This means that a review of the Core Strategy must be completed by **3rd July 2019** in order to comply with the statutory obligations. This is sooner than the broad commitment in the Core Strategy itself to commence a review within 5 years.

The requirement to review local plans at least every five years is also taken forward in the 2019 National Planning Policy Framework (NPPF), notably paragraphs 31 to 33. This advises that:

- Policies in local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary

¹ For the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004

- Reviews should take into account changing local circumstances affecting the area, of any relevant changes in national policy.
- Relevant strategic policies (which the Core Strategy constitutes) will need updating at least once every five years if their applicable local housing need figure has changed significantly, and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

It is important to note that there is a clear distinction between a review of a plan, and an update or modification to it. The Regulations² require a review but whether, having conducted the review, an update is required, is a matter of judgment for the Council. The NPPF makes this distinction clear by confirming that *“policies in local plans should be reviewed to assess whether they need updating”*, demonstrating that a review may be a precursor to preparation of a new or updated plan, but also it may not if evidence and circumstances dictate otherwise.

There is no prescribed format for a review; however, there is guidance within the national Planning Practice Guidance (PPG) as to how they should be undertaken.

The PPG reiterates that national policy requires strategic policies to be prepared over a minimum 15-year period and that the local planning authority should be planning for the full plan period. It also confirms that a plan “does not become out-of-date automatically after 5 years”. It is also clear from this that the purpose of the reviews is not to continually change the strategic decisions and direction of growth in the borough, which would undermine the clear intention in the NPPF for strategic policies to *“anticipate and respond to long-term requirements and opportunities”*. This reflects the Government’s commitment to a plan-led approach and is integral to providing certainty to all stakeholders as to how an area will grow and evolve, including developers and infrastructure providers who may be making long-term investment decisions.

Consistent with the NPPF, the PPG sets out that a local planning authority should complete the review and decide either:

- That their policies do not need updating and publish their reasons for this decision; and/or
- That one or more policies do need updating, and update their Local Development Scheme to set out the timetable for this revision.

The PPG also specifically advises, *“the review process is a method to ensure that a plan and the policies within remains effective”*. It is therefore clear that a fundamental part of the review process should be to assess whether, based on the evidence, the plan continues to operate effectively and delivering upon the objectives set out.

The PPG also provides guidance as to the range of information and factors which local planning authorities can consider when undertaking a review, including:

- Conformity with national policy
- Changes to local circumstances; such as a change in local housing need
- Their Housing Delivery Test performance
- Whether the authority can demonstrate a 5 year supply of deliverable sites for housing
- Their appeal performance
- Success of policies against indicators in the Development Plan, as set out in their Authority Monitoring Report
- Plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need
- Significant economic changes that may impact on viability

² Specifically Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended)

The PPG advises that a local planning authority may need to gather new evidence to inform their review and sets out that “*proportionate, relevant and up-to-date evidence should be used to justify a decision not to revise policies*”.

All of the above legislative obligations, policy requirements and national guidance have been taken into account in preparing this review.

Revised National Planning Policy Framework – February 2019

As mentioned above, the Core Strategy was examined against the 2012 National Planning Policy Framework (NPPF). Since the adoption of the Core Strategy, the Government published a revised NPPF in February 2019³. Conformity of the policies within the Core Strategy is discussed in detail in the main review table below; however, some of the key changes resulting from the 2019 NPPF are:

- Introduction of a standard methodology for calculating local housing need, replacing the old approach of “objectively assessed needs”
- Expectation for at least 10% of housing to be accommodated on small/medium sized sites (up to 1 hectare)
- Expectation for at least 10% of housing on major developments to be available for affordable home ownership, except in specific circumstances
- Changes to the calculation of five year supply for strategic policies over five years old and to reflect the introduction of the Housing Delivery Test
- Greater encouragement for diversification of town centres to respond to changes in the retail and leisure industry.
- Strengthened focus on making as much use as possible of brownfield and previously developed land and for making efficient use of land by maximising densities, particularly in areas where there is an anticipated shortage in land to meet identified housing needs. This includes maximising densities in town centres and considering use of minimum density standards
- Renewed focus on design quality to achieve well-designed places
- Continued strong protection of the Green Belt, along with a clear expectation that all other reasonable options for meeting development needs must be examined before concluding that exceptional circumstances exist to justify changes to the Green Belt. Additional factors to be considered when reviewing Green Belt boundaries including giving priority consideration to land that is previously developed or well served by public transport, and potential compensatory improvements to offset releases.
- Changes to protections on habitats and biodiversity, including strengthening of protections of irreplaceable habitats (including ancient woodland) and clarity over the approach to developments which may impact upon sites protected under the Conservation of Habitats and Species Regulations 2017

It should also be noted that, since the Core Strategy was adopted, wider planning reforms have continued, particularly in relation to expansion and liberalisation of permitted development rights to support housing delivery, and diversification and vitality of town centres and other retail areas. This includes making permanent office to residential permitted development rights, and additional rights relating to changes of use of retail premises.

Purpose and structure of the remainder of the document

The remainder of this document constitutes the Regulation 10A review of the Reigate & Banstead Local Plan Core Strategy. It follows and addresses the points set out in the NPPF 2019 and accompanying Planning Practice Guidance.

³ This followed an earlier revision in July 2018

For each policy of the adopted Core Strategy, the table overleaf reviews the specific factors and evidence advised in the Planning Practice Guidance (set out above), and then, assesses and concludes whether based on this the policy requires modification, updating or replacement.

In the case of some policies, areas of specific on-going monitoring are identified in response to particular matters. Whilst these matters may not presently be considered to justify modification to a policy, should circumstances change or the position evolve, they may trigger a need for a further review and potentially necessitate an update of the plan, either in part or in full.

Review of the policies in the Reigate & Banstead Local Plan: Core Strategy

Policy and summary of purpose	Discussion of local circumstances, evidence and conformity with national policy	Conclusion
<p>Policy CS1 - Presumption in favour of sustainable development: The policy sets out the Council's overall local approach to the application of the national policy presumption in favour of sustainable development.</p>	<p>Conformity with national policy: The policy remains in general conformity with the NPPF, in particular, paragraph 11 that sets out the national presumption in favour of sustainable development.</p> <p>Evidence and local circumstances: The Council's development management performance shows that it is taking a positive approach to appropriate and sustainable growth and development.</p> <p>Since the Core Strategy was adopted in 2014, over 78% of appeals on major developments in the borough have been dismissed ⁴(26 out of 33). For minor development (including householder applications but excluding permitted development), 66% of appeals have been dismissed over this period (230 out of 351). Over this period, the major appeals allowed (7) constitute less than 4% of the major applications determined. This strong appeal performance indicates that the plan, and the application of the individual policies within it, is effective. It demonstrates that sustainable development is being fostered and, in the main, approved without delay through the Council's decision-taking.</p> <p>The 2018 Housing Delivery Test outcome for Reigate & Banstead is 119%, further demonstrating that the Core Strategy is not hindering sustainable growth.</p>	<p>No modification or update to this policy is required.</p>
<p>Policy CS2 – Valued landscapes and the natural environment This policy sets out the Council's overarching approach to the protection and enhancement of its green fabric, including landscapes, ecology and green spaces. It sets out the strategic approach to proposals within the AONB and AGLV as well as the protection of the European Mole Gap to Reigate Escarpment SAC. The policy also sets out that</p>	<p>Conformity with national policy: The policy is in general conformity with the NPPF. The approach to landscape is consistent with paragraphs 170-174 and the protection afforded to the Area of Outstanding Natural Beauty (AONB) reflects national policy.</p> <p>Whilst a similar level of protection is afforded to the local Area of Great Landscape Value (AGLV) designation, this is consistent with other authorities across Surrey and thus reflects an agreed, cross-boundary approach. The notion of a similar level of protection being given the AGLV was considered "sound" by the CS Inspector. It has also seemingly been endorsed again by the Inspector examining the Development Management Plan (DMP)⁵. Given there has been no fundamental change in policy at the national level regarding landscape protections since the CS was adopted, there is no justification concluding that policy CS2 is now not in conformity with the NPPF.</p> <p>The policy seeks to protect and enhance ecological assets, broadly consistent with</p>	<p>No modification or update to this policy is required.</p> <p>Continue to monitor position with regards to AONB boundary review timescale and outcomes.</p>

⁴ Includes one in which the decision to allow was quashed, returned to PINS for re-determination and the appellant subsequently withdrew the appeal.

⁵ Based on the Inspector's Initial Post Hearing Advice Note (ID-6) which does not identify the approach to AONB/AGLV as a main issue, nor one which in the Inspector's view necessitates a main modification to the plan. The advice note is available at: http://www.reigate-banstead.gov.uk/download/downloads/id/5220/id-6_inspector_s_post_hearing_advice_note.pdf

<p>the Council will work with partners to promote green infrastructure.</p>	<p>paragraphs 174 to 177 of the Framework, and applies the greatest level of protection to the Special Area of Conservation.</p> <p>Evidence and local circumstances: Monitoring statistics demonstrate that this policy is operating effectively. Over the past two years, no permissions for major development have been granted in the AONB and no decisions have been taken contrary to Natural England advice on ecology or landscape.</p> <p>The condition of Sites of Special Scientific Interest (SSSI) in the borough has remained largely static since adoption of the Core Strategy: in 2012, 98% of SSSI (by area) in the borough were in favourable condition and this has risen to 98.6% as demonstrated in the latest Environment & Sustainability Monitor 2018. There is therefore no evidence of a systemic decline in the condition of key national and international ecological and biodiversity sites that might warrant or necessitate a change in the approach in policy CS2.</p> <p>In accordance with policy CS2, the Council prepared and adopted a Green Infrastructure (GI) Strategy in August 2017 and the actions within it continue to be implemented. This includes designation of a new Local Nature Reserve at Banstead Woods/Chipstead Downs and the continued development of the Horley Riverside Green Chain as part of the Horley North East and North West Sector new neighbourhoods.</p> <p>In terms of the impact of growth on internationally designated conservation sites, the latest Habitats Regulation Assessment and Appropriate Assessment accompanying the DMP⁶ assessed the impact of the level growth planned through the Core Strategy (and the specific policies and site allocations identified in the DMP). The HRA and AA, which included detailed modelling of air pollution effects, concluded that there would still not be significant or adverse effects on Natura 2000 sites from the level of growth within the Core Strategy based on the specific sites in the DMP.</p> <p>The Surrey Hills AONB area remains subject to a boundary review by Natural England; however, timescales for this review remain unknown and it may not still be completed for a number of years. Were such a review to be completed, this could warrant further consideration as to the need for a review of the Core Strategy; however, policy CS2 includes flexibility to adapt its approach to the AGLV if a review of the AONB is completed during the life of the plan; hence, it is future-proofed.</p>	
<p>Policy CS3 – Green Belt This policy sets out the overriding local approach to the protection of a robust and defensible Green Belt. For decision taking, it sets out that the overarching principle that</p>	<p>Conformity with national policy: The policy is in general conformity with the NPPF. The policy reflects the high-level principle that inappropriate development should be resisted, except in very special circumstances (paragraph 144). The approach to exceptional circumstances for release of land through subsequent lower order local plan documents (e.g. site allocations) broadly reflects the approach now set out in the NPPF in that it requires a) an identified need, b) full examination of all other options including making use</p>	<p>No modification or update to this policy is required.</p> <p>Continue to monitor position with Redhill</p>

⁶ Available at: http://www.reigate-banstead.gov.uk/download/downloads/id/5036/cd4a_habitats_regulations_assessment_updated_16102018.pdf

<p>permission will not be granted for inappropriate development unless very special circumstances exist. For plan making, it sets out the Council's approach for releasing land through the local plan process, including the scope of the Green Belt review that is to be carried out through the Development Management Plan.</p>	<p>of urban land and non-Green Belt countryside where these would represent sustainable options. In accordance with the NPPF, Policy CS3 allows safeguarded land to be identified where appropriate.</p> <p>Evidence and local context: Monitoring statistics demonstrate that this policy is performing well in its protection of the Green Belt but that, equally, its application is not preventing achievement of the housing requirements in the plan. Over the plan period to date, 347 new homes (gross)⁷ have been consented in the Green Belt and 141 (gross) have been built.</p> <p>Whilst homes have been granted on brownfield sites in the Green Belt, this reflects the exception in national policy regarding such sites; the most significant examples being RNIB, Frith Park, Darby House and Reigate Garden Centre. Other developments, including primary and secondary schools, have been justified by very special circumstances.</p> <p>The Council's evidence base demonstrates that the Green Belt in the borough serves an important purpose and role and that its current extent is appropriate.</p> <p>This includes both the high-level borough wide Green Belt review undertaken to inform the Core Strategy (as part the sustainable urban extensions technical report)⁸ and the subsequent more detailed work to inform the Development Management Plan⁹.</p> <p>Looking specifically at the borough-wide Core Strategy Green Belt review, this identified only four broad areas within the Green Belt capable of accommodating sustainable, strategic-scale growth without compromising the strategic function of the Green Belt. The Core Strategy Inspector particularly noted that the evidence <i>"revealed that sustainable opportunities which do not undermine the aim and purposes of the Green Belt are very limited"</i>. Additionally, he also recognised the importance of the Green Belt in the borough, highlighting that <i>"most Green Belt in the north of the borough...has a vital strategic role and function as a 'green lung' for the conurbation"</i> and that the rest of the Green Belt <i>"is fragmented in parts and the total area is not huge, especially when compared to other similar authorities nearby"</i>. It is for these reasons that the Inspector concludes – at paragraph 53 – that <i>"at a strategic level, only...two broad locations comply fully with the criteria in the Framework and exhibit the exceptional circumstances necessary if Green Belt boundaries are to be altered"</i>. These two broad locations (West of Woodhatch and East Redhill/Merstham) were taken forward and examined further through the detailed</p>	<p><i>Aerodrome in respect of Tandridge Local Plan and resolution of highways issues.</i></p>
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⁷ Excludes like for like replacements where no net gain

⁸ Available at: http://www.reigate-banstead.gov.uk/download/downloads/id/2774/sustainable_urban_extensions_stage_1_technical_report.pdf - see particularly Stage 4 assessment (page 23) and Annex 3 Area of Search Assessment Tables for conclusions to strategic green belt contribution.

⁹ This includes both the SD33 - Green Belt Review (available at: http://www.reigate-banstead.gov.uk/downloads/file/3993/green_belt_review_main_report) and the SD34 - DMP Safeguarded land for development beyond the plan period report December 2017 (available at: http://www.reigate-banstead.gov.uk/downloads/file/4022/safeguarded_land_report)

	<p>Green Belt review carried out to accompany the Development Management Plan, and those specific sites considered to be sustainable and to exhibit very special circumstances were removed from the Green Belt and have been allocated for development.</p> <p>In addition, a detailed Green Belt assessment of 27 further areas of Green Belt was undertaken as part of the Safeguarded land report that accompanied the DMP. This looked at areas beyond those identified as “broad areas of search” and included a detailed parcel based Green Belt appraisal of all of those other areas identified in the Core Strategy report as potentially being able to accommodate strategic-scale housing growth. This included areas around Banstead, Earlswood and Salfords. This concluded that the vast majority (23 out of 27 areas examined) performed highly against at least one of the purposes of the Green Belt and, of those that didn’t, two out of four performed moderately against three or more purposes.</p> <p>Informed by the Safeguarded land report, the emerging DMP identified an area of land at Redhill Aerodrome to be removed from the Green Belt and safeguarded for future development (policy MLS2 of the submission DMP). However, the Inspector for the DMP concluded in her initial post-hearing advice that there was <i>“insufficient evidence to demonstrate the exceptional circumstances required for Redhill Aerodrome site to be released from the Green Belt and safeguarded for future development at this time”</i>¹⁰, as a result of uncertainties regarding the deliverability of the site and its lack of support in the adjoining Tandridge Local Plan. The Inspector therefore recommended that the safeguarded land be removed from the plan but did not indicate that alternatives needed to be found or should be reconsidered. The uncertainties with the Redhill Aerodrome site remain and, unless these change, it is not considered that a modification to the Core Strategy would be warranted as a result.</p> <p>With this significant body of evidence and the local context regarding Green Belt in mind, it is clear that it is extremely unlikely that significant opportunities for further growth could be identified within the Green Belt without seriously undermining the overall purposes and integrity of it. For these reasons, the broad extent of, and approach to, the Green Belt established through policy CS3 is therefore considered to remain robust.</p> <p>Policy CS3 sets out the approach to be taken to a Green Belt Review specifically for the DMP. The DMP has now progressed to an advanced stage (examination) and is underpinned by a Green Belt Review meeting the requirements and matters set out in Policy CS3. Whilst this element of the policy has therefore been “delivered”, this does not mean it is out of date or in need of modification.</p>	
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¹⁰ DMP Inspector’s Post Hearing Advice Note (ID-6), available at: http://www.reigate-banstead.gov.uk/download/downloads/id/5220/id-6_inspector_s_post_hearing_advice_note.pdf - see paragraph 20

<p>Policy CS4 – Valued townscapes and the historic environment</p> <p>This policy sets out the broad requirement for new development to be designed to maintain and protect the character of the borough and, specifically, to respect, conserve and enhance the historic environment. It requires that developments demonstrate high standards of sustainable construction, be of high quality design taking direction from existing character and local distinctiveness, be laid out to make best use of sites and protect biodiversity sites and links between them.</p>	<p>Conformity with national policy: The policy is in general conformity with the NPPF. The provisions of the policy reflect the high-level ambitions of the Framework to conserve the historic environment (para 185) as well as promoting high standard of design as promoted in Chapter 12 of the NPPF. CS4 also encourages making best use of sites, broadly reflecting the aims of para 122-123.</p> <p>Evidence and local circumstances: Monitoring evidence shows that no developments affecting designated heritage assets have been granted against Historic England advice since the Core Strategy was adopted. The number of buildings/assets locally on the Heritage at Risk register has remained very low (1 asset). The policy would be supplemented by detailed design requirements being progressed through policies in the Development Management Plan.</p>	<p>No modification or update to this policy is required.</p>
<p>Policy CS5 – Valued people and economic development</p> <p>The policy establishes that the Council will promote and support continued sustainable economic prosperity of the borough focussing on improvements in Regeneration Area, sustaining areas that already prosper, recognising, and nurturing the different economic roles of the borough, including maximising its position within the Gatwick Diamond and Coast to Capital LEP. The policy plans for delivery of additional employment space to meet needs, focussing on retaining and making best use of existing sites but also providing flexibility for new sites to come forward in sustainable locations. The policy also establishes a commitment to work with partners to deliver improvements to health,</p>	<p>Conformity with national policy: The policy is in broad conformity with the provisions of the NPPF, notably paragraphs 80-82 in that it establishes a high-level framework to drive local economic prosperity and seeks to ensure that there is appropriate space to attract business and allow them to grow. There is a focus on existing sites but with flexibility (as required by 81(d)) for new sites to come forward to address unanticipated needs. The high-level commitment to working with partners to address educational and health needs is consistent with the broad aims of paragraphs 94 and 91 of the NPPF. The focus on regeneration of key areas and estates is consistent with paragraph 93, as well as the wider aims of delivering well-designed places and making best use of accessible locations.</p> <p>Evidence and local circumstances: Data from the Annual Monitoring Report demonstrates that significant positive progress has been made in bringing forward development sites and environmental improvements in key regeneration areas. In Preston, new leisure and community facilities have been completed, environmental improvements implemented, and the two major housing sites (Merland Rise and De Burgh) are both progressed (the former is largely complete). In Merstham, new retail and community facilities have been delivered and works are underway to redevelop the former local centre on Portland Drive for mixed tenure housing. Significant progress has been made in delivering improvements in Redhill Town Centre with one key site completed, two under development and one subject to planning consent. Transport improvements in the town centre through the Balanced Network and LSTF projects have also been implemented, along with public realm upgrades. The two new neighbourhoods in Horley</p>	<p>No modification or update to this policy is required.</p> <p><i>Continue to monitor position with respect to further growth at Gatwick Airport, including the outcomes of any DCO process and timeframes for any development, which may necessitate further review in due course.</i></p>

<p>education and community engagement.</p>	<p>are significantly progressed (the North East Sector is complete), and the site-specific and town-wide infrastructure required to support these is well progressed. There is therefore no evidence that these regeneration initiatives are unachievable or that they ought to be revisited, the uncertainty of which could undermine the current progress.</p> <p>With regard to employment development, monitoring evidence does demonstrate a significant net loss of employment space over the Core Strategy plan period to date; however, this reflects market changes and introduction of more extensive permitted development rights at the national level. To date, the losses are not considered to have significantly hampered economic prosperity and planning decisions more widely have protected other employment sites where appropriate. This area will continue to be carefully monitored. Recent evidence prepared to support the DMP¹¹ concludes there remains a need for additional employment space in the borough, but that the needs remain of a broadly similar magnitude to those identified within the Core Strategy (c.42,000sqm against 46,000sqm in the Core Strategy). The evidence supporting the DMP¹² identifies that these needs are still capable of being delivered by focussing on existing employment areas and through a small number of additional mixed-use allocations. This is in spite of the losses that have been experienced. Hence, the broad approach in the Core Strategy of maintaining and focussing on the intensification of existing employment sites is therefore considered to remain appropriate and capable of facilitating necessary employment development.</p> <p>Consistent with the policy, the Council continues to work with partners and neighbouring authorities in the Gatwick Diamond particularly to explore opportunities to promote economic growth. To this end, the Council is proposing, through the DMP, to allocate a strategic employment site in Horley (Policy HOR9) which would, for the most part, meet the unmet needs of neighbouring areas (notably Crawley), whilst also providing some flexibility to meet the borough's own identified needs. This site, whilst significant in size, is considered to be within the scope of parts 1(c) and 1(e)(ii) of Policy CS5 and thus demonstrates that the policy is operating effectively in promoting cross-boundary working on employment needs. It does not represent a fundamental departure from the policy nor indicate that the policy requires updating.</p> <p>As with housing needs, it should be acknowledged that future growth at Gatwick Airport could give rise to implications for, and a need to reconsider, the economic strategy and the approach to delivery of employment needs. However, at this stage, the nature of growth at Gatwick Airport is unknown and uncertain. This position should continue to be monitored and, if evidence emerges which indicates that the growth of Gatwick Airport</p>	
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¹¹ Local Economic Needs Assessment Update June 2016: http://www.reigate-banstead.gov.uk/download/downloads/id/3978/local_economic_needs_assessment.pdf

¹² As confirmed in Appendix 1 in RBBC-DMP-005, Councils Response to Hearing Actions: http://www.reigate-banstead.gov.uk/download/downloads/id/5106/councils_response_to_hearing_actions_with_appendices.pdf

	<p>could substantially alter the economic landscape and employment land position in its sub-region; this may necessitate a review of the plan.</p> <p>Analysis of economic data also indicates that the borough has continued to experience both jobs and business growth over the plan period, at a rate broadly comparable to Surrey and the wider South East. For example, Experian data¹³ indicates that the number of employee jobs in the borough stood at 66,800 in 2018, compared to 62,100 in 2012 at the start of the plan period (7.6% increase). This is corroborated by comparable data from the ONS Business Register and Employment Survey (BRES), which indicates that in 2017, there were 65,300 employee jobs in the borough, up from 62,000 in 2012 (5.3% increase). This compares favourably with similar data for the county of Surrey as a whole, which shows an increase of 5.1% in employees based on the BRES data¹⁴. Data on business counts (i.e. the number of businesses in an area), shows an increase from 5,855 businesses in Reigate & Banstead at the start of the plan period in 2012, to 7,115 in 2018 – equivalent to a 22% increase. This compares to 18% growth across Surrey and 20% across the South East region as a whole. These key statistics do not therefore indicate any evidence of local economic “underperformance” which might suggest a need to review the strategy and approach in Policy CS5.</p>	
<p>Policy CS6 – Allocation of land for development</p> <p>The policy establishes the overall strategy for the delivery and allocation of land to meet development needs in the borough. It defers allocation of sites to the DMP but provides a strategy for doing so. In particular, it sets out an “urban area first approach” giving priority to the allocation of land in sustainable locations in the urban area with a particular focus on the priority locations for growth and regeneration (Redhill, Horley, Horley new neighbourhoods), Preston and Merstham regeneration areas, followed by sites and other</p>	<p>Conformity with national policy: The policy provides a robust strategy for meeting the development targets established through the Core Strategy, including the housing requirements. The approach to promoting best use of land within the urban area as a priority is in conformity with the NPPF, particularly paragraphs 117 and 118 in relation to making best use of urban and brownfield land but also, for a Green Belt authority such as Reigate & Banstead, the provisions of paragraph 137 which require all other reasonable non-GB options to be explored prior to releasing any Green Belt land. The approach also reflects the paragraph 103 that seeks to ensure patterns of growth are actively managed to reduce the need for travel and make best use of sustainable travel networks. In line with national policy, CS6 facilitates the development of windfall sites (paragraph 68 of the Framework). Further discussion on the conformity of an “urban areas first” approach, and specifically the management of the release of greenfield sites for urban extensions, is discussed further under Policy CS13.</p> <p>Evidence and local circumstances: Data indicates that the strategy for the allocation of land for development is operating effectively in a number of ways. First and foremost, in respect of housing requirements, as at 1 April 2019, 3,647 homes</p>	<p>No modification or update to this policy is required.</p>

¹³ UK Local Market Forecasts Quarterly, March 2019

¹⁴ Note: the Council does not hold comparable Experian data for the County of Surrey so no comparison can be drawn

<p>sustainable opportunities elsewhere in the built up areas. The policy also identifies a number of specific locations (non-GB countryside around Horley, east Redhill and east Merstham and south/south west Reigate) where sustainable urban extensions are proposed to be brought forward through the DMP.</p>	<p>have been delivered since the beginning of the plan period¹⁵, representing an oversupply against the adopted housing requirements of 427 units.</p> <p>The Council is also currently able to demonstrate a deliverable land supply equivalent to 7.80 years against the Core Strategy housing requirement, significantly in excess of the 5-year requirement required by national policy.¹⁶</p> <p>The policy is therefore clearly operating and performing effectively in ensuring sufficient and appropriate land is available to meet housing needs, and is considered capable of doing so for the remainder of the plan period based on the Council's latest housing trajectory.</p> <p>In every year since the Core Strategy was adopted (in 2014), the proportion of homes and non-residential development built on PDL has exceeded the monitoring targets (50% and 90% respectively). As described above under the discussion on CS5, significant progress has been made in the delivery of development and improvements in the regeneration areas and priority locations for growth.</p> <p>The percentage of development delivered on unallocated sites outside the urban area has never exceeded 10% in any one year, demonstrating that compliance with the plan-led strategy has been robust.</p> <p>The level of windfall development in the borough, including appropriate development on back garden land, has consistently exceeded 150 units per annum, and has averaged 218 per annum across the plan period to date. As discussed under Policy CS13 below, the proportion of homes built on small and medium sized sites (under one hectare) has significantly exceed the Government's 10% requirement (paragraph 68 of the 2019 NPPF), demonstrating that the approach in Policy CS6 to the bringing forward of land for development is achieving excellent overall delivery and a very broad mix of sites.</p> <p>The DMP is now at a significantly progressed stage and incorporates both major urban allocations and the sustainable urban extension allocations envisaged to deliver on the requirements of Policy CS6.</p>	
<p>Policy CS7 – Town and Local centres: The policy sets out the overall approach to maintaining and enhancing the role of the borough's town and local centres, and the strategy for delivering retail and leisure growth to support this. It sets</p>	<p>Conformity with national policy: The policy defines a clear network and hierarchy of town centres, as required by paragraph 85 of the NPPF, and seeks to allow them to grow and diversify in a way that reflects their individual characters. This is reflected most clearly in the priority afforded to Redhill as the borough's largest and most accessible town. The policy sets out the overall pattern and strategy for retail growth as required by NPPF paragraph 20.</p> <p>Evidence and local circumstances: Data relating to retail development and completions shows that the policy is generally operating effectively.</p>	<p>No modification or update to this policy is required.</p>

¹⁵ Including an allowance for C2 care homes based on their C3 equivalent, as permitted by the Planning Practice Guidance. Data contained within the Council's Housing Monitor 2019, available at: http://www.reigate-banstead.gov.uk/downloads/download/30/housing_monitors

¹⁶ Latest analysis identified through the Council's Housing Monitor 2019, available at: http://www.reigate-banstead.gov.uk/downloads/download/30/housing_monitors

<p>out that the majority of comparison and convenience retail growth will be directed to Redhill, with only limited growth anticipated for other centres. The policy identifies Redhill as the boroughs primary town centre and, as a consequence, the main focus for large scale office, retail, cultural and leisure developments. In all other centres, the policy sets out an ambition to maintain a balance of uses and development that promote vitality and viability of each of those centres. It seeks to ensure that local centres continue to provide accessible local services.</p>	<p>Since adoption of the Core Strategy, the proportion of retail development within designated town/local centres has never dropped below 80% in any one year, and for the past two years has exceeded the 95% target. Major retail development has been completed in Redhill (Sainsbury's/Travelodge) and further major retail growth is planned through development at Marketfield Way.</p> <p>Vacancy rates in town centres have shown modest fluctuations over the life of the Core Strategy to date. Whilst vacancy rates (at 6.9% of units across the town centres) are above target (5%), this deviance is not felt to be significant given the significant structural changes in the retail world nationally. The percentage of vacant floorspace across all four of the borough's town centres is under the 5% target (at 4.6%). It is also significantly below the current national level that was reported in April 2019 as 10.2%.¹⁷ Taken in the round, the data is indicative that policy CS7 is operating effectively and does not require modification at this stage.</p> <p>A1 retail (shop) uses remain by far the predominant use in town centres (65% of units); this has dropped only slightly since the Core Strategy was adopted (66.8% in 2012) and still only modestly since 2005/2006 prior to the recession (when the percentage peaked at 69.1%). This figure suggests that, even with the wider structural changes in the retail world, there is no significant evidence of a dramatic shift away from A1 uses in the borough's town centres that might have justified a review of their hierarchy and role. Whilst the borough's town centres have experienced retail closures and a general decline in retail development demand, this is reflective of national market forces. As above, the borough's town centres remain – overall – in comparatively good health and viable. There is no evidence that the approach in policy CS7 is constraining the viability or vitality of town centres, nor unduly preventing them from evolving.</p> <p>Redhill remains functionally the main town centre for the borough given its strong transport links and thus it continues to be the appropriate focus for large-scale growth. This has been borne out in the location of consents for, and delivery of, major retail and leisure developments that have been predominantly in Redhill.</p> <p>Recent retail needs evidence to support the DMP¹⁸ identifies that retail space needs are now lower than envisaged in the evidence supporting the Core Strategy, largely because of significant structural changes in the retail market, driven by changing consumer habits and growth in special forms of trading. Notably, the evidence now identifies a need for 12,900sqm of additional comparison retail space across the borough and no significant quantitative need for convenience retail (compared to 25,800sqm and 11,700sqm respectively in the Core Strategy). However, in respect of retail needs, the policies in the</p>	
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¹⁷ Data from the British Retail Consortium, see: <https://brc.org.uk/news/2019/2019-may-13-vacancy-rate-rises-to-highest-in-four-years>

¹⁸ Reigate & Banstead Retail Needs Assessment 2016: http://www.reigate-banstead.gov.uk/download/downloads/id/3948/reigate_banstead_retail_needs_assessment_volume_1_final.pdf

	<p>Core Strategy acknowledged the need for regular monitoring and hence there was inherent flexibility to respond to changing circumstances. The evidence of reduced needs and delivery of retail growth is not considered to render the policy ineffective or out of date. The reduced needs give greater confidence that retail growth needs can be fully accommodated within town centres as envisaged in policy CS7. The allocations in the emerging DMP further demonstrate this.</p>	
<p>Policy CS8 – Area 1 (The North Downs) The policy sets out the overall strategy for growth in the North Downs area of the borough, including the scale and location of development anticipated and the infrastructure required in support of this. It plans for at least 930 homes in the urban area in the North Downs, approximately 2,000sqm of additional employment space and at modest retail growth. In terms of infrastructure, the policy sets out that new leisure/community facilities and transport improvements are required to support the Preston Regeneration Area, along with highway improvements at the A240/B221 junction.</p>	<p>Conformity with national policy: The policy follows the overarching strategy for growth/allocation of land for development set out in policy CS6 but provides specifics for the North Downs area. As policy CS6 is deemed to be in broad accordance with national policy, the approach to the North Downs is equally thus. Chiefly, it encourages making best use of urban land (NPPF paras 117, 118 and 137 as Reigate & Banstead is a Green Belt area) and seeks to specifically stimulate regeneration of the Preston housing estate (para 93 NPPF). The policy also seeks to make provision for sufficient infrastructure as required by NPPF paragraph 20.</p> <p>Evidence and local circumstances: Housing completions data indicates that significant progress has already been made against delivering on the at least 930 homes planned for the North Downs area. In the period from April 2012 (start of plan period) to March 2019, 830 net additional homes¹⁹ have been delivered in the North Downs area, representing almost 90% of the plan period total.</p> <p>This includes 160 new homes delivered to date in the Preston Regeneration area. A further 225 new homes remain to be built on the former De Burgh school site which is now under construction. The total achievable in the Preston Regeneration Area will thus exceed the 340 homes identified in the CS.</p> <p>It should be acknowledged that limited development has occurred in the Banstead Village town centre area to date. However, allocations are planned through the DMP. The DMP, which is now at an advanced stage, identifies a number of site allocations within the North Downs area. The capacity of these allocations, particularly in the town centre, is considered unlikely to be capable of meeting the 180 homes identified as a target in the Core Strategy. However, given strong delivery from unidentified windfall sites in this area, which have accounted for 545 net additional units in Area 1 since the start of the plan period, this deficit is not considered to undermine delivery of the overall strategy for the North Downs area and is not considered to indicate that this policy requires modification or updating.</p> <p>In terms of infrastructure, the new leisure/community facilities and open space upgrades have been completed in the Preston area, as have many of the transport improvements. Some remain outstanding and their delivery is linked to progression of the De Burgh development.</p>	<p>No modification or update to this policy is required.</p>

¹⁹ Excluding any allowance for C2 uses, data derived from Housing Monitor 2019, available at: http://www.reigate-banstead.gov.uk/downloads/download/30/housing_monitors

<p>Policy CS8 – Area 2a (Redhill) The policy sets out the overall strategy for growth in the Redhill area of the borough, incorporating Redhill town centre. As with the North Downs area, this policy sets out the scale and location of development anticipated and the infrastructure required in support of this. It plans for at least 1,330 homes in the urban area of Redhill, including 750 within Redhill town centre and 50 in Merstham regeneration area. A further up to 500-700 homes are planned through sustainable urban extensions in this location. It also seeks to plan for approximately 20,000sqm of employment space (across Redhill and Reigate (2a and 2b)). The policy also plans for an additional 15,000sqm of additional comparison retail in Redhill town centre, and 7,000sqm of convenience retail across Redhill and Reigate. In terms of infrastructure, the plan identifies numerous priorities, including the Balanced Network Highway scheme in Redhill, new primary and secondary schools, waste processing improvements at Earlswood Depot a new community hub in Merstham.</p>	<p>Conformity with national policy: The policy follows the overarching strategy for growth/allocation of land for development set out in CS6 but provides specifics for the Redhill area. As CS6 is deemed to be in broad accordance with national policy, the approach to the Redhill is equally thus. Chiefly, it encourages making best use of urban land (NPPF paras 117, 118 and 137 as Reigate & Banstead is a Green Belt area), seeks to maximise development in Redhill town centre (NPPF 122 and 123) and seeks to specifically stimulate regeneration of the Merstham housing estate (para 93 NPPF). The policy also seeks to make provision for sufficient infrastructure as required by NPPF paragraph 20).</p> <p>Evidence and local circumstances: Housing completions data indicates that good progress has already been made against delivering on the homes planned for the Redhill area. In the period from April 2012 (start of plan period) to March 2019, 603 net additional homes have been delivered in the area, representing over 45% of the plan period total (with approximately 46% of the plan period elapsed, the delivery is therefore broadly on track on an average annual basis).</p> <p>The Council's latest housing trajectory includes a number of consented sites in the pipeline that demonstrate that delivery against the 750 homes identified for Redhill town centre remains clearly achievable. These major permissions include former Liquid & Envy (133 homes), Marketfield Way (153 homes), Redhill Youth Association (50 homes) and Cromwell Road (24 homes); three of which are already on site. Further potential sites are also identified in the HELAA and through proposed allocations in the DMP, which could provide a further (460 homes).</p> <p>Delivery of retail and employment development within Area 2a and Redhill Town Centre has been more limited, with only 4,700sqm of new office accommodation and the redevelopment of Redhill Sainsbury's which delivered approximately 4,000sqm of additional retail space (mainly convenience with some comparison). The pipeline of consents for retail and employment in the area is also relatively limited (save for c.3,500sqm of comparison retail space to be delivered through the redevelopment of Marketfield Way).</p> <p>The scale of retail needs identified for Area 2a in the Core Strategy is therefore unlikely to be delivered. However, the supporting text to Policy CS8 – Area 2a sets out that retail provision figures will be regularly reviewed; thus acknowledging the need to respond to changing circumstances. In this respect, and as discussed above, more recent evidence through the Council's 2016 Retail Needs Assessment²⁰ identifies that retail space needs are now significantly lower than envisaged in the evidence supporting the Core Strategy. This latest evidence demonstrates that there is no need for additional convenience retail</p>	<p>No modification or update to this policy is required.</p> <p><i>Continue to monitor town centre vitality and overall retail needs.</i></p>
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²⁰ Available at: http://www.reigate-banstead.gov.uk/download/downloads/id/3948/reigate_banstead_retail_needs_assessment_volume_1_final.pdf, see in particular the key findings table at page 92

	<p>in Redhill (and indeed, there is a quantitative oversupply). In terms of comparison retail, the study identifies a need for 6,700sqm (gross) in Redhill area over the plan period (and 13,500sqm across Redhill/Reigate) which is significantly less than the 19,000sqm identified in the Core Strategy. Hence, given the policy recognises the need to continually monitor retail provision requirements, the evidence of reduced needs and more limited delivery is not considered to render the policy ineffective or out of date.</p> <p>With regard to infrastructure, significant progress has been made in the delivery of many of the projects identified for Area 2a. Notably, the Balanced Network has been completed, a new 2-form entry primary school has been delivered, consent has been granted for a new 6-form entry secondary school and the Merstham Community Hub has been delivered. Whilst infrastructure needs are continually reviewed as part of the Council's regular Infrastructure Delivery Plan updates, no significant challenges to the delivery of the identified infrastructure priorities have been identified which might prejudice the delivery of planned growth in Redhill; nor have any new "show-stopper" infrastructure issues arisen.</p> <p>The DMP identifies a number of site allocations in the Redhill and Merstham areas that would contribute further to meeting the development needs in the Redhill and Merstham area, including in the town centre. The DMP also proposes greenfield urban extension site allocations totalling up to 605 homes, thus satisfying the range identified in CS8 but noting that the evidence has proven that the upper end of the range suggested by the Core Strategy Inspector (of 700 homes) has proven not to be achievable in a sustainable manner.</p>	
<p>Policy CS8 – Area 2b (Reigate) The policy sets out the overall strategy for growth in the Reigate area and remainder of the central urban area of the borough. The policy establishes the scale and location of development anticipated and the infrastructure required in support of this. It plans for at least 280 homes in the urban area of Reigate along with a further up to 500-700 homes are planned through sustainable urban extensions in this location. It also seeks to plan for approximately 13,000sqm of employment space (across Redhill and Reigate (2a and 2b)) excluding</p>	<p>Conformity with national policy: The policy follows the overarching strategy for growth/allocation of land for development set out in CS6 but provides specifics for the Reigate area. As CS6 is deemed to be in broad accordance with national policy, the approach to the Reigate is equally thus. Chiefly, it encourages making best use of urban land (NPPF paras 117, 118 and 137 as R&B is a GB authority). The policy also seeks to make provision for sufficient infrastructure as required by NPPF paragraph 20).</p> <p>Evidence and local circumstances: Housing completions data indicates that excellent progress has already been made against delivering on the homes planned for the Reigate area, with the target of at least 280 homes in the urban area already met and exceeded (402), largely through above expected levels of windfall development.</p> <p>Delivery of retail and employment development in the Reigate area has been more limited; however, as per the discussion above, the targets in the Core Strategy were identified as being subject to continued monitoring and latest evidence (2016 Retail Needs Assessment) shows significantly reduced retail need in the Reigate area (max 400sqm net convenience and 5,100sqm net comparison to 2027). Whilst the scale of retail needs identified in the Core Strategy is therefore unlikely to be delivered; the evidence of reduced needs and more limited delivery is not considered to render the</p>	<p>No modification or update to this policy is required.</p>

<p>Redhill town centre. The policy also plans for an additional 3,870sqm of additional comparison retail in Reigate with “a limited amount” of convenience retail in Reigate town centre. Infrastructure needs are identified as being relatively limited and include expansion of existing primary schools in the Redhill/Reigate area (1 additional form of entry) and need for water treatment works expansion (which is needed for development across the borough and to support development in adjoining boroughs).</p>	<p>policy ineffective or out of date. With regard to infrastructure, primary school expansions have been completed in Redhill/Reigate to meet the identified needs and no significant challenges to the delivery of the identified infrastructure priorities have been identified which might prejudice the delivery of planned growth in Reigate; nor have any new “show-stopper” infrastructure issues arisen. The DMP identifies very few urban allocations for the Reigate area; however, given the significant delivery to date through windfalls (as set out above), this would not prejudice delivery of the policy requirements for this area. The DMP proposes greenfield urban extension site allocations capable of delivering approximately 465 new homes. This is below the lower end of the range identified in CS8; however, this shortfall is not considered to render the policy or deliverability of housing requirements for this area given the significant excess of urban delivery. The inability to identify suitable and sustainable sites to meet the lower end of the range for greenfield allocations in this area underlines the degree of constraint in the borough and the consequently limited likelihood that significant tracts of additional land could be identified to achieve a higher housing requirement.</p>	
<p>Policy CS9 – Gatwick Airport The policy contains the Council’s strategic position on, and approach to Gatwick Airport. It sets out that the Council will support the development of Gatwick Airport, within the existing airport boundary and existing legal limits, including facilities that support the safe and efficient operation of the airport.</p>	<p>Conformity with national policy: The policy is in broad conformity with the NPPF (paragraph 104 (e)) which sets out that policies should provide for any large-scale transport facilities (which includes airports) and wider development to support their operation, expansion and economic contribution (taking account of relevant national policy statements). This includes the Airports National Policy Statement (NPS). The Airports NPS identifies, in policy, that the Government’s preferred scheme for additional runway capacity in the South East is through a new NW Runway at Heathrow Airport, and not through new runway development at Gatwick Airport. Policy CS9 is consistent with that. Whilst the Airports NPS specifically states that it does not have effect in relation to any applications for development consent for an airport development not forming part of a Heathrow NW runway proposal, it notes that SoS views its contents (particularly in relation to need and Heathrow being the preferred option) as important and relevant in determining any such application, particularly where it relates to London or the South East. It is acknowledged that the <i>Beyond the horizon: the future of UK aviation</i> strategy which confirms that the Government supports all airports who wish to make best use of their existing runways, including in the South East, subject to environmental issues being addressed. This includes increasing either passenger or air traffic movement caps to allow them to make best use of existing runways. The provisions of CS9 are not felt to be inconsistent with this, in that they are supportive of development at the airport, within its existing boundary (making better use of existing runways would inevitably be contained within the boundary).</p>	<p>No modification or update to this policy is required.</p> <p><i>Continue to monitor position with respect to further growth at Gatwick Airport, including the outcomes of any DCO process and timeframes for any development, which may necessitate further review in due course.</i></p>

	<p>Evidence and local circumstances: It is noted that Gatwick Airport has published a draft Masterplan setting out options for the future growth of the airport. This maintains that the airport stands ready to provide additional runways (should the Government position change given its current preferred option in Heathrow only) but also a proposal to make better use of existing runways, including bringing into use the standby runway. Development of this nature would not technically be outside of the scope of Policy CS9 but would require a Development Consent Order (DCO), the submission and outcomes of which are unknown. Scenarios around the future growth of Gatwick are therefore highly uncertain at this stage and there is currently no robust evidence available to indicate the impact that such a proposal would have on the surrounding area in terms of infrastructure or development requirements. Continued monitoring of the position in relation to growth at Gatwick Airport will be undertaken but at this stage, it is not considered to necessitate immediate modification to this policy.</p>	
<p>Policy CS10 – Sustainable development This policy sets out a number of high level requirements which development will be expected to meet in order to achieve sustainable development. This includes making efficient use of land and giving priority to brownfield land, be at appropriate densities, protecting and enhancing green fabric and respecting ecology and heritage. The policy also requires development to minimise use of natural resources, minimise pollution and be designed to both adapt to climate change and also minimise flood risk.</p>	<p>Conformity with national policy: It is considered that all elements of the policy are in broad accordance with relevant sections of the NPPF. In particular, the requirement to make efficient use of land, prioritise brownfield land and achieve appropriate densities reflects the general aims of Chapter 11 of the 2019 NPPF. The high level requirements in terms of flooding broadly follow the provisions of the NPPF (Chapter 14) including specifically in respect of the application of Sequential and Exceptions tests where necessary (paragraphs 157-163). Adaptability to climate change is consistent with paragraphs 149-151.</p> <p>Evidence and local circumstances: Monitoring evidence demonstrates that the overarching requirements of this policy are operating effectively in delivering sustainable development.</p> <p>Since the start of the Core Strategy plan period, the Council has not granted any applications in areas at risk of flooding contrary to Environment Agency advice. Furthermore, since 2012 (start of plan period), fewer than 5% of new homes built in the borough have been on land at risk of flooding²¹ (194 units gross against 3,665 gross). It is therefore clear that the policy is directing development to land at lowest risk of flooding and that achieving the housing requirements set out in the plan has not required anything other than very limited development in areas at risk of flooding. Where development has occurred on land at risk of flooding, in the majority of cases it has been either through conversions or as part of schemes to facilitate regeneration (e.g. Redhill town centre). As above, the proportion of development of brownfield (previously developed) land has consistently exceeded the monitoring targets established in the Core Strategy. Over the plan period, over 55% of new homes built in the borough have been on brownfield land. Where development has occurred on greenfield land, the vast majority has been through</p>	<p>No modification or update to this policy is required.</p>

²¹ Taken to be land in Flood Zones 2 or 3

	<p>the two allocated new neighbourhoods at Horley North East and North West. The plan-led approach to promoting use of brownfield land in urban areas has therefore been successful.</p> <p>Commentary on monitoring information relating to the natural environment aspects of this policy is included where relevant under the discussion of Policy CS2 above.</p> <p>Data aggregated in the Council's Annual Monitoring Reports and Environment & Sustainability Monitors shows that overall and per capita carbon emissions have continued to fall in the borough since the Core Strategy was adopted. Furthermore, air quality (in respect of NO²) has improved at all monitoring stations in the borough's Air Quality Management Areas since 2012.²²</p>	
<p>Policy CS11 – Sustainable Construction</p> <p>This policy sets out the sustainable construction standards which new development will be required to meet, specifically Code Level 4 for residential and BREEAM 'Very Good' for non-residential. The policy also includes provisions that the Council will work with developers and other partners to promote development of decentralised and renewable or low carbon energy and sets out how this will be applied.</p>	<p>Conformity with national policy: It is considered that the provisions of policy CS11 are broadly in conformity with the NPPF that seeks to ensure that new development is sustainable, and particularly, helps to reduce greenhouse gas emissions through its location, orientation and design (paragraph 150). The Framework encourages local plans to support a transition to low carbon energy and heat and specifically and specifically, to maximise opportunities for developments to draw their energy supply from decentralised, renewable or low carbon energy (paragraph 151 (c)): limb 2 of Policy CS11 directly responds to, and conforms to, this national policy aspiration.</p> <p>Evidence and local circumstances: The Code for Sustainable Homes (which is referenced as a requirement in Policy CS11) has been abolished by the Government. However, this change was countenanced when the policy was drafted (see paragraph 7.2.6 of the Core Strategy) and hence provisions included to allow transition to other future nationally described standards as they emerge. This has been taken forward through the DMP. Whilst the Code has been abolished, given the built in flexibility within the policy, it does not render the policy out of date.</p> <p>The requirement for BREEAM 'Very Good' is applied through the decision-taking process on applications and secured by condition where appropriate.</p>	<p>No modification or update to this policy is required.</p>
<p>Policy CS12 – Infrastructure Delivery</p> <p>This policy sets out the broad approach to the delivery of infrastructure to support new development. Specifically, the policy requires that infrastructure should be provided ahead of, or alongside new</p>	<p>Conformity with national policy: The NPPF sets out that identifying and coordinating the provision of infrastructure is a key part of the economic objectives of the planning system. It makes clear (at paragraph 20) that strategy policies should set out a strategy to deliver, and make sufficient provision for, the provision of infrastructure. Policy CS12 serves precisely this purpose and is thus clearly in conformity with national policy.</p> <p>Policy CS12 also seeks to encourage proposals that enhance the provision of community and leisure facilities in the borough, including through co-location. In doing so, it is consistent with the aims of paragraph 83 of the Framework (specific to rural areas) as well</p>	<p>No modification or update to this policy is required.</p>

²² See Annual Monitoring Report 2012 Table EN7 (available at: http://www.reigate-banstead.gov.uk/download/downloads/id/36/annual_monitoring_report_2012.pdf) and Environment & Sustainability Monitor 2018 Table 4 (available at: http://www.reigate-banstead.gov.uk/download/downloads/id/4776/2018_environment_and_sustainability_monitor.pdf) for comparison.

<p>development. The policy encourages proposals that would improve community and leisure facilities and seeks to protect existing valued services, facilities and open spaces.</p>	<p>as the wider provisions of paragraph 92 in relation to promoting healthy and safe communities. Paragraph 92 specifically seeks to ensure plans and policies plan positively for provision of social, recreation and community facilities, including through use of shared spaces that is consistent with 3(b) of Policy CS12. Consistent with the Framework, CS12 also seeks to guard against loss of leisure and community facilities except in specific circumstances; these circumstances broadly reflect paragraph 92(c) of the NPPF in relation to recreation/community facilities and paragraph 97 in relation to open spaces.</p> <p>Evidence and local circumstances: As discussed under the various area policies under CS8 above, significant positive progress has been made in delivering key infrastructure priorities. In Area 1, the new leisure and community facilities at Preston have been delivered and the two listed transport improvement projects are in progress. In Area 2, the primary school expansions have either been completed (and planning applications for further capacity increases are being considered). In the case of the secondary school provision, this has planning consent and is currently operating from temporary accommodation on the site. The Merstham community hub is complete, as is Earlswood Depot improvements. The Balanced Network highway scheme in Redhill Town Centre has been completed. In Area 3: Horley, the remaining infrastructure works are progressing in tandem with the delivery of the North West Sector. One new primary school has already been completed in the North East Sector and planning consent granted for the second in the North West Sector. The new leisure centre has been completed. The summary above demonstrates that positive progress is made in bringing forward infrastructure and, crucially, that none of the key priorities have proven undeliverable. Hence, infrastructure delivery is not prohibiting growth. Alongside the Core Strategy, the Council has adopted the Community Infrastructure Levy (CIL), which was one of the key implementation and delivery mechanisms identified. Charging commenced in 2016 and to date (as at June 2019), over £4m has been collected, significantly ahead of original forecasts.</p>	
<p>Policy CS13 – Housing delivery This policy establishes the overall housing requirement for the borough. It plans for the delivery of at least 6,900 homes between 2012 and 2027, equivalent to an annual average of 460 homes per annum. To achieve this, the policy sets out that at least 5,800 homes will be delivered within existing urban areas, with the remainder to be provided in urban extensions in accordance with</p>	<p>Conformity with national policy: Consistent with the requirements of paragraph 65 of the Framework, policy CS13 establishes within it a housing requirement figure for the borough (of at least 6,900 homes between 2012 and 2027, equating to an average annual provision of 460 homes per annum). The housing requirement was examined and found sound by the Core Strategy Inspector, against an objectively assessed need of “<i>between about 600 and 640 dwellings</i>”.</p> <p>Since the adoption of the Core Strategy, revisions to the NPPF have altered the basis for calculation of local housing needs, establishing a standard method. The standard method is underpinned by national population projections, with an uplift to take account of local housing affordability.</p> <p>The standard method also includes caps that depend upon the status of the strategic policies for housing. These apply as follows:</p>	<p>No modification or update to this policy is required.</p> <p><i>Continue to review delivery performance (including 5 year land supply and housing delivery test) and maximise sustainable urban and windfall opportunities through</i></p>

<p>policy CS6. The policy also sets out that sites for sustainable urban extensions will be released when such action is necessary to maintain a five-year supply of specific deliverable sites (based on the residual annual housing requirement).</p>	<p>a) Where policies were adopted within the past five years (or where they have been reviewed and found not to require updating), the standard method is calculated based on a 40% cap above the plan figure. Under this scenario, the local housing need for Reigate & Banstead would currently equate to 644 homes per annum. This figure is clearly very closely aligned to, and consistent with, the objectively assessed needs identified by the Core Strategy Inspector.</p> <p>b) In circumstances where the strategic policies are more than five years old and have not been subject to review (or have been concluded to require updating), the standard methodology applies differently. Were this scenario to arise in Reigate & Banstead then, based on current national data, this would generate a need of 1,148 homes per annum. It is recognised that the conclusion that the Core Strategy Inspector settled on in respect of housing needs are lower than the figure that would be generated under this scenario.</p> <p>However, it is worth reflecting at this point upon the breadth of evidence that was before the Core Strategy Inspector, and the range of potential housing needs this suggested. Although the Inspector concluded a figure of “between 600 and 640 dwellings”, he acknowledged in his report that population projection and other aspects of the evidence base at that time also indicated potentially significantly higher needs, potentially in the order of 850 to 933 homes per annum (see paragraph 20 and 21 of his report).²³ Evidence of housing needs of a not dissimilar magnitude to those now indicated by the standard method (1,148 per annum) was therefore within the broad range of contemplation of the Core Strategy Inspector.</p> <p>In addition, it should be noted that the 2019 NPPF also maintains that strategic policies should provide for these minimum figures <u>unless</u> either:</p> <p>i) the application of the policies in the Framework that protect areas of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or</p> <p>ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. It therefore continues to recognise that actual planned housing requirements should respond to local constraints, as was the case when the Core Strategy was examined.</p> <p>The 2019 NPPF, in a similar fashion to its 2012 predecessor that underpinned the CS examination, therefore clearly identifies the need to reflect upon the unvarnished local housing needs figures, and that these should not simply be accepted as the <i>de facto</i> housing requirement for a local plan.</p> <p>In this respect, the Core Strategy Inspector clearly acknowledged and accepted that meeting full housing needs (of up to 640 per annum at that time), would not be</p>	<p><i>the development management process.</i></p> <p><i>Continue to monitor position with respect to further growth at Gatwick Airport, including the outcomes of any DCO process and timeframes for any development, which may necessitate further review in due course.</i></p>
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²³ Available at: http://www.reigate-banstead.gov.uk/download/downloads/id/4318/cd17_-_core_strategy_inspectors_report_jan_2014.pdf

	<p>sustainable or consistent with the Framework. Specifically, he concludes (at paragraph 68 of his report) that <i>“A shortfall of over 2,000 dwellings against the full objectively assessed need would remain, but given the environmental and other constraints across the borough, it is not possible to meet this shortfall sustainably without conflict with other aims of the Framework.”</i> The Sustainability Appraisal that accompanied the Core Strategy considered the relative sustainability of a range of housing levels and concluded that the most sustainable level of growth would be between 420 and 500 homes per year, and found demonstrable negative impacts to a range of sustainability objectives for scales of growth at 625 per annum and above (up to 980 per annum).</p> <p>The Core Strategy Inspector identified a number of large-scale and localised constraints, including Green Belt (paragraph 46-56 of the Inspector’s Report) and flood risk (particularly paragraphs 42-43) at one end of the spectrum, and localised constraints of ancient woodland (paragraph 54) which justified why the overall housing needs could not be met. All of these remain protected areas/assets of particular importance for the purposes of footnote 9 of the 2019 NPPF²⁴ and all of these constraints continue to exist and persist in the borough. By corollary, they clearly continue to constrain potential future housing capacity in the borough. Consideration of the current position, evidence and local circumstances on the main constraints identified by the Inspector is set out below.</p> <p>Green Belt: As described in the commentary under Policy CS3 above, the Core Strategy Inspector specifically acknowledged the significant constraint that the Green Belt imposes on the borough, and the limited sustainable opportunities for accommodating development within it. Taking account of the high-level borough wide Green Belt review undertaken to accompany the Core Strategy, the Inspector concluded that the evidence <i>“revealed that sustainable opportunities which do not undermine the aim and purposes of the Green Belt are very limited”</i>. Additionally, he also recognised the importance of the Green Belt in the borough, highlighting that <i>“most Green Belt in the north of the borough...has a vital strategic role and function as a ‘green lung’ for the conurbation”</i> and that the rest of the Green Belt <i>“is fragmented in parts and the total area is not huge, especially when compared to other similar authorities nearby”</i>. It is for these reasons that the Inspector concludes – at paragraph 53 – that <i>“at a strategic level, only...two broad locations comply fully with the criteria in the Framework and exhibit the exceptional circumstances necessary if Green Belt boundaries are to be altered”</i>. These two broad</p>	
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²⁴ In some instances, the level of protection afforded by the 2019 NPPF has arguably strengthened. For example, in respect of Green Belt, the 2019 NPPF now includes specific provisions requiring local planning authorities to *“demonstrate that it has examined fully all other reasonable options for meeting its need for development”* before concluding that very special circumstances exist to amend Green Belt boundaries (paragraph 137 of the NPPF). In respect of Ancient Woodland, the 2019 NPPF now makes clear that *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons”* (emphasis added) as compared to the 2012 NPPF which set out that planning permission should be refused *“unless the need for, or benefits of, development in that location clearly outweigh the loss.”*

	<p>locations were taken forward and examined further through the detailed Green Belt review carried out to accompany the Development Management Plan, and those specific sites considered to be sustainable and to exhibit very special circumstances were removed from the Green Belt and have been allocated for development. Furthermore, detailed Green Belt appraisal of a wide range of other potential locations for longer-term growth through the DMP Safeguarded Land report (SD34) again showed very limited options for future growth that would not involve the development of land that was identified as “high” performing against one or more purposes of the Green Belt. With this evidence in mind, it is clear that significant additional opportunities to facilitate a much greater level of housing could not be identified within the Green Belt without seriously undermining the overall purposes and integrity of it.</p> <p>Non-Green Belt growth: With respect to other development opportunities outside of the urban area but not in the Green Belt, the Core Strategy Inspector specifically considered the ability of countryside around Horley to accommodate additional growth in the period to 2027. He identified a number of constraints on growth, including that <i>“significant areas of the rural surrounds of Horley are in flood zones 2 and 3 and therefore at risk of flooding”</i>. Flood zone mapping from both the EA and in the Council’s latest Strategic Flood Risk Assessment (2017)²⁵, demonstrates that the extent of flooding around Horley has not changed significantly so as to materially alter the extent of land which is within Flood Zone 1. The extent of land affected by aircraft noise contours is also not significantly changed between the Core Strategy and current position. This can be observed from the Gatwick Airport²⁶ Noise Exposure contours publications (from the Civil Aviation Authority). To demonstrate this point, the total area covered by the 57dB contour from Gatwick in 2012 was 41.2km² (based on summer day standard mode), compared to 40.0km² in 2018 on the same basis. Evidently, therefore, the severity and extent of this constraint has not changed significantly compared to that which was before the CS Inspector. The CS Inspector also identified that the capacity of Horley to absorb more growth was constrained, noting on-going developments. The long-standing allocations that the Inspector identified are still on going, particularly the North West Sector, which is approximately half-complete and not expected to be fully delivered until 2025 based on the latest evidence. For these reasons, there is no evidence to demonstrate that significantly more land is likely to be identified to facilitate a substantially greater housing requirement.</p>	
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²⁵ Available at: http://www.reigate-banstead.gov.uk/download/downloads/id/3953/2017s5672_-_three_authorities_level_1_sfra_v50.pdf

²⁶ OS based maps for the Gatwick standard contours average summer mode 2012 (which were those published at the time of the Core Strategy examination) are available at: https://webarchive.nationalarchives.gov.uk/20161126194237/https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244638/lgw-2012-standard.pdf and can be compared to 2018 contours available on page 46 of the 2018 Report available at: https://www.gatwickairport.com/globalassets/publicationfiles/business_and_community/all_public_publications/aircraft_noise/lgw_2018_annual_contours_report_final.pdf

	<p>Sustainable urban extensions: With regards to the sustainable urban extensions, these have now been identified through the emerging DMP. The Inspector identified ranges of between 500-700 homes in East Redhill/Merstham, 500-700 homes in South West Reigate and up to 200 homes around Horley. Through the detailed evidence prepared to support the DMP, including sustainability appraisal, constraints assessment and Green Belt review, it has proven that even these ranges were optimistic given the challenging picture of constraints covering the borough. Between Redhill and Merstham, the DMP identifies potential allocations totalling 565 units, in South West Reigate the proposed allocations total 445 units and around Horley the proposed allocation total 190 units. However, whilst these shortfalls demonstrate that the environmental and policy constraints in the borough are such that identifying significant additional and sustainable capacity to support a substantially higher figure is extremely unlikely, they do no prejudice delivery of CS13 since (a) the urban extension figures were intended as an upper limit (see paragraph 64 of the Core Strategy Inspector's Report)²⁷ and (b) there has been a positive over-delivery to date against the minimum housing requirements from urban and other windfall sites.</p> <p>Mindful of the clear conclusions of the Core Strategy Inspector with respect to the constrained nature of the borough, together with the more recent evidence which supports that there has been no significant change in the extent or importance of the key environmental and policy constraints in the borough which he identified, it is clear that the adopted requirement in CS13 continues to strike an appropriate and delicate balance between the need for housing growth and the protection of the borough and its environmental from unsustainable development. The housing needs identified by the new standard method remain substantially beyond the level which the Core Strategy Inspector found to be capable of being sustainably delivered in the borough.</p> <p>The policy includes provisions (limb 4) to manage the release of sustainable urban extensions, and specifically sets out that they will be released "<i>when such action is necessary to maintain a five year supply</i>". It was argued extensively at the Core Strategy examination that this approach to management of the release of sites was in conflict with the Government's ambition to boost significantly the supply of housing. However, the Core Strategy Inspector clearly discussed this in his report and concluded that "<i>an approach which allows greenfield sites only when necessary to maintain a five year supply is sound</i>" in part to support the use of "urban areas first" (paragraph 71). By consequence of this conclusion, he therefore accepted that it was in broad conformity with national policy. If anything, current national policy expressed in the 2019 NPPF has an even stronger focus on making "<i>as much use as possible of previously-developed or 'brownfield' land</i>" than its</p>	
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²⁷ Paragraph 64 of the Core Strategy Inspector's Report – available at: http://www.reigate-banstead.gov.uk/download/downloads/id/4318/cd17_-_core_strategy_inspectors_report_jan_2014.pdf

	<p>predecessor²⁸. This is especially so in areas constrained by Green Belt where the full examination of all other reasonable options for using brownfield land and maximising densities in town centres and other sustainable locations is now an express test before a local planning authority should conclude that Green Belt land should be released (paragraph 137 of the 2019 NPPF). With this in mind, it is considered that the approach in Policy CS13 of allowing for the release of urban extension sites only when necessary to maintain a five-year supply is in broad conformity with the latest Framework taken as a whole.</p> <p>Evidence and local circumstances: The Planning Practice Guidance sets out a number of factors that can be considered when determining whether policies should be updated. One is change in local housing need (discussed in detail above). However, other factors relevant to Policy CS13 in particular are:</p> <ul style="list-style-type: none"> - Housing delivery test (HDT) performance: For Reigate & Banstead, the latest HDT measurement is 119%, reflecting the significant delivery over and above plan requirements over the past rolling three-year period. As a result, there is no specific action or penalty required to be taken by the Council. - Five-year land supply: The Council is able to demonstrate a five-year supply of deliverable sites for housing. As at 1 April 2019, the Housing Monitor concludes the current supply of deliverable sites (inc. windfall allowance) is equivalent to 7.73 years²⁹, thus significantly exceeding the 5-year requirement. Since the Core Strategy was adopted in July 2014, the Council has consistently maintained a five-year land supply and there have been no successful challenges to this position at appeals since adoption of the Core Strategy³⁰. <p>Progress in delivering against the housing requirements established within the Core Strategy has therefore been very positive and it is clear that the strategy and policies within the CS are facilitating strong delivery.</p> <p>It is important to note that the housing requirement within the Core Strategy does not have an upper limit, and is expressed as “at least”; it therefore allows the number to be exceeded – as has clearly been the case already over the plan period – should sustainable opportunities for extra housing growth arise. The Council’s delivery performance (over 520 homes per annum thus far compared to the requirement of 460</p>	
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²⁸ There is a whole Chapter (11 – Making efficient use of land) on this subject and paragraphs 117 and 118 are particularly pertinent in respect of the use of brownfield land. Note particularly the change in emphasis from the 2012 NPPF which sought to “encourage” use of brownfield land (paragraphs 11 and 111) to the 2019 Framework which now sets out that planning policies and decisions should “give substantial weight to the value of using suitable brownfield land within settlements for homes”

²⁹ See Housing Monitor 2019

³⁰ Note that the appeal at 17 The Close Horley considered the Council’s land supply position but the Inspector concluded, “There is, in terms of the adopted Core Strategy, a 5-year supply of housing land - or at least very close to it” (see paragraph 31 of appeal decision APP/L3625/W/15/3141260). However, note that this decision was quashed by the High Court and the applicant subsequently withdrew the re-determined appeal.

	<p>homes per annum, an excess of 13%), demonstrates that it is responding positively to this provision to significantly boost delivery of housing consistent with national policy. Up to date local evidence regarding realistic land availability is described above under conformity with national policy, which is considered to support the view that a housing requirement significantly above the 520 homes per annum currently being delivered within the context of Policy CS13 is not deliverable or sustainable within the constraints of the borough.</p> <p>It is noted that the 2019 NPPF (paragraph 68) specifically requires plans to promote the development of a good mix of sites through the development plan, including a requirement for at least 10% of housing to be provided on sites of no larger than one hectare. Whilst policy CS13 does not specifically make provision for this, monitoring evidence demonstrates that this has occurred consistently at any rate since the Core Strategy was adopted, supported by other policies in the plan (including CS6) which specifically encourage urban growth and other sustainable windfall opportunities (consistent with NPPF paragraph 68 (c)). Analysis of data from the Council's housing monitoring database shows that, since the beginning of the plan period, 62% of the gross new homes in the borough have been delivered on sites of under one hectare, demonstrating considerable diversity in the mix of housing sites delivered in the borough. As such, whilst this provision is not explicit within the policy, it would be wholly disproportionate to review the policy to address this point given the naturally occurring performance and limited scope to increase this further. Where larger sites have come forward, such as the North West Sector, these have been built out by consortia of developers, hence again reflecting the national policy aspiration for diversification (paragraph 68(d)).</p> <p>As such, although mindful of the advice in the NPPF 2019 (para 33) regarding consideration of local housing needs through plan reviews, it is not considered in this case that the housing needs or wider national policy on housing delivery have changed in such a way as to warrant or necessitate a modification to the housing requirement in Policy CS13, or any other aspect of it.</p> <p>As discussed under policy CS9 above, there is currently uncertainty about the potential future growth of Gatwick Airport. Growth at the airport, and particularly the consequent increase in employment and jobs, could give rise to additional demand for housing in and around the airport. However, at this stage, the nature of any future growth at the airport is unknown (and it is unknown whether it would be supported if a DCO were approved) and, as such, the potential impacts on housing and employment needs are unknown. Growth at Gatwick cannot therefore be said to justify or necessitate a review to policy CS13 at this stage; however, this position should continue to be monitored.</p>	
<i>Policy CS14 – Housing needs of the community</i>	<u>Conformity with national policy:</u> Policy CS14 sets an overarching strategic ambition to deliver a range of housing types and tenures, including an appropriate mix of dwelling	No modification or update to this policy is

<p>This policy sets out the overarching approach to delivering a range of housing types and tenures to meet the needs of local communities. It expects housing developments to contain an appropriate mix of dwelling sizes, taking account of evidence of local need and site characteristics. The policy also specifically encourages the provision of specialist housing for older people and those with disabilities in sustainable locations.</p>	<p>sizes reflecting local needs and site characteristics. These high-level requirements are consistent with the provisions of paragraph 61. Detailed mix requirements are set out in the emerging DMP policies, as was originally envisaged in the delivery/implementation of this policy. The policy also seeks to encourage the provision of housing for the elderly or less mobile, again, consistent with paragraph 61 that identifies that older people and those with disabilities are specific groups who should be planned for. Again, further detailed policies regarding accessible housing and allocations for the provision of housing for older people are to be established through the emerging Development Management Plan.</p> <p>Evidence and local circumstances: Monitoring data shows that a wide spectrum and mix of homes has been delivered within the borough over the plan period and that, moreover, the mix achieved has broadly conformed to that which was identified as necessary through the SHMA 2012 evidence that underpinned the Core Strategy. The table below shows the 2012 SHMA recommended property size targets (Table 7-12) alongside actual delivery. Whilst the proportion of 3 and 4 bed units in the social/affordable rent sector has been below original targets, this reflects changes in the sector – including the shift towards affordable rent over social rent – which has reduced the affordability of the larger 3 (and particularly 4 bed) units meaning that they are a less useful product in the borough.</p> <table border="1" data-bbox="663 810 1550 1034"> <thead> <tr> <th rowspan="2"></th> <th colspan="4">Bedroom size % recommended (% delivered in brackets)</th> </tr> <tr> <th>1 bed</th> <th>2 bed</th> <th>3 bed</th> <th>4+ bed</th> </tr> </thead> <tbody> <tr> <td>Social/affordable rented</td> <td colspan="2">75% (83%)</td> <td colspan="2">25% (17%)</td> </tr> <tr> <td>Intermediate</td> <td colspan="2">85% (87%)</td> <td>15% (12%)</td> <td>0% (2%)</td> </tr> <tr> <td>Market</td> <td colspan="2">40% (47%)</td> <td colspan="2">60% (53%)</td> </tr> </tbody> </table> <p>Whilst there were no targets in relation to the split between houses and flats, it is worth noting that this is broadly evenly split over the plan period (44% flats and 56% houses). Delivery of affordable housing will be discussed further under policy CS15 below. Policy CS14 is flexible to respond to changing needs in that it refers to the mix reflecting assessments of local need and does not prescribe targets. In this respect, it is not outdated by changing circumstances. As above, the emerging DMP establishes specific requirements in relation to housing mix and size in order to support achievement of the above targets and an appropriate housing mix to address current needs. With regards to older peoples and other specialist housing, 218 net additional care beds have been delivered in the borough over the plan period (with an additional 115 net</p>		Bedroom size % recommended (% delivered in brackets)				1 bed	2 bed	3 bed	4+ bed	Social/affordable rented	75% (83%)		25% (17%)		Intermediate	85% (87%)		15% (12%)	0% (2%)	Market	40% (47%)		60% (53%)		<p>required.</p>
	Bedroom size % recommended (% delivered in brackets)																									
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Intermediate	85% (87%)		15% (12%)	0% (2%)																						
Market	40% (47%)		60% (53%)																							

	<p>additional rooms consented). Furthermore, 71 units of additional extra care/retirement housing have been delivered, again with a further 90 consented but not delivered. The broad provisions of Policy CS14 are therefore facilitating delivery of an appropriate mix of both general needs housing but also additional specialist housing to meet needs within the borough. This will be supplemented by specific policies and allocations within the emerging DMP. Policy CS14 is not therefore considered to require modification.</p>	
<p>Policy CS15 – Affordable housing The policy sets out the overall approach to the delivery of affordable housing. It establishes a target of at least 1,500 new affordable housing units in the borough over the plan period (2012-27), equivalent to 100 per annum. The policy also sets out requirements for new developments to provide affordable housing as follows: sites of 15 or more net dwellings – 30% of housing should be affordable; sites of between 10 and 14 net dwellings – a financial contribution broadly equivalent to 20 percent affordable housing; sites of 1 to 9 net dwellings – a financial contribution broadly equivalent to 10 percent affordable housing. The policy sets out that the Council will negotiate, taking account of viability. It also seeks to protect existing affordable housing by requiring the same number of homes to be re-provided (as a minimum) where existing affordable housing is being re-development.</p>	<p>Conformity with national policy: Policy CS15 sets the overall target for affordable housing delivery consistent with paragraphs 61 and 62 of the Framework. In line with the Framework, the policy also requires provision to be on-site, except in respect of smaller sites where a financial contribution is preferable from a delivery, feasibility and management perspective. Policy CS15 sets out the affordable housing requirements and percentages to be applied to individual sites. The approach is considered broadly consistent with the NPPF 2019 that advises that affordable housing should be sought on site unless justified. The policy also allows for negotiation in cases where viability justifies this; reflecting the requirements of paragraph 34 of the NPPF (which requires that policies for developer contributions including affordable housing should not undermine deliverability of the plan) and those at paragraph 57 of the NPPF relating specifically to viability appraisals. It is noted that the requirement for a financial contribution equivalent to 10% affordable housing from sites under 10 units is not wholly consistent with the Framework (notably paragraph 63). However, these requirements and affordable housing proportions are to be superseded by a revised policy in the DMP that omits any requirement from “small sites”. Taken as a whole, in this context, the policy is considered consistent with the broad thrust of national policy.</p> <p>Evidence and local circumstances: Monitoring data shows that delivery against the overall target of 100 gross affordable housing units per annum (1,500 between 2012 and 2027) has been good. Since 2012, a total of 692 affordable housing units have been delivered in the borough, equivalent to 98.9 per annum and thus broadly in line with the per annum requirements in the Core Strategy. Delivery performance is therefore on track and the policy appears to be operating effectively in this respect.</p> <p>The affordable housing mix delivered has also been consistent with that identified within the Core Strategy. Paragraph 7.6.4 in the Core Strategy and the supporting Affordable Housing SPD (2014)³¹ both identified a tenure balance of 40% rented and 60% shared ownership based on the most recent evidence available. The latest available monitoring data indicates that in the plan period (to 31 March 2019), 293 rented homes and 399 intermediate homes have been delivered, representing a 42:58 split, almost directly matching the tenure balance identified in the Core Strategy. Whilst current anecdotal evidence suggests that needs may be shifting more towards rented accommodation, as</p>	<p>No modification or update to this policy is required, noting impending revised requirements through emerging DMP.</p>

³¹ Paragraph 5.2.2, available at: http://www.reigate-banstead.gov.uk/download/downloads/id/91/supplementary_planning_document_affordable_housing

	<p>the percentage split is not specified in the policy wording of CS15, there would be scope for the policy to respond to these changes, particularly given limb (2) of the policy specifies that <i>“the mix of tenures, including rented, and mix of sizes and types should reflect the current assessment of housing needs”</i>. Consequently, the policy is able to respond to these changing circumstances and does not need to be modified as a result. Whilst there have been a number of developments, particularly regeneration schemes in Redhill town centre, which have not achieved the required 30% affordable housing provision due to viability issues, this does not render the policy requirements obsolete or out of date. As the Framework advises, policies should be <i>“aspirational but deliverable”</i>. In seeking to achieve this balance, there will always be instances where negotiation is required but crucially, as the delivery statistics demonstrate, this is not undermining the achievement of the overarching affordable housing targets overall.</p> <p>More recent viability evidence prepared to support the DMP confirms that – in the vast majority of cases – the established requirement for 30% affordable housing remains viable in the very vast majority of cases even taking account of all other policy and CIL costs. Furthermore, in the case of development in the broad areas of search for sustainable urban extensions, greater levels of affordable housing (35%) are viable; hence, the DMP includes a specific requirement for this greater level of affordable housing on these proposed site allocations. This is reflected in paragraph 7.6.6 of the Core Strategy, which confirms, <i>“similarly, consideration will be given to maximising opportunities for affordable housing delivery on any sustainable urban extensions. Specific requirements for affordable housing on allocated sites may be provided through the DMP and Affordable Housing SPD”</i>.</p> <p>There has also been a significant reduction in the number of households on the Council’s Housing Register since the Core Strategy was adopted, which has fallen from 3,184 in 2011/12 to 863 in 2018/19. It should be noted that this reduction is likely to be in large part due to changes in the housing register policy and the criteria for eligibility³²; however, even since the changes were introduced, the number of households on the register has remained broadly stable, suggesting that there has not been a significant worsening in the need for affordable housing.</p> <p>In light of the conclusions above in relation to the overall level of growth in Policy CS13, and the overall viability of development in the borough as identified through the Council’s latest viability evidence, it is clear that 100 dwellings per annum remains the appropriate and most realistically achievable target for affordable homes in the borough. As the Core Strategy Inspector identified (paragraph 67 of his report), <i>“if, as at Reigate & Banstead, total housing supply is constrained, substantial alternative funding would be required if greater inroads into the affordable housing need were to be made; there was no evidence</i></p>	
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³² These changes occurred in 2013.

	<p><i>of this at the examination</i>". This situation remains today and there has been no significant change or uplift in the availability of funding locally to support substantial increases in affordable housing delivery.</p>	
<p>Policy CS16 – Gypsies, travellers and travelling showpeople This policy sets out the approach to the identification of a target for, and provision of, sites for gypsies, travellers and travelling showpeople. It identifies that a local target will be established in the DMP. The policy establishes a sequential approach to the identification of gypsy and traveller sites, reflecting the "urban areas first" approach adopted in the plan more broadly in relation to housing. The policy sets specific criteria to guide the identification of sites and consideration of planning applications. The policy also seeks to protect existing authorised gypsy and traveller sites.</p>	<p>Conformity with national policy: Policy CS16 identifies that the target for provision of gypsy and traveller accommodation would be set out in the subsequent DMP. This "pragmatic" approach was accepted by the Inspector given the need to carry out detailed assessments of potential supply mindful of the constraints (namely Green Belt) in the borough. The absence of a target in the Core Strategy is not considered to render it inconsistent with national policy, particularly as it sets a clear requirement for this to be addressed through the DMP. The Inspector examining the Core Strategy specifically concluded that the sequential approach to identifying suitable sites – with urban areas first – was in principle sound and consistent with the Planning Policy for Traveller Sites (PPTS), which makes clear that traveller sites within the Green Belt are inappropriate development and thus should only be provided in such areas in exceptional circumstances. The various criteria set out in 3(a)-(f) of Policy CS16 are directly consistent with the considerations set out in PPTS, namely:</p> <ul style="list-style-type: none"> - Criteria (a) in Policy CS16 is consistent with criteria (a) at paragraph 13 of the PPTS - (b) reflects criteria (f) at para 13 of the PPTS - (c) reflects criteria (e) in the PPTS - (d) reflects criteria (g) in the PPTS - (e) reflects criteria (b), (c) and (f) in the PPTS - (f) reflects criteria (e) in the PPTS <p>Evidence and local circumstances: Recent evidence prepared to inform the Development Management Plan identifies a need for 32 additional pitches for gypsies and travellers, and 7 plots for travelling showpeople over the period from 2016 to 2031. This equates to 28 pitches and 5 plots over the Core Strategy plan period to 2027. These figures include all travellers meeting either the planning definition or the equalities definitions. As identified in the Council's post-hearing actions responses on the DMP³³, the DMP provides (subject to main modifications) a clear strategy – consistent with the Core Strategy and PPTS – for delivering these identified needs. The overarching approach in the Core Strategy has not therefore prevented or hindered meeting needs. In addition, since the Core Strategy was adopted (and predominantly since 2017), consent has been granted for an additional 23 pitches of gypsy accommodation (3 of</p>	<p>No modification or update to this policy is required</p>

³³ RBBC-DMP-005: Hearing action 7.8, available at: http://www.reigate-banstead.gov.uk/download/downloads/id/5106/councils_response_to_hearing_actions_with_appendices.pdf

	which are temporary) ³⁴ and 11 travelling showpersons plots (granted 2014). ³⁵ The policies of the Core Strategy have therefore facilitated positive delivery against traveller needs.	
<p>Policy CS17 – Travel options and accessibility</p> <p>This policy contains the overarching approach to travel and transport. It sets out a three-part strategy that seeks to manage demand and reduce the need to travel, promote sustainable transport options and improve the efficiency of the network. This includes – amongst other things - directing development towards accessible locations; improving travel options including public transport, walking and cycling; and managing parking provision.</p>	<p>Conformity with national policy: The Framework sets out an overarching aim of promoting sustainable travel and the various provisions of Policy CS17 reflect and respond to this. In particular, the policy seeks to manage demand and reduce the need to travel through measures consistent with paragraphs 103 and 104 of the NPPF. It also seeks to specifically facilitate sustainable travel options, consistent with paragraph 102, particularly parts (b) and (c) but also paragraph 103. Policy CS17 also sets an overarching approach to the management of parking provision that is broadly aligned to the paragraphs 105 and 106: the detailed implementation of these standards has been taken forward through the emerging DMP.</p> <p>Evidence and local circumstances: As described above, key transport projects, including those geared toward promoting sustainable travel and more efficient operation of the network, have been delivered. This includes the Local Sustainable Transport Fund and Balanced Network projects in Redhill town centre, as well as on-going improvement to, and extension of, bus services in Horley to serve the two new neighbourhoods. Parking standards are being brought forward through the emerging Development Management Plan and, as set out in the evidence accompanying the DMP³⁶, these have been tailored to respond to accessibility and local car ownership levels as required by the Core Strategy and national policy. Through the determination of planning applications, travel plans are routinely secured on new developments that are major movement generators.</p>	<p>No modification or update to this policy is required.</p>
<p>Policy CS18 – Implementation and monitoring</p> <p>The policy sets out that the commitment to regularly monitor progress towards the development requirements in the plan and the delivery sites. It also contains a series of potential management actions and measures that may be implemented to facilitate delivery.</p>	<p>Conformity with national policy: Policy CS18 sets out an overarching commitment to regular monitoring of the effectiveness and operation of policies in the Core Strategy. The monitoring undertaken is consistent with the Core Strategy monitoring framework and significantly exceeds the legislative requirements under Regulation 34 of the Town and Country Planning (Local Planning)(England) Regulations 2012.</p> <p>Evidence and local circumstances: Whilst there is no specific monitoring evidence associated with this policy, there are instances where the management actions and contingency measures have been implemented to good effect. The Council regularly and actively monitors performance against the targets in the plan; this is summarised in the suite of regular monitoring reports and ultimately in the Annual Monitoring Report.</p>	<p>No modification or update to this policy is required</p>

³⁴ This includes Woodlea Stables (17 pitches permanent), Arlington Stables (1 pitch permanent), Masons Bridge Road (1 pitch permanent), Acres Stables (1 pitch permanent), Norwood Hill Road (1 pitch temporary) and Kent's Field (2 pitches temporary)

³⁵ Land at Fairacres (11 plots permanent)

³⁶ Parking Standards – SD38 available at: http://www.reigate-banstead.gov.uk/download/downloads/id/4290/parking_standards.pdf

Conclusions

This review has been prepared to satisfy the requirements of Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended). It also satisfies the broad commitment within the Core Strategy itself (paragraph 8.17) for a review to be undertaken.

The review has had due regard to the relevant legislative requirements, national policy (in the 2019 NPPF) and the associated Planning Practice Guidance.

Based on the detailed commentary and conclusions in the table above, it is concluded that all of the policies in the Core Strategy continue to be in broad conformity with the provisions and policies of the 2019 NPPF and other relevant national policies (including those relating to travellers and aviation).

Furthermore, the latest evidence and monitoring data demonstrates that, overwhelmingly, the policies are operating effectively and delivering positively against the requirements, objectives and indicators of the plan. Particularly notable is the strong performance in delivering against the housing requirements in the plan, including:

- That delivery has exceeded the housing requirement by over 13% since the start of the Core Strategy plan period
- The Housing Delivery Test results for the borough stand at 119%
- The Council has consistently been able to demonstrate a five-year land supply since adoption of the document in 2014, and the deliverable supply currently equates to 7.80 years

Substantial progress has also been made in bringing forward and delivering on key objectives in the plan, particularly in relation to regeneration in Merstham, Preston and Redhill town centre, as well as delivery of the Horley Masterplan projects. However, there remains work to do on this and the focus must be on continuing this strong performance.

Whilst the review identifies that there have inevitably been some changes in circumstances, these are not considered to necessitate updates to the policies in the Core Strategy.

Taking all of the above into account, it is therefore concluded that there is no need to modify or update any policies of the Core Strategy at this time.

The review does identify a number of particular matters, which – although not presently be considered to justify modification to a policy –could trigger a need for a further review and potentially necessitate an update of the plan, either in part or in full, should circumstances change or the position evolve.

This includes:

- The completion and outcomes of a review of the Surrey Hills Area of Outstanding Natural Beauty
- The Council's five year land supply position, or evidence through the HELAA or housing trajectory that the identified strategy is unlikely to deliver the housing requirement set out in the plan
- Future "step-change" growth at Gatwick Airport as part of its masterplan proposals, including additional runway capacity and any DCO process associated with this
- Significant changes in the vitality indicators for the borough's town centres
- The position on Redhill Aerodrome as part of the current Tandridge Local Plan examination

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SIGNED OFF BY	Head of Planning
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TO	Council
DATE	Tuesday, 2 July 2019
EXECUTIVE MEMBER	Portfolio Holder for Planning Policy

KEY DECISION REQUIRED	Y
WARDS AFFECTED	(All Wards);

SUBJECT	Local Development Scheme - July 2019
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RECOMMENDATIONS

- (i) **That subject to the approval of agenda item 5, the revised Local Development Scheme (LDS) (Annex 1) be adopted and take immediate effect**

REASONS FOR RECOMMENDATIONS

- (i) The Planning and Compulsory Purchase Act 2004 requires that the Council prepares and maintains a Local Development Scheme (LDS) setting out the timetable for preparation of Local Plan documents. The LDS requires updating to reflect the most up-to-date position in respect of the Core Strategy and progress with the Development Management Plan (DMP) examination.

EXECUTIVE SUMMARY

Planning law requires that the Council prepares a Local Development Scheme (LDS) setting out the timetable for preparation of Local Plan documents and subsequently keeps it up to date.

As a result of the review of the Core Strategy, which has concluded that the Core Strategy is up to date and that none of the policies within it are currently in need of updating or modification, the LDS is revised to reflect this.

It is also updated to reflect the revised timetable for the adoption of the DMP given the Council will not be in a position to adopt the plan in May-June as previously envisaged due

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to timing of receipt of the Inspector's Report.

The above recommendations are subject to approval by Full Council.

STATUTORY POWERS

1. The Planning and Compulsory Purchase Act 2004, The Planning Act 2008, The Localism Act 2011, the Housing and Planning Act 2016 and associated regulations (including the Town and Country (Local Planning) (England) Regulations 2012 ('the 2012 Regulations')), set the statutory framework for the production of local plan documents by the Local Planning Authority and the requirements for a Local Development Scheme. National policy in relation to the production of local plan documents is provided through the National Planning Policy Framework, supported by National Planning Practice Guidance.
2. Specifically, Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires that local planning authorities prepare and maintain a Local Development Scheme. Section 15(8) sets out that local planning authorities must revise their local development scheme at such time as they consider appropriate, or if otherwise directed to do so by the Secretary of State.

BACKGROUND

1. A Local Development Scheme (LDS), is a document setting out (among other matters) which documents are intended to form part of the development plan, their scope (subject and geographic area), and the timetable for production, preparation and review. It is a national legal requirement that plans are prepared in accordance with the LDS; this is considered as part of the examination process.
2. LDSs must be made publicly available and be kept up-to-date, so that local communities and other stakeholders can keep track of, and be informed about, proposed plan-making activity and the key timeframes for such activities.
3. There is no longer a requirement for LDSs to be approved by the Secretary of State to bring them into effect. As such, the responsibility to adopt the LDS rests entirely with the Council.
4. The Council's last LDS was adopted in February 2019.

KEY INFORMATION

5. As described above, the Local Development Scheme (LDS) (Annex 1) is effectively the programme for the production of plans. An up to date LDS will give communities and other stakeholders certainty as to the Council's intended plan-making activities, so that they are aware and can engage at the appropriate time.
6. The Council's last LDS, which was amended in February 2019, anticipated adoption of the Development Management Plan (DMP) occurring in May/June 2019. However, the Council has only very recently received the 'fact check' version of the Inspector's Report. This delay in receiving the Report, together with the time which will be required to review its contents as part of the 'fact checking' process, means that an adoption in June is no longer achievable. For these reasons, the LDS must be revised to take account of this and now sets out a more realistic adoption date of

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September 2019. Separate reports will be brought forward in due course to Council to seek adoption of the DMP.

7. The previous iterations of the LDS also set out an initial timetable for potential preparation of a new Local Plan document to replace the current Core Strategy. However, at this stage, a review of the document – in accordance with Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) had not been completed.
8. This legally required review has now been completed and is presented to Council for adoption as a separate item at this meeting. Importantly, the review has concluded that none of the policies within the Core Strategy currently require modification or updating.
9. Subject to Council approving and adopting the conclusions of that review, it is therefore unnecessary to set out at this stage a programme/timetable for preparing a new plan. Hence, the revised LDS (Annex 1) therefore no longer includes such a timetable as, to do so, would provide uncertainty and confusion for communities and stakeholders.
10. Instead, the focus should be on continued positive delivery against the adopted plan. Adoption of the DMP in accordance with the timetable now set out in the LDS will support this ambition.
11. In accordance with national policy, the Council will need to continue to monitor and review the performance of the Core Strategy (and other adopted development plan documents). Should circumstances change such that it is concluded that any of the adopted documents (or policies within them) do require a partial or full update, the timetable for carrying out such work will be set out in subsequent iterations of the LDS, which would be brought forward for adoption by Council at the appropriate time.

OPTIONS

12. The options available to Council are set out below:
13. Option 1: Approve the LDS. Approving the LDS will ensure that the Council is complying with the requirements of Planning and Compulsory Purchase Act 2004. In addition, having an up-to-date LDS provides clarity for local communities and other stakeholders about what Local Plan documents are being prepared, the timetable for their production and when they may have formal opportunities to get involved.
14. Option 2: Do not approve the LDS: Without an up to date LDS, the Council would fail to comply with the requirements of the Planning and Compulsory Purchase Act 2004.

LEGAL IMPLICATIONS

15. The LDS must specify— (a) the local development documents which are to be development plan documents; (b) the subject matter and geographical area to which each development plan document is to relate; (c) which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities; (d) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee; and (e) the timetable for the preparation and revision of the development plan documents. The revised LDS at

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Annex 1 is considered to satisfy these requirements.

16. There are no statutory consultation requirements necessary for the preparation of a LDS.

FINANCIAL IMPLICATIONS

17. There are no direct financial implications arising from the adoption of the revised LDS.
18. Costs associated with preparing the Development Management Plan are already budgeted for. Costs associated with preparation of any future Local Plan documents that may be identified in subsequent iterations of the LDS will be identified and secured through the Council's normal processes for financial planning and budget setting.

EQUALITIES IMPLICATIONS

19. Adoption of the revised LDS is not considered to give rise to any equality implications. Equalities implications arising from the policies within any emerging or future Local Plan documents will be addressed through the preparation of those documents, with Equalities Impact Assessments carried out as necessary.

COMMUNICATION IMPLICATIONS

20. There are no communications implications arising from adoption of the LDS. The document will be made publicly available on the Council's website in the normal way, and in accordance with the relevant legislation.

HUMAN RESOURCES IMPLICATIONS (if applicable)

21. There are no direct financial implications arising from the adoption of the revised LDS.
22. Any human resources issues associated with preparation of any future Local Plan documents that may be identified in subsequent iterations of the LDS will be addressed through future reports on those documents. Preparation of Local Plan documents is normally carried out within the existing staffing structure and staff resources of the Planning Policy team.

RISK MANAGEMENT CONSIDERATIONS

23. There are no specific risk management issues associated with the adoption of the revised LDS.

OTHER IMPLICATIONS

24. No other implications have been identified.

CONSULTATION

25. No consultation has been undertaken or planned in respect of the LDS. There is no statutory requirement for public consultation when preparing or revising an LDS, nor

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any commitment to do so within the Council's Statement of Community Involvement (SCI).

POLICY FRAMEWORK

26. The LDS sets out the scope and timetable for the preparation of the Development Plan documents, which form part of the Council's Policy Framework.

BACKGROUND PAPERS

- Local Development Scheme (February 2019): http://www.reigate-banstead.gov.uk/download/downloads/id/5400/local_development_scheme_revised_february_2019.pdf

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Reigate & Banstead Borough Council

Local Development Scheme

Revised June 2019

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1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008 and the Localism Act 2011) requires a Local Planning Authority to prepare and maintain a Local Development Scheme (LDS). The LDS must set out the scope, and timetable for production/review, of Local Plan documents¹.
- 1.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended in 2017) also requires local planning authorities to complete a review of Local Plan documents every five years, starting from the date of their adoption, to determine whether they require updating.
- 1.3 This LDS supersedes and updates the previous version that was agreed in February 2019, and covers the period to 2023.
- 1.4 Following changes in legislation in 2011 and 2012² there is no longer a requirement for Local Planning Authorities to specify the timetables for producing other planning policy documents (such as Supplementary Planning Documents (SPD), the Community Infrastructure Levy (CIL) and the Statement of Community Involvement (SCI)) in the LDS.
- 1.5 This LDS was approved by the Council's Executive on 21 February 2019 and is brought into effect from 28 February 2019. A glossary of terms is provided at Annex 1.

2. Policy context

Legislation

- 2.1 The Planning and Compulsory Purchase Act 2004: This Act introduced requirements for the preparation of planning policy documents across England and Wales. This included requirements for Local Planning authorities to prepare Development Plan Documents (DPDs), a Statement of Community Involvement, and a Local Development Scheme
- 2.2 The Localism Act 2011: This Act introduced further changes to the planning system, including the abolition of regional spatial strategies, the introduction of a new duty to cooperate on local authorities, and new arrangements for neighbourhood planning.
- 2.3 The Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended): These regulations prescribe the form and content of a Local Plan documents and the Policies Map, and set out revised procedural arrangements for preparing Local Plans. As above, these regulations also prescribe that local planning authorities must review local development

¹ Known in the legislation as Development Plan Documents (DPDs)

² The Localism Act 2011 and the Town and Country Planning (Local Planning)(England) Regulations 2012

documents, including Local Plan documents and the SCI, within five years of their adoption to determine whether they require updating.

- 2.4 All legislation is available to view at <http://www.legislation.gov.uk>.

National policy and guidance

- 2.5 National Planning Policy Framework (NPPF): The NPPF was published in July 2018. It requires that local authorities plan positively to meet the development needs of their area; and that each local authority should produce a Local Plan for its area. Local Plans should be based around a presumption in favour of sustainable development and should set out strategic priorities for the area which should look ahead over a minimum of 15 years from adoption. The NPPF requires that plans are kept up-to-date, are based on joint working to address larger than local issues, and should provide a practical and deliverable framework within which decisions on planning applications can be made.
- 2.6 National Planning Practice Guidance (NPPG): The NPPG provides more detail about how the NPPF should be applied in practice. It provides more information about the process for preparing Local Plans, including evidence gathering, sustainability appraisal and public consultation.
- 2.7 The NPPF and NPPG are available online at <http://planningguidance.planningportal.gov.uk>.

The current Development Plan for Reigate & Banstead

- 2.8 Legislation and national planning policy require that decisions on planning applications are made in accordance with the Development Plan for a local area, unless material considerations indicate otherwise. The Development Plan in Reigate & Banstead currently comprises:
- a. The Core Strategy: The Reigate & Banstead Core Strategy was adopted in July 2014. It sets the overarching framework for planning and development in the borough until 2027, including the scale and location of growth. The Core Strategy has been subject to review under Regulation 10A of the Town and Country Planning (Local Planning)(England) Regulations 2012 (as amended) which has concluded that none of the policies within it currently require updating or modification. This review was adopted by the full Council at its meeting on 2 July 2019. The Core Strategy is available on the Council's website at www.reigate-banstead.gov.uk/corestrategy.
 - b. The Borough Local Plan: The Reigate & Banstead Borough Local Plan (BLP) was adopted in 2005. The majority of policies in the BLP were 'saved' by the Secretary of State in Autumn 2007. A small number of saved policies were replaced by policies within the Core Strategy; however the majority of BLP policies remain in effect, until such time as they are replaced by new policies. The BLP, and accompanying

Proposals Map, is available on the Council's website at <http://www.reigate-banstead.gov.uk/blp>.

- c. Minerals and Waste Planning Documents: Minerals and waste planning documents are prepared by Surrey County Council but form part of the Development Plan for the borough. The Surrey Minerals and Waste Development Framework comprises the following documents:
- (i) Surrey Waste Plan (2008)
 - (ii) Surrey Minerals Plan Core Strategy and Primary Aggregates Development Plan Document (2011)
 - (iii) Aggregates Recycling Joint Development Plan Document (2013).

- 2.9 These are available at <http://www.surreycc.gov.uk/environment-housing-and-planning/minerals-and-waste-policies-and-plans>.

Supplementary Planning Documents and Guidance

- 2.10 The Council has adopted a range of Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) to provide supporting information and additional detail on the implementation of policies included within adopted Development Plan documents. Whilst not a formal part of the Development Plan, SPD and SPG are material considerations in the determination of planning applications.
- 2.11 The Council's adopted SPD and SPG are available on the Council's website at <http://www.reigate-banstead.gov.uk/planningpolicy>.

Background evidence

- 2.12 Local Plans are prepared drawing on a wide range of technical evidence, to ensure that future planning policies and decisions are based on robust and up-to-date information.
- 2.13 Assessment of the implications of Local Plan documents is also required, including Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA). Evidence and appraisal documents are available on the Council's website at <http://www.reigate-banstead.gov.uk/planningpolicy>.

3. New planning policy documents

3.1 The following section provides a summary of the work planned on formal Local Plan documents. The key priorities are the preparation and adoption of the Development Management Plan.. Separate documents setting out the timetables for preparation of new/updated SPDs will be available on the Council's website where such documents are proposed.

3.2 Development Management Plan

3.3 At the time of preparation of this LDS, the Development Management Plan is undergoing Examination. The update to the timetable for this document reflects the need to carry out a period of further consultation on Main Modifications arising from the Examination process. This period of additional consultation will extend the timetable for the Examination process and, by consequence, the anticipated date of adoption of the document.

Overview	
Geographical area	Borough-wide
Description of content	Detailed policies to guide decision making on planning applications; Development site allocations
Chain of conformity	National Planning Policy Framework; Core Strategy
Type of document	Development Plan Document
Priority	High
Timetable and key milestones	
Preparatory work	Until June 2016
Regulation 18 consultation	August – October 2016
Regulation 19 publication	January – May 2018
Submission	August 2018
Examination	August 2018 – April 2019
Adoption	September 2019
Working arrangements	
Organisational lead	Director of Place
Political management	Executive Member for Planning Policy Development Management Plan Task Group Development Management Advisory Group
Internal resources	Officers: Planning Policy team; Other Council officers, including from Development Management, Regeneration, Economic Prosperity, and Property. Members: All members input into plan preparation process. Financial: staff costs, costs associated with public consultation, printing and the examination process (Planning Inspector and Programme Officer)
External resources	External consultants as required Stakeholder and community groups Developers and landowners Duty to Cooperate bodies Infrastructure Providers
Stakeholder involvement	Informal engagement with partners and stakeholders during

	<p>preparatory work, including those organisations that fall within the scope of the Duty to Cooperate. Public consultation on Preferred Options DMP, including a range of consultation methods as described in the Statement of Community Involvement. Statutory publication consultation on issues of soundness and legal compliance, and involvement at Examination stage.</p>
Evidence	
Key pieces of evidence:	Strategic Housing Land Availability Assessment; Green Belt Review; Infrastructure Delivery Plan; Sustainable Urban Extensions Study; Sustainability Appraisal; Habitats Regulations Assessment

3.4 Policies Map

Overview	
Geographical area	Borough-wide
Description of content	Map illustrating geographically the application of policies within the adopted Development Plan, including local and national policy designations and local and county development allocations.
Chain of conformity	Any Development Plan Document (including Core Strategy, DMP, Minerals and Waste Plans)
Type of document	Local Development Document
Priority	High
Timetable and key milestones	
Preparatory work	To be progressed on the same timetable as the DMP, and updated as required to incorporate any changes resulting from the adoption/review of other Development Plan documents.
Regulation 18 consultation	
Regulation 19 consultation	
Submission	
Examination	
Adoption	
Working arrangements	
Organisational lead	Director of Place
Political management	Executive Member for Planning Policy
Internal resources	Officers: Planning Policy team Financial: Costs associated with printing and online interactive mapping.
External resources	External companies may be required to undertake printing of policies map and preparation of interactive online map.
Stakeholder involvement	Stakeholder engagement undertaken as part of preparation of associated Development Plan documents (over this period, primarily the DMP).
Evidence	
Key pieces of evidence:	n/a

- 3.5 In light of the review undertaken and adopted by the full Council on 2 July 2019, it is concluded that the Core Strategy remains up to date at this present time and that none of the policies within it currently require modification or updating.
- 3.6 As such, the Council is not currently progressing preparation of any development plan documents other than the Development Management Plan (above) and the associated changes to the Policies Map.
- 3.7 In accordance with the provisions of the National Planning Policy Framework and accompanying national Planning Practice Guidance, the Council will continue to monitor and review adopted development plan documents. Should circumstances change, or should evidence indicate that the policies are no longer effective or aligned with national policy; the Council may determine that some, or all, of the policies require updating.
- 3.8 If this is the case, a timetable for bringing forward any partial or full updates will be set out in a subsequent iteration of the Local Development Scheme.

4. Risk assessment

- 4.1 It is important to identify the risks that could affect the work programme set out in this LDS, and consider how the risks may be minimised and mitigated. Identified risks are set out in Annex 2.

5. Monitoring and Review

- 5.1 The Council compiles an Authority Monitoring Report (AMR). Amongst other things this monitors progress against the milestones set out in the LDS. The AMR will identify whether milestones have been met, and if not, the reasons for this, and any proposed actions resulting from delays. It will also outline whether there has been any new technical information, changes to legislation/guidance, or other unforeseen circumstances that may warrant amendments to the LDS. The AMR will also monitor
- a. Policies in adopted plans to identify whether they are being successfully implemented
 - b. Progress towards the delivery of development targets in adopted plans
 - c. The delivery of allocated sites.
- 5.2 Where policies are not being implemented, development targets are not being met or allocated sites not being delivered, the AMR will identify management actions and / or contingency measures.
- 5.3 The latest AMR is available to view on the Council's website at <http://www.reigate-banstead.gov.uk/planningpolicy>.

6. Further information

- 6.1 For further information about this document, or about the preparation of Local Plan documents in Reigate & Banstead, please contact:

Email: ldf@reigate-banstead.gov.uk
Post: Planning Policy Team, Reigate & Banstead Borough Council,
Town Hall, Castlefield Road, Reigate, Surrey RH2 0SH
Tel: 01737 276178

- 6.2 If you wish to be added to our consultation database, to receive notifications about relevant consultations, please email the Planning Policy Team at the above email address or complete our Planning Policy mailing list [online form](#).

Annex 1: Glossary

Abbreviation	Term	Definition
AMR	Authority's Monitoring Report	Previously known as Annual Monitoring Report. Monitors progress in preparing Local Plan documents, and assesses the extent to which planning policies are being implemented successfully. Also updates monitoring information for key subject areas including housing, the economy and the environment.
CIL	Community Infrastructure Levy	Sets the financial contributions to be paid on new development in the borough, to fund a wide range of infrastructure to support development.
DP	Development Plan	Legislation requires decision making on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. Comprises DPDs and saved 'old-style' Local Plan policies
DPD	Development Plan Document	Local Development Documents that have Development Plan Status, and are subject to independent examination.
LDD	Local Development Document	A range of different types of planning policy documents, including DPDs, SPDs, the SCI and the LDS.
LDF	Local Development Framework	An overarching term for the suite of Local Development Documents prepared by a local authority.
LDS	Local Development Scheme	A three year project plan setting out the programme for the production of planning policy documents.
LP	Local Plan	The Development Plan Documents that together comprise the Development Plan for a local authority area.
NPPF	National Planning Policy Framework	Document setting out the Government's planning policies for England and how these are expected to be applied
NPPG/PPG	(National) Planning Policy Guidance	Additional guidance provided by Government about how the NPPF should be implemented.
SA	Sustainability Appraisal	Assesses the social, environmental and economic impact of policy options and proposed plans and projects to inform decision making.
SCI	Statement of Community Involvement	Document setting out who, how and when the Council will involve communities and other stakeholders in the preparation and review of planning policy documents and on planning applications.
SEA	Strategic Environmental Assessment	Assessment of the environmental impact of plans and programmes, required under European legislation.
SPD/SPG	Supplementary Planning Document/Guidance	Document providing supporting information and additional detail on how Local Plan policies should be implemented.

Annex 2: Risk Management

Risk	Likelihood	Impact	Possible consequences and mitigation
National policy changes	High	Medium	<p><u>Possible consequences:</u> Further changes to legislation/national policy and guidance may place different requirements on local authorities. The impact of these will be greater where they relate to strategic or cross-boundary issues such as housing needs. Such changes may require evidence to be reviewed and/or the content of any emerging plans to be adapted in response.</p> <p><u>Mitigation:</u> Emerging national legislation/policy will be closely monitored. Officers will carefully review and respond to Government consultations where these are likely to have implications for local plan making and, where relevant and necessary, will seek to engage with, relevant Government departments (such as MHCLG) and the Planning Inspectorate. Local Plan documents will be based on best information available at the time. Where possible and appropriate, flexibility will be built into evidence, external consultancy projects and draft policies to help minimise the impact of possible changes.</p>
Changes in local political control/leadership	Medium	Medium	<p><u>Possible consequences:</u> Changes political control or leadership could filter down into changes in corporate priorities which may have implications for the direction of travel for Local Plan documents. Political uncertainties may also result in delays in obtaining the necessary political approvals for consultation, submission or adoption of Local Plan documents.</p> <p><u>Mitigation:</u> Officers will work closely with the Leader & relevant Portfolio Holder, and other members through existing established advisory groups, to ensure that there is broad political understanding of the context, constraints and direction of travel for emerging Local Plan documents. Wider member engagement events may be held on important topics to assist with understanding and identify key issues or policy changes.</p>
Staffing and resources	Medium	High	<p><u>Possible consequences:</u> Government spending cuts will continue, placing more pressure on Council resources. The effects of this on the preparation of Local Plan documents could be direct (through pressures on planning policy staffing levels or budget) or indirect (through pressures on resources of other teams, which may affect their ability to support preparation). There are also separate risks in relation to staff retention and recruitment: the departure of members of staff from the team has potential to disrupt work on Local Plan documents, particularly if there are delays in recruiting suitable replacements.</p> <p><u>Mitigation:</u> At the macro level, the Council's plans to mitigate overall budgetary pressures are well advanced and should avoid significant unexpected resourcing changes or pressures. Robust and realistic budgeting will be undertaken as part of the project management of Local Plan documents to ensure that likely costs and resource implications are fully understood at the outset. Staff retention will be carefully monitored. The use of external consultants in the preparation of Local Plan documents will be tailored to reflect any pressures which may arise (e.g. a greater reliance of consultancy may be necessary if there is a sudden, prolonged staffing pressure or may be reduced – through preparing more evidence in-house - should a budgetary pressure arise). As a last resort, document preparation timetables may be adjusted.</p>
Resourcing of external agencies	High	Medium	<p><u>Possible consequences:</u> Spending cuts may also impact on Government agencies/bodies, including the Planning Inspectorate or statutory consultees such as Highways England or the Environment Agency. If these organisations have insufficient resources to respond to consultations or input into evidence in a timely manner, delays to document production timetables may result.</p>

			<p><u>Mitigation:</u> Officers will work closely, and maintain positive working relationships with, external agencies and will approach them as early as reasonably practicable where their input is required. This will provide the maximum possible time for possible resourcing risks to be identified and addressed. Flexibility will be built into the project management where input of external agencies is required. Officers will keep PINS informed about any timetable alterations</p>
High levels of public interest/high volume of consultation responses	High	Medium	<p><u>Possible consequences:</u> This risk would place pressures on staff and other resources due to the need to respond to enquiries, process, summarise and consider representations.</p> <p><u>Mitigation:</u> Where controversial topics are involved, high volumes of responses are to a degree unavoidable, particularly as the Council is tasked with ensuring that consultation reaches all those persons/organisations that may have an interest. Officers will work closely with the Council's Communications Team when issues that are likely to generate a high level of interest are consulted upon to put in place an appropriate strategy for communications. Procedures and consultation measures will seek to ensure that consultation responses can be processed as efficiently as possible. Additional time may need to be programmed into project plans to allow for the proper analysis of representations.</p>
Local Plan found not to be 'sound' or legally compliant	Low	High	<p><u>Possible consequences:</u> Matters of 'soundness' can generally be reconciled through modifications to the plan by the Inspector; however, this would potentially give rise to delays whilst additional evidence is prepared or consultation undertaken. Failings in the legal compliance of the preparation of the document would be more significant and would result in the need to revert back to earlier steps in the preparation process to correct deficiencies.</p> <p><u>Mitigation:</u> Officers will put in place procedures to ensure that all Local Plan documents are legally compliant and that all relevant statutory procedures/obligations associated with their preparation are satisfied, particularly in respect of Duty to Cooperate, Sustainability Appraisal, Habitats Regulations and public consultation. Appropriate working arrangements will be established with Duty to Cooperate bodies and these will be maintained throughout the preparation of Local Plan documents. Officers will seek to ensure that all evidence is robust and that an appropriate strategy is put forward in the Plan to minimise the risk of the document being found unsound. Early advice will be sought from PINS to ensure that soundness issues can be addressed promptly should they be identified.</p>
Evidence base becomes dated	Medium	Medium	<p><u>Possible consequences:</u> External factors may lead to the Council's evidence base becoming out of date. Additional delays to document preparation timetables as the result of other risk factors may also result in evidence documents becoming out of date.</p> <p><u>Mitigation:</u> Officers will monitor circumstances and national policy to ensure that, where changes can be anticipated, these are built into the preparation or evidence or the specification for external commissions. If unanticipated changes or delays render evidence dated, Officers will prepare or commission updated evidence studies where necessary and as quickly as possible.</p>
Joint working with neighbouring authorities	Medium	High	<p><u>Possible consequences:</u> Joint working with neighbouring authorities is a statutory requirement of the Localism Act (the Duty to Cooperate) and the requirements in this respect have been heightened through the 2018 NPPF. Reaching common ground on challenging strategic issues such as unmet housing needs is not always straightforward and achieving the necessary officer and political sign up may take time resulting in delays. Different local authorities are at different stages in the plan making process which can also present</p>

			<p>challenges. <u>Mitigation:</u> Appropriate working arrangements will be established with Duty to Cooperate bodies and these will be maintained throughout the preparation of Local Plan documents. Officers will continue to work closely with neighbouring authorities to share plan development timetables and will maintain positive working relationships. Officers will work closely with the Leader & relevant Portfolio Holder to ensure appropriate political engagement.</p>
Legal challenge	Medium	High	<p><u>Possible consequences:</u> External parties may seek to legally challenge all or part of Local Plan documents. Even an unsuccessful challenge would introduce risk of significant delay to formal adoption, along with associated cost in resisting such a challenge through the Courts. <u>Mitigation:</u> Officers will put in place procedures to ensure that all Local Plan documents are legally compliant and that all relevant statutory procedures/obligations associated with their preparation are satisfied, particularly in respect of Duty to Cooperate, Sustainability Appraisal, Habitats Regulations and public consultation. Close working with the Council's Legal team will be maintained throughout the preparation process and external legal advice (Counsel opinion) may also be sought should specific issues arise. Officers will also maintain a close dialogue with PINS to ensure procedures are satisfied.</p>

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