

BOROUGH OF REIGATE AND BANSTEAD
LOCAL PLAN SCRUTINY REVIEW PANEL

Minutes of a meeting of the Local Plan Scrutiny Review Panel held Remotely - Virtual Meeting on 25 August 2021 at 6.30 pm.

Present: Councillors: Councillors R. Absalom, M. Blacker, S. Kulka, S. McKenna, S. Parnall, M. Tary, C. Whinney

Officers: Ian Dunsford (Planning Policy Manager), Jessica Ferguson (Planning Policy Officer)

1. APOLOGIES

Apologies for absence were received from Councillor McKenna.

2. ELECTION OF PANEL CHAIR

Councillor Parnall was elected as Chair of the Panel (proposed by Councillor Blacker and seconded by Councillor Absalom).

3. PUBLIC CONSULTATION REPRESENTATIONS TO CLIMATE CHANGE AND SUSTAINABLE CONSTRUCTION SPD AND RESPONSES

Ian Dunsford, Planning Policy Manager, gave an overview of the public consultation representations to the Climate Change and Sustainable Construction Supplementary Planning Document (SPD) set out in the Panel's agenda pack. This would form Annex 1 of the report to Overview and Scrutiny Committee on 9 September and to Executive for final approval of the SPD on 16 September. This included the Planning Policy team's responses to each of the consultees' representations set out over 48 pages. There were 27 responses, many quite detailed, to the public consultation (and some no comments). Consultees ranged from individuals to local residents' associations and statutory bodies such as Gatwick Airport and Historic England. It was noted that the final published SPD document was an advisory document for planners and residents to be used in any pre-planning applications discussions and to support planning applications.

In response to Member questions, it was confirmed that the Council was required to review the Local Plan Core Strategy by July 2024 and therefore the Development Management Plan also and that this future review would include revisiting existing climate change and sustainable development policies. This would be clarified once future proposed legislative changes to planning reform was published by the Government following the *Planning for the Future* White Paper consultation last year.

Members agreed that there needed to be a reference to compliance with changes to national policy and legislation, in regard to the White Paper.

The colour code in Annex 1 was Yellow (no suggestions made), Green (suggestions taken on board) and Blue (suggestions agreed). Panel Members reviewed the suggestions highlighted in green in Annex 1 and made other comments and observations on the document set out below. Further comments on the changes to the SPD document itself were circulated to Panel Members and officers following the meeting.

4. PANEL DISCUSSION AND OBSERVATIONS

Panel Members made the following observations and comments:

- **Net Zero Carbon Pledge** – (representation 0009 – chapters 1 and 2). It was noted that the Full Council had agreed not to join the Net Zero Carbon Pledge but through the Local Plan and Environmental Sustainability Action Plan, the Council was working towards reducing carbon emissions in line with national objectives. Members asked how the Council's approach differed from the pledge. Members also asked how the timelines on sustainability were being measured although it was recognised that this did not form part of the SPD's remit (although the document does address some of the Action Plan's indicators). (*Clerk's note: Environmental Sustainability Strategy on Overview & Scrutiny Committee's Forward Work Programme 2021/22 for review in October*).
- **Building Regulations** – the Buildings Regulations consultation 2021 – Future Buildings Standard had been added to the document in para 2.23, in response to representation 022. Part of these recent proposals included a significant uplift in the required standards above the 2013 standards on which Local Plan policies are based. It was noted that the SPD was advisory and drawn up and published in a set point of time. The SPD was based on the 2013 standards as the consultation was ongoing with the new regulations to be adopted in 2022 but points in the direction of likely future requirements.
- **Electric vehicle charging points** – para 3.18 in the SPD highlighted that charging points should be located in safe, accessible, and convenient locations and developments should provide the advance provisions of cabling and ducting in line with national planning policy. Members requested clarification about electric vehicle charging points in flats and houses of multiple occupancy – could developers be compelled to put charging points in relevant car parking areas? It was confirmed that this was part of current planning policy. Members requested specific clarification in the SPD to confirm to residents' associations that this was already part of planning policy.
- **Larger parking spaces for EV charging** – Relating to representation 0015 in chapter 3, it was noted that the DMP (adopted in 2019) set car parking standard which included the size of parking spaces and requirements for EV charging infrastructure.

- **Underground parking** – raised by representation 0019 – Members questioned as to why it only stated that it was noted. It was agreed that there was a need for comment and for the response to be colour coded. Parking underground was recognised as a good idea in some ways but also costly (possibly in environmental terms as well as financial).
- **Battery charging and storage facilities** – Representation 0022 (in chapter 6) was debated. This was the observation that there was ‘a sea change in the efficiency of battery storage was underway which will change the face of domestic microgeneration’. Officers confirmed that reference to battery systems was included in the SPD but there remained limitations in the quantity of rare earths available to meet long term demand.
- **Residential developments and 20 mph zones** – Raised in relation to representation 0019 regarding chapter 3. Members commented that although these zones did contribute to road safety prevention for residents, they were often not enforced by the police. However, it was a Surrey County Council matter who were carrying out a public consultation on the SCC Local Transport Plan until 24 October 2021.
- **Construction management statements** – the Tadworth & Walton Residents’ Association’s response (representation 0009) that construction management statements should cover all environmental issues was raised. It was agreed that these statements needed to be proportionate for the scale and type of development proposed. The inclusion of all environmental issues could be onerous for small and modest scale developments. Members requested alternative wording to allow for careful choices in what should be included.
- **House standards - Passivhaus** – Relating to representation 0003 – it was agreed that house standards (such as Passivhaus) were commendable but too difficult to impose and build and could make housing too expensive for potential buyers. (The SPD set out suggested standards).
- **Crane heights** – Gatwick Airport Ltd had raised issues in regard to crane heights and other construction management areas which had been noted. These were outside the remit of this SPD which was to amplify policy in regard to climate/sustainability issues.
- **Extensions to older buildings** – representation 0015 suggested that extensions to older buildings should be fully insulated (over a threshold size), such as insulation of suspended floors of 1930s housing stock, but it was agreed that this was a Building Regulations matter and consequently outside the remit of this SPD.
- **Gas boilers** – (Representation 0015). The Panel discussed the Government’s intention to halt the installation of gas boilers in new development from 2025; gas connections were already becoming less common in new developments. However, future occupiers still would have the choice to install such connections. Micro CHP boilers use a variety of fuel options including main supplied gas

- **Thermal mass** – (Representation 0022/chapter 5) – it was identified that, if poorly designed, this can potentially exacerbate night-time temperatures without active cooling so areas of glazing may need to be limited and external shades were important. Officers noted an understanding of the consultee's concerns but that the SPD was seeking to provide guidance as to what was possible so as to minimise active cooling.
- **Shop front ventilation** – Inclusion of shop fronts and improved ventilation (representation 0027) in crowded shops was noted by officers as being more suitable for inclusion under a review of the shop fronts guidance when this occurred. It was also noted that this was addressed under building regulations.
- **Solar panels on roofs** – The importance of this technology was raised in several representations, including suggestions that it should become mandatory. It was noted that the draft SPD does not set new policy and cannot compel developers to use solar panels specifically. It sets out a range of measures to fulfil the Local Plan policy requirements which included the use of solar panels where appropriate. There was Panel discussion arising from this, including that the policy was changing quickly and that it could become mandatory anyway. It was also noted by Members that these were sometimes required under planning conditions or informatives. Officers highlighted that the document encouraged developers to consider a bespoke range of technologies for meeting the required targets.
- **Air and ground-source heat pumps** – These were raised in representations, including in regard to the use of multiple boreholes for ground-source heat pumps. The Panel discussed whether heat pumps could be made mandatory, but it was agreed that the SPD was not the right vehicle for this or that it could cover additional details on boreholes. It was discussed how the sustainability team was encouraging residents to do more to fit this source of heating homes but also how they were quite expensive and that developers should be mindful of the noise generated by pumps. New planning applications considered this area. It was noted that retrofitting was expensive or not possible.
- **Urban Blue Corridors or water features (blue infrastructure)** – (representation 0013 Environment Agency) – the Panel felt that these comments represented a way of thinking about opportunities and solutions to issues such as urban flood risk management. It was noted that water sources could attract mosquitos in a future climate change global warming scenario so to be mindful of this.
- **Wind turbines** – Raised in a number of representations – the document presented a range of options for use alone or in combination with other technologies. The need for energy from wind formed part of a wider energy strategy outside the remit of this SPD.
- **Pre-emptive tree felling** – In relation to responses from the public, Members discussed whether any tree or shrub which is removed in the six months

before the submission of a planning application, and which provided shading and/or screening for neighbouring properties be replaced. It was discussed as to whether this could be addressed at a Local Plan review in the future along with general tree preservation.

- **Biomass combustion to heat large buildings** – responses highlighted that this was an important renewable energy source. However, there remained issues on removing trees to burn them which contributed to air pollution when they could be absorbing carbon from the atmosphere. Anaerobic digestion was also discussed and agreed to be a challenging issue outside the SPD's scope. A representor's request for an extended catchment from the airport to 13km was noted as this had been rejected as this was outside the Borough Council's boundaries.
- **Tree species** – There was some discussion regarding tree species and that some issues would be covered by a separate biodiversity SPD. Further guidance had been incorporated about different types of species raised by Surrey Wildlife Trust.
- **Subsidence and tree roots** – Relating to representation 0009 – the need for deep enough foundations to avoid subsidence close to trees, especially on clay, was noted. Such matters should be covered through building regulations.
- **Pre-planning applications** – there was a pre-application process and the sustainability checklist contained in the SPD would form part of the discussions for development management officers to use when reviewing those submitted as part of the applications and engaging with developers.
- **Off-site modern methods of construction** – agreed that additional wording in par 10.22 and a footnote would be added following representation from Raven Housing Trust about how off-site modern methods of construction can significantly reduce the amount of water used in construction.
- **Historic England** – references and links provided by the organisation on the impact of developments on heritage sites was included to inform the chapter on conservation areas.
- **Swift bricks** – it was clarified that swift bricks were nesting bricks in new developments for birds such as swifts.
- **Gatwick Airport flightpath and flocking birds** – Gatwick Airport Ltd had supported measures included to the draft but had requested a number of additional requirements. Paragraph 7.45 of the draft SPD included requirement for care to be taken in developments in the south of the borough close to the airport. Additional wording had been added to the SPD regarding careful consideration where there was open water or certain types of green roofs which can attract corvids and pigeons. Nonetheless, it was highlighted that most green roofs attract smaller birds, and these were of lower risk to aircraft. It was agreed that a careful judgement needed to be made for each

new planning application and that the document presented a reasoned requirement.

- **Water resources issues raised** – Members agreed regarding the document's content regarding water run-off. It was raised however that it should be recognised that much of the RBBC area is covered by South East Surrey Water (not just Thames Water). Grey water recommendations and advice were approved.
- **Other items** – a neutral stance had been taken on responses to a proposed crematorium in Woodhatch, as this was subject to a planning application.

Panel Members thanked Planning Policy Manager, Ian Dunsford, and Planning Policy Officer, Jessica Ferguson, for their work on updating the detailed Climate Change Supplementary Planning Document which would be an extremely useful reference guide for developers, planners, and residents alike. Any further feedback from Members was to be provided to Planning Policy.

It was **AGREED** that the Climate Change and Sustainable Supplementary Planning Document (SPD) be commended to Overview and Scrutiny Committee for consideration at its 9 September 2021 meeting with Panel Members' observations on the public consultation responses recorded in these Minutes.

5. ANY OTHER BUSINESS

There was no other business discussed.

The Meeting closed at 8.05pm.