

Agenda Item 9

Executive Member	Cllr Sarah Seed
Strategic Management Team Lead Officer	Paul Feehily
Author	Jack Straw
Telephone	01306 879246/
Email	jack.straw@molevalley.gov.uk
Date	22 nd March 2016

Ward (s) affected	All	Key Decision	Yes
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Subject	Considering community views on sites suggested by developers and landowners for inclusion in the Mole Valley Local Plan.
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RECOMMENDATIONS

That MVDC reconfirms its commitment to listening to the views of local communities and giving them significant weight when considering sites that are suggested for development by land owners and developers during the process of preparing the Mole Valley Local Plan.

EXECUTIVE SUMMARY

The report explains that it is important that MVDC listens to the views of local communities and gives them significant weight in considering sites which are put forward for development by landowners and developers during the process of preparing the new Mole Valley Local Plan. It suggests how community opinion can help contribute to informing the decisions that will need to be taken by MVDC during the preparation of the Mole Valley Local Plan.

CORPORATE PRIORITY OUTCOMES

ENVIRONMENT

- **Protect and enhance the natural and built environment and ensure our areas of natural beauty are well looked after.**
- **In consultation with the community, develop plans for how land is used in Mole Valley. Whilst safeguarding the Green Belt, we will set out proposals for jobs and homes, retail, leisure and commercial development.**
- **Identify opportunities to create more affordable housing.**

Prosperity

- **Begin the transformation of Leatherhead town centre.**
- **Work with rural communities and businesses to help them thrive.**

- **Promote the culture and economy of the market town of Dorking.**
- **Promote business opportunities across the District.**

Community Wellbeing

- **Improve opportunities for residents to live active lives.**

The report proposes an approach that will enable MVDC to take into account the views of local communities to development proposals that are put forward during the process of preparing the new Mole Valley Local Plan in such a way as to contribute to the delivery of these corporate priorities.

The Executive has the authority to determine the Recommendations

1. Introduction / Background

- 1.1 At the meeting of Council on 14th October 2014 a motion was jointly proposed and seconded by Councillors Stephen Cooksey and James Friend. The motion had four elements, including the proposition that the Council informs the Planning Policy Working Group that it will not support proposals for the exclusion of land from the Green Belt and its allocation for development in the Housing and Traveller Sites Plan which do not have the support and consent of the local community and which continue to contribute to Green Belt aims.
- 1.2 In the event, the motion was withdrawn following a statement by the Executive Member for Planning in which he expressed his intention to bring forward a paper to the Executive outlining his proposals for the preparation of a new Local Plan instead of continuing with the Housing and Traveller Sites Plan.
- 1.3 The Executive subsequently agreed to terminate the preparation of the Housing and Traveller Sites Plan on the 9th December 2014. At the same time it also agreed that in order to fulfil MVDC's wider planning responsibilities, including the protection of the Green Belt, the Council takes the preliminary steps necessary to prepare a new Local Plan in line with the requirements of the National Planning Policy Framework.
- 1.4 This report considers how the intention behind the withdrawn motion can be formally adopted in a way that allows it to be taken into account in the preparation of the new Mole Valley Local Plan.

2. The issues

- 2.1 The National Planning Policy Framework (NPPF) sets out the twelve core land use planning principles that local planning authorities are required to follow. The first principle is that planning should be genuinely plan-led¹, empowering local people to shape their surroundings with succinct local and neighbourhood plans

¹ That is, through Local Plans and Neighbourhood Development Plans

- setting out a positive vision for the future of the area.
- 2.2 The NPPF also explains the need for early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. It also advises that a wide selection of the community should be proactively engaged, so that Local Plans, as far as possible reflect a collective vision and set of agreed priorities for the sustainable development of the area.
 - 2.3 Against this background, the Government has set local planning authorities a significant challenge to deliver sustainable development. For plan making this means preparing Local Plans that meet objectively assessed needs for homes and jobs unless any impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the Framework indicate development should be restricted. Such policies include those relating to land designated as Green Belt.
 - 2.4 In Mole Valley, seventy five percent of the District is within the Metropolitan Green Belt; fifteen percent is countryside beyond the Green Belt and ten percent is built up. This poses significant constraints on accommodating new development to meet the objectively assessed needs for housing and economic growth.
 - 2.5 In preparing the new Local Plan it will be necessary to consider the extent to which identified needs can be accommodated outside those areas such as the Green Belt where national policy indicates development may need to be restricted. A Planning Inspector examining a Local Plan for Mole Valley would expect its preparation process to have assessed whether areas of land that are currently in the Green Belt continue to meet the Green Belt's purposes, as set out in the NPPF, or whether there are parts of the Green Belt which could be used to contribute to meeting housing needs.
 - 2.6 It is evident that the Green Belt will constrain MVDC from meeting the District's objectively assessed housing and other development needs; it is for MVDC to consider whether those needs amount to the exceptional circumstances that the NPPF says could justify altering Green Belt boundaries and include proposals to amend the Green Belt boundary through the preparation of the Local Plan.
 - 2.7 MVDC will be required to have in place robust and credible evidence to support its decision. This will include a housing needs assessment, a study of the Green Belt and an assessment of housing land availability. These pieces of evidence will provide the foundations for the new Local Plan and inform the development of a spatial planning policy which will establish in broad terms where new development should be directed and the scale of development that should be planned for.
 - 2.8 In addition, the selection of sites will also be informed by a range of other planning considerations. These will include site specific matters, for example whether development would help deliver infrastructure which local communities wish to see, highway issues, loss or effect on trees, conservation, landscape and flooding issues.

- 2.9 While the original proposed motion was specifically focused on not supporting the allocation of Green Belt sites for development in the Mole Valley Local Plan that did not have community support and consent, similar considerations should also be applied to sites outside the Green Belt that are put forward for inclusion in the Local Plan.
- 2.10 The challenge therefore is to listen to the views of local communities and also deliver the Government's requirements which are articulated in the NPPF. This will require balancing all the evidence and arguments to arrive at a collective vision and a set of agreed priorities for the delivery of sustainable development in the District.

A suggested way forward

- 2.11 Preparing a new Local Plan for Mole Valley District is a positive response to the NPPF's first principle that planning should "be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area".
- 2.12 The identification of suitable land to provide a supply for new homes over the next ten to fifteen years will be a sensitive and challenging aspect of the new Mole Valley Local Plan. This will require early and meaningful engagement to ensure the Local Plan reflects a collective vision and a set of agreed priorities for the provision of sustainable development in the District in a way that satisfies the Government's NPPF agenda for providing new homes and jobs.
- 2.13 MVDC will need to listen to the views of local communities and help them by providing accessible and understandable information about the process of preparing a Local Plan and the benefits of doing so and facts about sites that developers and land owners suggest should be allocated for development.
- 2.14 The assessment of sites which developers suggest should be allocated for homes and jobs will need to be informed by a number of factors. These will include the character of the host area, in the case of Green Belt sites the contribution the land makes to the purposes of the Green Belt (as defined in the NPPF), sustainability appraisal, compatibility with MVDC's strategy for the location of development and site specific considerations as referred to above in paragraph 2.8.
- 2.15 At each stage in the preparation of the Local Plan, information about all the sites (both within and outside the Green Belt) which landowners and developers suggest should be allocated for development in the new Local Plan will be collected and used to form the basis of informed conversations with local communities to find out their views on what has been suggested. These community conversations will be an integral part of the process of preparing the Local Plan, and reflect the MVDC priority to consult local communities in the preparation of development plans and its guiding principle that it listens to and involves residents in its decision making.
- 2.16 It would be unreasonable and potentially challengeable to adopt an approach that rules out any site which is put forward for allocation for development solely on the

grounds that it did not have community support as other material considerations will need to be taken into account and balanced against the views of the community. Moreover, the term “community support” is extremely broad and open to a range of interpretations and it is difficult to see how it could be defined satisfactorily with any degree of precision.

2.17 It will therefore be necessary balance the weight to be given to the views of the community in which a proposed site is located against other relevant planning considerations. These will include the NPPF’s requirement to make provision for identified development needs, whether in the case of Green Belt sites they continue to meet the Green Belt’s purposes, whether the site reflects MVDC’s spatial strategy for new development and site specific considerations.

2.18 Nevertheless, it would be reasonable to make it clear that in considering sites that are put forward by landowners and developers during the process of preparing the Local Plan, MVDC will listen to the views of local communities and give them give significant weight when making decisions on the Local Plan’s content.

2.19 This approach of providing information to local communities about sites that are promoted for development through the Local Plan and then listening to and involving residents in the process of preparing the Local Plan, reflect the guiding principles behind the Corporate Strategy.

3. Financial Implications – None directly as a result of this report.

4. Legal Implications – There is the possibility that by agreeing to take a position to rule out the exclusion of land from the Green Belt and its allocation for development in advance of the consideration of those sites through the Local Plan process could be challenged on the grounds that MVDC is prejudging its position in the absence of assessing all the evidence that it will need to take into account in preparing the Local Plan. The proposed approach has sought to strike a balance between the objective of safeguarding the Green Belt, listening to the views of communities and following the guidance in the National Planning Policy Framework.

5. OPTIONS

5.1 Approve the recommendation to make it explicit that MVDC will listen to the views of communities which will be given significant weight in the consideration of proposals by land owners and developers promoting the development of sites through the process of preparing the Mole Valley Local Plan.

5.2 Amend the proposed recommendation

5.3 Not approve the proposed recommendation.

6. CORPORATE IMPLICATIONS

Monitoring Officer commentary - The Monitoring Officer is satisfied that all relevant legal implications have been taken into account.

S151 Officer commentary – The s151 officer confirms that all relevant financial implications and risks have been taken into account in this report.

Risk Implications – It is necessary to balance the views of local communities with other planning considerations when considering the allocation of sites in a Local Plan and not to adopt a position that could be seen as prejudging or predetermining the outcome of the process of preparing a Local Plan.

Equalities Implications – There are no equalities implications as a direct result of this report. However, the new Local Plan will be subject to an equalities impact assessment.

Employment Issues – None for the recommended option.

Consultation – The report has been considered by the Planning Policy Working Group and the Scrutiny Committee.

Communications – a press release has been prepared.

BACKGROUND PAPERS

None