

**EXECUTIVE**

**THURSDAY, 26TH MAY, 2022**

**LATE SHEET**

**Agenda No    Item**

10. **Item 6 - Appendix 5 Submission of Local Plan: Development Management Policies - JEAB Comments (Pages 1 - 4)**

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## SUBMISSION LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES – SUMMARY OF JEAB COMMENTS

The Joint Executive Advisory Board (JEAB) was invited to consider the Submission Local Plan: Development Management Policies at its meeting held on 10 May 2022. In his introduction to the Plan, the Lead Councillor with portfolio responsibility for Strategic Planning invited comments thereon from the JEAB and advised members that there were three main response options open to the JEAB, namely to:

1. Support the recommendation in the covering report to the Executive that the Plan be approved for submission to the Secretary of State for examination in public by an Inspector.
2. Seek significant modifications to the policies within the Plan, which would require a further Regulation 19 public consultation delaying adoption and implementation of the Plan.
3. Suggest minor amendments as improvements to the Plan, which could be submitted to officers and the Inspector for consideration without incurring the need for a further public consultation exercise.

Having discussed the Plan, the JEAB agreed to support option 3 and requested that the following suggested minor alterations be put forward for consideration as improvements to the Plan and that the other related points be noted:

<b>JEAB Comment</b>	<b>Further officer consideration*</b>
a) With regard to Policy D14: Carbon Emissions from Buildings, the terminology be strengthened from the word 'encourage' to 'expect' to add more weight to the policy and reflect possible future climate change scenarios. However, this would need to be balanced against any associated viability implications such as a reduction in affordable housing provision	Including such a change in the plan would reflect a main modification which would be subject to consultation.
b) Whilst passive heat control measures are supported, the possible need in some developments for mechanical methods to tackle overheating, such as conventional air conditioning, be recognised in the Plan	The draft Plan requires development to maximise passive cooling measures and exclude conventional air conditioning in line with the cooling hierarchy at 5.231. It also requires overheating to be fully addressed. Where passive measures would not be adequate, mechanical ventilation can be considered and, as a last resort, air conditioning may be considered in line with the hierarchy. The planning system allows for sufficient flexibility that air conditioning will be permissible where shown to be necessary to address overheating.
c) The sharing of the Plan with Waverley Borough Council and possible future collaboration in this area is welcomed	Noted.
d) In relation to Policy H8: First Homes, there is concern that this policy, in conjunction with first homes being the Government's preferred	The requirement of min. 25% of affordable homes as First Homes is in line with Government policy (PPG: First

<b>JEAB Comment</b>	<b>Further officer consideration*</b>
discounted market tenure needing to account for at least 25% of all affordable housing units, there is limited availability of affordable social rented housing	Homes). Para 2.53 of the draft Plan explains that the requirement for First Homes delivery will not impede the requirement in LPSS 2019 Policy H2: Affordable Homes that 70% of all affordable homes delivered through affordable housing contributions will be for affordable rent.
e) Regarding Policy D9: Residential Infill Development Proposals, some of the definitions do not appear to accord fully with sections of the Borough's Local Plan: Strategy and Sites document and this should be rectified	It is considered that the draft Plan at para 5.102 provides this clarity, along with para 5.91 which seeks to distinguish between the definition of 'infill development' (as per Policy D9: Residential Infill Development Proposals) and 'limited infilling' (As per LPSS Policy P2: Green Belt).
f) The proposed implementation of minimum garage dimensions, under Policy ID11: Parking Standards, is welcomed.	Noted.
g) Attention is drawn to the previously circulated points raised by Councillor Catherine Young which have been considered by the Local Plan Panel.	Noted and that they have been considered by the Local Plan Panel.
h) An incomplete document consisting of the responses to the Regulation 19 consultation circulated to all councillors requires some further work to inform policies in the Plan	A draft consultation statement is now complete and attached to the committee report and includes responses to the Regulation 19 comments.
i) Maximum height standards for developments should be included in the Plan to protect affordable housing viability and views etc.	This issue has been considered. Setting of height limits is not considered appropriate as it will vary depending on a site's location and context. Including such a change in the plan would reflect a main modification which would be subject to consultation.
j) The Plan should reflect the preference for development in Guildford town centre in order to protect the villages, green field sites and the green belt.	The draft Plan provides the more detailed policies to be used in the determination of planning applications and does not allocate sites or address the borough's spatial development strategy (these are included in the LPSS).
k) There should be stronger protection, such as extended buffer zones, for ancient woodland, as recommended by Natural England.	The draft Plan implements the 15m minimum buffer set out in Natural England's standing advice and acknowledges that in some circumstances the buffer will need to be larger. The plan prohibits harm to Ancient Woodland through its stringent protection for irreplaceable habitats. Natural England have been consulted and have not recommended a wider min. buffer.

<b>JEAB Comment</b>	<b>Further officer consideration*</b>
	Requiring a greater min. buffer in all cases within the draft Plan would reflect a main modification which would be subject to consultation. However, a minor modification is proposed at Para 4.70 to aid clarity reflecting that in certain cases a buffer of greater than the minimum 15m may be necessary (see Appendix 3).
l) The settings of historic buildings and non-designated heritage assets should be clearly defined for their protection.	It is considered that the draft Plan defines 'setting,' e.g. under para 5.399 and further offers appropriate protection to the setting of heritage assets. For non-designated heritage assets, Policy D20 para 2b) expects that development proposals 'are designed and sited so as to conserve the asset...and its setting.' The minor modification proposed at para 5.262 (see Appendix 3) is of a factual nature and does not dilute the protection offered by the policy.
m) The wording of the Plan should be strengthened to assist the Planning Committee when determining planning applications.	The policies have been developed to assist in and provide a basis for decision-making. Wording is considered to be justified.

\*a number of these comments are included as further clarification post the EAB meeting.

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