

29 July 2015

Delivered by email and post

Planning Policy
Woking Borough Council
Civic Offices
Gloucester Square
Woking
Surrey
GU21 6YL

Dear Sirs

REPRESENTATION ON BEHALF OF TAYLOR WIMPEY TO THE SITE ALLOCATIONS DPD

We are pleased to have this opportunity to comment on the Regulation 18 consultation version of the Woking Site Allocations Development Plan Document. Turley is acting on behalf of Taylor Wimpey who has an interest in land to the west of Byfleet. The site contains two parcels, which are specifically referred to in the document as GB4: Land south of High Road, Byfleet KT14 7QL and GB5: Land to the south of Murray's Lane, Byfleet, KT14 7NE.

Our client has commissioned detailed site assessment and master planning work in order to better understand the opportunities and constraints at the site. This has considered matters such as flood risk, drainage, utilities, archaeology, highways capacity, trees, ecology, noise and services. This work has confirmed that the two parcels are suitable for housing development and could cumulatively accommodate in the region of 185 dwellings. This would include a substantial proportion of affordable housing, significant green infrastructure, and improvements to local infrastructure including transport and drainage. Our client is in control of the land, which is available for development immediately, subject to the submission of a successful planning application.

We have reviewed the draft Site Allocations document and whilst we welcome the acknowledgement in *Policy SA1: Overall policy framework for land released from the Green Belt for development*, that our client's land should be released from the Green Belt for housing development, we question the justification for delaying this until post 2027. This delay appears contrary to the clear housing delivery objectives within the Woking Core Strategy and the National Planning Policy Framework (NPPF). Furthermore the Council's preferred strategy does not appear to be supported by clear evidence and is indeed contrary to the advice provided in the Council's own Green Belt Boundary Review report (2014). Our detailed comments on the document are set out below and repeated on the attached comment forms.

6th Floor North
2 Charlotte Place
Southampton
SO14 0TB

Paragraph / Policy	Comment
<p>Introduction (pages 2-3)</p>	<p><i>Core Strategy housing requirement</i></p> <p>Page 3 confirms that the purpose of the document is to allocate land to meet the Core Strategy requirements, which for housing is considered to be the delivery of 4,964 dwellings. However, it is important to note that the Core Strategy housing requirement of 4,964 (or 292 dwellings per annum) is only the minimum that is required during the plan period to 2027.</p> <p>In terms of delivery to date, the Five Year Housing Land Supply Position Statement (December 2014) identifies that 964 dwellings (net) have been completed since the start of the plan period, which leaves a minimum of 4,000 homes to be delivered to 2027. We note that the sites proposed for allocation in this plan have a capacity of around 4,077 homes (split between 3,206 on urban sites and 871 on the Green Belt sites), which is only marginally above the minimum requirement.</p> <p>Paragraph 14 of the NPPF emphasizes that the presumption in favour of sustainable development means for plan-making that “<i>Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change</i>”, unless any adverse impacts of doing so would outweigh the benefits or would result in conflict with other policies in the NPPF.</p> <p>In this case Woking’s housing requirement of 292 dpa is only the minimum that should be provided and as accepted at the Core Strategy examination, does not represent objectively assessed needs. The Draft Allocations plan is therefore in conflict with NPPF para. 14 as it neither allocates enough land to meet objectively assessed need or provides any flexibility to adapt to rapid change. The Draft Allocations document relies on the delivery of housing from a small number of sites over the plan period, despite acknowledging that further sites are suitable for development through its safeguarding policies.</p> <p>In summary we consider that given the clear evidence of urgent housing need in Woking Borough, there is no justification for the Council to hold back the release of suitable land (including sites within the Green Belt) over the plan period simply because it might result in an over delivery of housing against the adopted Core Strategy housing requirement. We do not consider this to be an approach that accords with the NPPF’s positively prepared, justified or effective tests of soundness.</p> <p><i>Urgent housing need in Woking</i></p> <p>To emphasize our position it is relevant to consider the issue of housing need in Woking. During the Core Strategy examination process, the affordable housing need alone was accepted as being 499 dwellings per annum with the West Surrey SHMA identifying an overall need in the Borough of 594 dpa. The 292 dpa figure in the Core Strategy does not therefore represent the objectively assessed need as confirmed in paras. 78 and 91 of the Inspector’s report.</p> <p>The Council has since sought to update its evidence base with the</p>

commissioning of the West Surrey SHMA update, with the draft version published in December 2014. This identified an OAN for Woking (using a NPPF / NPPG compliant methodology) between 390 and 588 dpa in the period to 2031, the upper range influenced by achieving greater levels of economic growth. The report states that *“In the absence of development constraints, the higher end of the range shown above could potentially be considered to represent the full ‘objectively assessed need’ (OAN) for housing.”*

It is evident that both the analysis that informed the Core Strategy and subsequent update work demonstrates that the true picture of housing need in Woking over the plan period will remain significantly higher than the 292 dpa requirement set out in the adopted Core Strategy.

The Inspector accepted the 292 dpa in 2012 principally due to the absence of a Green Belt review, meaning no evidence was available to confirm if any land could reasonably be released from the Green Belt to assist in meeting a higher proportion of the identified need. The Inspector also noted the opportunity for joint working with adjoining authorities as having potential for some unmet need to be met elsewhere in the housing market area.

In balancing the housing need issue in the absence of a Green Belt review (that could have identified additional supply to support a higher housing requirement) the Inspector duly chose to make two fundamental changes to the Core Strategy in order for it to be found sound:

- The housing requirement must be expressed as a minimum (and not a target); and
- The Green Belt review being completed as soon as possible and required to inform the Site Allocations DPD.

Crucially, in respect of the housing requirement and the need for it to be expressed as a minimum, the Inspector at paragraph 83 stated:

“Nonetheless, the evident need for housing within the Borough is such that any additional housing provision that meets the sustainable aims of both the CS and the NPPF should not be resisted solely on the grounds of over provision beyond the annual average figure.”

The Inspector was therefore clear that housing delivery over this plan period to 2027 can exceed the minimum figure stated in the Core Strategy.

Since the Core Strategy the Council has published its Green Belt Review prepared by Peter Brett Associates (July 2014) to inform the site allocations process in accordance with the recommendations made by the previous Inspector. The Green Belt Review identifies a range of sites that are considered suitable for release from the Green Belt for delivering housing and meeting other development needs.

On this basis, in the context of need, and the Inspector’s comments and evidence of additional land being available in the form of Green Belt releases we

	<p>consider it fundamentally wrong that the Site Allocations DPD is focused only on meeting the minimum housing requirement.</p> <p>We therefore contend that there is no justification for our client's safeguarded Green Belt site to be held back, when there is clear empirical evidence to show that current housing need is higher than the Core Strategy minimum requirement. It is our view that the Council's approach of, in effect, preventing sustainable sites coming forward in the context of severe housing need does not meet the positively prepared, justified or effective tests of soundness.</p>
<p>SA1: Overall policy framework for land released from the Green Belt for development</p>	<p>We do not object to the general principle of prioritising previously developed land over development on land released from the Green Belt as this is in broad accordance with national policy and the principles of sustainable development.</p> <p>However, we contend that given the lack of capacity in urban areas, clear evidence of need beyond the Core Strategy housing requirement and NPPF requirements for flexibility, there is a compelling case for the allocation of further sites during the plan period.</p> <p>The Green Belt Review included our client's site in an option 1 scenario, whereby four sites were released for housing development between 2022 and 2027. This scenario was described as providing the greatest <i>'flexibility in delivery options'</i> and would therefore help to <i>'boost significantly'</i> the supply of housing in Woking. Given this conclusion and the fact that both parcels are recognised in the Site Allocations document as suitable for housing development, we see no justification for reserving these sites for later release. In terms of Green Belt safeguarding the NPPF at paragraph 85 requires that:</p> <p><i>"Where necessary, identify in their plans area of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period."</i></p> <p>Therefore, safeguarding should only be pursued to meet longer term development needs that stretch well beyond the plan period. As previously set out in our representation, there is a clear need for more housing now, which has not been met to date due to a lack of land being made available. The Green Belt Review, however, now provides evidence that demonstrates that our client's site is suitable for release from the Green Belt that should be enabled to come forward in this plan period to provide a genuine boost to housing supply and meet a level of need closer to the true OAN for the Borough.</p> <p>There is also the issue that the full scale of the longer term development needs in the Borough are not yet fully understood given that the West Surrey SHMA is still only in draft and is limited to the period up to 2031. Yet, the safeguarded land is expected to be released at any point up to 2040, a point in time where no evidence on future need is available. Conversely, there is empirical evidence of need that exists now yet the Council's approach seeks to hold back land that could be brought forward to positive effect over the plan period. The effect of this approach will simply be to exacerbate the problem for future generations to deal with, which in our view is not an appropriate or sustainable development</p>

	<p>strategy for the Council to follow.</p> <p>The decision to allocate some sites and safeguard others has also not been clearly justified or shown to be the most sustainable strategy in any of the supporting documentation. The Council's approach has, however, already accepted the principle of releasing more land than is needed to meet the Core Strategy minimum housing target of 550 dwellings from Green Belt sources, which in our view indicates that there is no planning reason why our client's site cannot be allocated now to meet a higher proportion of the need and comply with the NPPF requirements for flexibility.</p> <p>In summary, we recommend that Policy SA1 should be amended to include specific reference to the allocation of our client's site during this plan period.</p>
<p>GB4: Land south of High Road, Byfleet</p>	<p>We support the recognition in the policy that this site is suitable for release from the Green Belt and future housing development. Notwithstanding this support, in light of the site's immediate availability and the clear and urgent need for market and affordable housing over the remainder of the plan period, we see no justification for delaying its release until post 2027. This approach is considered to be unjustified and contrary to the objectives of the Core Strategy and NPPF.</p> <p>The Green Belt Boundary Review estimated that the site has capacity to accommodate approximately 85 dwellings at a density of 50 dwellings. Our client's detailed site assessment work broadly supports these assumptions, but has highlighted a number of constraints that will impact on the overall development costs. These include infrastructure and mitigation requirements to address the issues of flood risk, traffic impact, drainage, tree coverage, the location of underground services and achieving connections to utilities. In light of these constraints, and the potential delay before an application can be made (even in the event that the site is released within the current plan period) we consider that the policy should provide further flexibility in terms of the required affordable housing, S.106, CIL and infrastructure mitigation, in order to avoid a scenario where the scheme would potentially become unviable.</p> <p>The full impact of these costs along with the capacity of the site will need to be understood at the time that a planning submission is made, and at this point the local planning authority will be better positioned to ensure that the proposal includes appropriate social infrastructure and mitigation.</p>
<p>GB5: Land to the south of Murray's Lane, Byfleet</p>	<p>We support the recognition in the policy that this site is suitable for release from the Green Belt and future housing development. Notwithstanding this support, in light of the site's immediate availability and the clear and urgent need for market and affordable housing over the remainder of the plan period, we see no justification for delaying its release until post 2027. This approach is considered to be unjustified and contrary to the objectives of the Core Strategy and NPPF.</p> <p>The Green Belt Boundary Review estimated that the site has capacity to accommodate approximately 135 dwellings. Our client's detailed site assessment work suggests that the capacity is nearer 100 dwellings and has also highlighted a number of constraints that will impact on the overall viability of</p>

	<p>the development. These include the issues of flood risk, traffic impact, drainage, tree coverage, overhead power cables, the location of underground services and achieving connections to utilities. In light of these constraints, and the potential delay before an application can be made (even in the event that the site is released within the current plan period) we consider that the policy should provide further flexibility in terms of the required affordable housing, S.106, CIL and infrastructure mitigation, in order to avoid a scenario where the scheme would potentially become unviable.</p> <p>The full impact of these costs along with the capacity of the site will need to be understood at the time that a planning submission is made, and at this point the local planning authority will be better positioned to ensure that the proposal includes appropriate social infrastructure and mitigation.</p>
<p>Sustainability Appraisal (SA)</p>	<p>In order for the Site Allocations Plan to be found sound it is critical for the Council's chosen strategy to have been informed by a rigorous Sustainability Appraisal to confirm it is the most appropriate strategy when assessed against reasonable alternatives. The NPPG provides guidance on the assessment of alternatives, which are defined as being:</p> <p><i>“Reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies of the plan. They must be sufficiently distinct to highlight the different implications of each so that meaningful comparisons can be made. The alternatives must be realistic and deliverable. The appraisal should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of alternatives.”</i></p> <p>We contend that not all reasonable alternatives have been tested in arriving at the Council's preferred Site Allocations Strategy. For example, testing of reasonable alternatives would have required testing the option of the Council's chosen strategy of safeguarding Green Belt land versus comprehensive release of all the sites in the current plan period to objectively assess the sustainability merits of both.</p> <p>It is evident from a review of the SA that this has not been done and the decision to safeguard land has been taken in advance or outside the SA process. The SA process therefore only focuses on the merits of each individual site but not, crucially, on the decision to safeguard instead of seeking to meet a higher proportion of housing need during the plan period.</p> <p>Aligned to this is the associated issue of how the Council has gone about selecting its preferred approach for Green Belt release in this plan period. The SA does not provide any supporting evidence in the SA to justify why the chosen sites were selected ahead of others or indeed, why the preferred options put forward in the Green Belt Review were rejected. This is a further fundamental flaw in the SA process as there is no evidence presented that shows that the preferred approach is the most sustainable and the result of a fair and transparent process.</p>

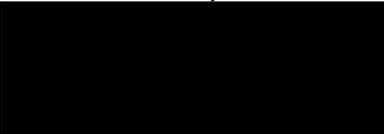
	In the absence of the testing of reasonable alternatives the overarching strategy set out in the plan is fundamentally unsound as it fails the justified and effective NPPF tests as well as being contrary to the SA /SEA regulations.
--	---

In summary our representation makes the following broad points:

- Housing need in Woking Borough is far higher than the adopted Core Strategy minimum requirement
- The Core Strategy Inspector explicitly stated that sustainable sites should not be held back on the grounds of exceeding the minimum housing requirement
- The Council's own evidence recommends the release of sustainable sites from the Green Belt and includes detailed policies that will guide the appropriate form of those developments
- The land west of Byfleet sites are available for immediate development and in the context of the urgent housing need the Council has failed to justify why these sites should not be released for development during the plan period
- The site specific policies for *GB4: Land south of the High Street* and *GB5: Land south of Murray's Lane* should provide greater flexibility in terms of the requirements for social infrastructure and site specific mitigation in order to ensure that housing development on the sites remain viable and deliverable

We trust that these comments are helpful and look forward to participating in the next stage of the plan. In the meantime please do not hesitate to contact us if you would like to discuss our comments or require any further clarification.

Yours sincerely



Will Cobley
Associate Director



Cc. Adam Lelliott, Taylor Wimpey South Thames

Enc. Completed comment forms