Examination of Tandridge District Council – Our Local Plan 2033

fiftypointeight Architecture + Interiors

Written representation for consideration by Inspector Philip Lewis BA (hons.), MA, MRTPI

This document is prepared as a partial response to various of the Matters for Consideration proposed by Inspector Lewis, to assist in his forthcoming Examination in Public of Tandridge District Council’s new local plan submitted for assessment in January 2019.
Background to Fiftypointeight

fiftypointeight Architecture and Interiors is a RIBA Chartered Architects private practice engaged in a range of projects – large and small – across a variety of sectors, including New Build, Refurbishment and Consultancy. Based in Chichester, a majority of our work involves Local Planning Authorities across the South East of the UK, including Tandridge District Council.

fiftypointeight Architecture and Interiors have been nominated for a number of national planning and innovation awards, including being shortlisted for the Daily Telegraph Homebuilding & Renovation Awards (2018) and winner of the Best of Houzz award for service in both 2017 and 2018.

Engagement with Tandridge District Council

Our engagement with Tandridge has been residential and has involved replacement dwellings, outline consent for new properties, refurbishment and extension to existing homes, as well as promotion. It is fair to say that, in our opinion, Tandridge is one of the most difficult Councils to deal with. There appears to be an introverted approach within the planning department where the focus appears to be more towards seeking reasons to refuse applications, as opposed to the positive ethos of the NPPF (for example paragraph 38). Decision makers clearly have conflicting pressures of local opposition (Nimbyism) and diverse political views that run contrary to the overriding objective of the NPPF. It appears that the production of Our Local Plan 2033 has been tainted by these competing influences.

Overall comment on Our Local Plan 2033

Our Local Plan 2033 commenced its journey to production in 2014, sometime after the NPPF was first published in 2012. The evidence bases appendices, documentation and papers are somewhat dated, with a considerable amount of this work dating from 2015 – nearly half a decade before the plan is likely to come into force. These more aged documents have not been updated or subject to ongoing or continual refreshment as the months and years have passed.

The aim of the plan should be to balance the needs of the whole district. However, the Council should also have looked beyond its immediate environs to recognise the key contribution the plan would make towards the performance of Surrey County Council. Above all, the Council should have recognised that it is the responsibility of each and every Local Planning Authority in the UK to produce a robust plan based on a robust evidence base, in order that in aggregate all of those plans contribute to and satisfy the overall National need. In this respect, we believe that Our Local Plan 2033 is disproportionately insular and fails to recognise its wider responsibilities.

We recognise that Tandridge is a very traditional area and affluent district. There is an important commuter component, as well as having the highest percentage of Green Belt land within its boundaries of any LPA in the UK. However, we believe that the Council should have looked beyond the nostalgia and embraced a much more forward-thinking and ambitious approach to the next 13 years of the district’s development, as well as recognising the significant societal and employment changes that have occurred both nationally and within the local area.

Whilst production of a plan is a significant undertaking, we believe strongly that the evidence base should be constantly reviewed and updated with time; this should be an on-going process. It appears from the evidence base reports and appendices that the Council relies on to support and justify Our Local Plan

Ref: C0087-190906-Written Representation
that the Council has approached more of a “box ticking” approach to gathering its evidence perhaps to ensure technical compliance with the plan preparation process, as opposed to a meaningful and continuous assessment (and reassessment).

It seems unsatisfactory that much of the evidence base work has been carried out as isolated projects, as opposed to on a more holistic basis. This creates conflicts and contradictions between some of the evidence base items, for example appendices within the Green Belt, Housing Need & Supply and Site Assessments & Delivery. Overall, the effect is to stifle the ambition of the plan and contribute to the under-delivery of the OAN.

Representations made in reference to specific paragraphs of ID/5 V2, following the same paragraph numbering where relevant

We have limited our representation to paragraphs of Inspector Lewis’ ID/5V2 questions where we believe there are particular comments of value, as under:

I. DUTY TO COOPERATE

We believe that the Council has failed in its duty to cooperate with neighbouring authorities. It has failed to comprehensively engage with its neighbours and establish how housing need could be shared or satisfied on a joint basis. It has also failed in both its Green Belt Review and Settlement Hierarchy classification to consider major neighbouring settlements, for example, Edenbridge, East Grinstead or Crawley Down, where modest enlargement of those settlements could include the provision of housing on land that falls within the Tandridge District.

As part of the engagement process with Mid Sussex District Council, there were no positive or forward looking conclusions. Instead, the appendix to the Plan (statement of common ground with MSDC) confirms Mid Sussex’s frustration and criticism at the Tandridge approach. That document quotes at Paragraph 2.8 that:

‘MSDC have indicated that the strategy proposed in the Plan to deliver housing does not go far enough to address the significant housing need in Tandridge District. MSDC in their representation to TDC Local Plan Regulation 19 state that “having established the principle that exceptional circumstances do exist because Tandridge does have significant unmet housing need, the Assessment should be proactively seeking to identify land which could be released from the Green Belt, to enable more sites for housing to be provided, particularly around Tier 1 and Tier 2 settlements which are the most sustainable settlements”’.

There were a number of sites proposed to the Council that were not considered on the basis that the Settlement Hierarchy only identified settlements that fell within the Tandridge district’s administrative boundary. This is a clear failure not to recognise that Housing Market Areas are not specifically constrained by administrative boundaries but are organic and fluid; they frequently traverse administrative boundaries and the failure to co-operate comprehensively with its neighbouring districts, and especially those where HMAs are shared, raises very serious questions as to the thoroughness of the plan preparation process.
We believe there has been inadequate effort to fully consider the cooperative benefit that could arise from a proactive approach to engagement with its administrative neighbours, and as a consequence Our Local Plan 2033 fails in this respect.

2.1 IS THE PREPARATION OF THE SHMA ON THE BASIS OF A HOUSING MARKET AREA (HMA) DEFINED FOR TANDRIDGE DISTRICT JUSTIFIED? IS THE DEFINITION OF THE HMA CONSISTENT WITH THE PLANNING PRACTICE GUIDANCE?

As referred to above, we believe that the Council has taken an overtly insular approach to its plan preparation. It has failed to consider how HMA’s work in practice and that they can straddle administrative boundaries. That the Council has failed to consider such HMA’s but instead focus on a very limited Tandridge only settlement hierarchy as the bedrock of its housing programme for development of the district over the next 13 years is a serious failure.

There is no concise definition of an HMA within the evidence base proposed. Turley’s paper from September 2015 (HNS20) extends to 42 pages. Paragraphs 1.1 to 1.3 only refer to a Housing Market Area and instead the document moves on to the development of a SHMA. Whilst paragraph 1.1 recognises that there is a “…long recognition that housing markets do not operate based on administrative boundaries”, the document fails to provide any meaningful definition of the various HMAs that exist and influence Tandridge district, and neither to provide any classification of quantification of those areas. This is a very material failure and we do not fully understand how Our Local Plan 2033 can have evolved with any degree of certainty absent the existence and anchoring of this critical element of the evidence base.

2.6 ARE THERE OTHER RELEVANT FACTORS TO BE TAKEN INTO ACCOUNT IN CALCULATING THE OAN?

The historic under-delivery of housing by Tandridge Council since the advent of the NPPF, as recognised in the recent Housing Delivery Test results (where Tandridge was required to provide a 20% under delivery buffer) should be a material consideration in the development of the OAN. The GL Hearn report commissioned by Tandridge (but not subsequently adopted by the Council) and delivered in July 2013 identified a housing need in the district of 450-460 homes per annum over the period 2011-2031. This is a base need of 3,600 homes over the eight year period 2011-2018, against which the Council has net achieved net completions of 1,762 homes (TDC’s Monitoring Report 2018). We believe that not providing for this shortfall of nearly 2,000 new homes over the post NPPF pre-plan period within the OAN is a very material failure.

2.7 IS THE PLAN JUSTIFIED IN NOT MEETING THE FULL OAN FOR TANDRIDGE AND IS IT CONSISTENT WITH PARAGRAPH 14 OF THE FRAMEWORK?

We believe that the plan fails by not meeting its OAN (notwithstanding we believe the adopted OAN to be materially under-achieving). It is not consistent with the framework in that sites that could provide sustainable development have been repeatedly promoted to the Council but were not taken forward. This is a failure and it is not clear why the Council has curtailed its ambition to deliver sufficient sites, including Ref: C0087-190906-Written Representation fiftypointeight.co.uk
through cooperation with its neighbouring authorities, in order to satisfy what is a very conservative OAN. This itself is indicative of the “ambition handbrake” that is the common theme of Our Local Plan 2033.

2.8 HAVE ALL REALISTIC OPTIONS FOR MEETING THE OAN WITHIN TANDRIDGE IN FULL BEEN EXHAUSTED?

We believe there are many deliverable and sustainable potential sites for new housing set out within the appendices SAD6 and SAD7 and it is not clear what has influenced the decision of the plan makers not to include more of these sites within the plan. In particular, there exist sites within SAD7 have been incorrectly classified and reviewed, but for which the plan makers have failed to reclassify when those errors have been pointed out to them. Examples in point being sites DPA003, DPA007-010.

We also believe that the various Green Belt Assessments (appendices GB1-12) have again been treated as "process" and at a very macro level, rather than a thorough analysis of the component parts of the individual areas. An individual cross-referencing to sites that were promoted to the Council would also have made sense as part of this Green Belt Assessment, so that the sense of place and purpose for retaining land within the green belt could be viewed in a site specific green belt context, as well as considering the wide influence of HMAs, for example.

Some of the Green Belt Assessments cover very significant areas that are materially different in character and built form, and yet have been deployed as justification for not investigating further potential sites within those areas. We believe this is a material failure, and a thorough review of the whole Green Belt Assessment set piece should be carried out. This would undoubtedly open a number of new opportunities where the plan could identify and allocate potential housing over the plan period, and ensure that it delivers its OAN, as well as appropriate contingencies and buffers.

C THE OVERALL SUPPLY OF HOUSING

Without referring to the individual paragraphs, we believe that the supply of housing proposed in the plan is not realistic. The plan fails to address the housing need in the district. It fails to deliver on its OAN, before any contribution to backlog or buffers.

The central focus on a new Garden Community to provide 60% of the housing need delivery provides an unacceptable risk to plan soundness. The decision of Inspector David Reed when determining a Tandridge/ Mid Sussex Appeal (18/3198090 & 3205537) published on 25 June 2019, found housing delivery to be a very significant issue for Tandridge, with only 1.43 years supply existing. Referring to the emerging local plan, Inspector Reed identified that “Although a new local plan is under preparation, this has only recently been submitted for examination, proposes significantly less than the local housing need figure, and even to achieve this proposes a 4,000 dwelling new settlement in the Green Belt which is likely to be controversial.” This might be the mastery of understatement but the simple reality is that there is no guarantee of the successful delivery of any homes through a new garden community. It would be bizarre for a plan to be so heavily reliant on an untested and potentially undeliverable scheme to under-deliver an unambitious OAN.
D  FIVE YEAR HOUSING LAND SUPPLY

Again without referring to individual paragraphs, the Council has consistently adopted a policy of denial in relation to housing need. For many years it has justified its over delivery of housing numbers based on the 2008 OAN of 125 dwellings per year. When evidence to the contrary has been presented, for example the July 2013 GL Hearn report, the Council has chosen to ignore it. That same approach was a key motivator for the rushed submission of the plan in January 2019, in order to be judged on the lower OAN numbers.

The simple fact is that the OAN is unambitious. The Council has not made sufficient effort to produce a forward looking plan that can exceed its OAN through the identification of appropriate buffers. This renders the plan to be “high risk” in this respect.

Inspector Reed in the above appeals judged Tandridge’s annual requirement using the standard method, absent an up to date Core Strategy, of 648 dwellings pa, against which the Council can only demonstrate 1.43 years supply. Our Local Plan 2033 cannot demonstrate a continuous five year supply of housing at any stage of its proposed plan life. We believe this is a material failure.

MATTER 3 – SPATIAL STRATEGY

We believe that the spatial strategy is flawed. Absent a well defined approach to identifying all the HMAs that influence the district, the work that flows from that is fatally undermined. There requires to be a thorough reassessment of all the HMAs influencing the district with a view to reviewing how much additional housing could be accommodated in each and every HMA, so as to benefit those individual areas, as well as helping the plan deliver its OAN. This applies in equal measure to Rural Settlements as urban ones, and should include those that have not been deemed worthy of the settlement hierarchy (the Limited and Unserviced settlements). Controlled development should be encouraged to help those communities thrive and prosper, as well as to assist in the production of a robust plan.

MATTER 4 – GREEN BELT BOUNDARY ALTERATIONS

As referred to above, we believe that the Green Belt assessments require intense scrutiny, and preferably by external and objective contractors/professionals. The approach taken in the division of the district into regions for the purposes of the review has been too arbitrary and generalised. The individual assessments themselves have been too macro in outlook and have failed to cross-reference with other key evidence bases within the appendices.

In an area so heavily Green Belt dominant as Tandridge, and where there is a critical unmet housing need, it is inevitable that that need will be required to come from Green Belt release. It is imperative that that release is managed and in the most appropriate areas.

The Green Belt assessments should review on a site by site basis whether each site serves the purposes of retaining land within the green belt, as set out in the framework. This work, in tandem with the Spatial Strategy, is the starting point for managed development.
We believe that Our Local Plan 2033 has failed with the creation of those firm foundations and, in parallel with a low ambition threshold where preserving the status quo rather than setting forward thinking and radical targets, the Green Belt review process has failed.

We hope that these representations are helpful and we would be pleased to respond to any queries or questions that Inspector Lewis might like to test.