TANDRIDGE LOCAL PLAN.
Responses to the Inspector's MIQs.

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September 6th, 2019

MATTER 1.

Question 1.8 Are the policies of the Plan designed to secure that development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19 (1A) of the act?

Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires councils to include in their local plans “policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change”.

There is no specific policy on climate change in Tandridge District Council's Local Plan. It does contain policies on renewable energy infrastructure (TLP 44) and energy efficiency and low carbon development (TLP45), but they are brief and anodyne. They say that TDC will “positively consider” renewable energy schemes that are not “unacceptably visibly intrusive” or damage the environment, and that it will support new development where “all reasonable steps” have been taken to reduce energy consumption and “integrate low or zero carbon mechanisms” into their design.

This seems minimal. TDC could hardly say it would not support such things! And it does not undertake, for example, to support the renewable energy schemes as opposed to just consider them. Nor does it say that it will demand that all developments reduce energy consumption, or even favour those that do.

It has a Sustainable Transport and Travel Policy (TLP 50), which does not mention climate change. It does undertake to “actively support” developments that integrate comprehensive routes for walking and cycling, “seek enhancements” to the local bus services to meet the demands of additional development, and require the provision of electric car charging points “in line with the Surrey Local Transport Plan”, while strongly encouraging developers to go further to help the district “transition further” towards meeting the governments target of phasing out fossil fuel driven vehicles by 2040. Again this minimal, with the only concrete requirements, over electric cars, being effectively determined by the policies of others.

Remarkably, however, the policy does undertake to locate “most new development in the Tier 1 and 2 settlements close to services, served by a range of sustainable travel options, such as public transport, walking and cycling, to minimise the need to travel and distance travelled”. But the Local Plan turns away from this by rejecting Approach 2 in its spatial strategy, which concentrates development in such settlements, in favour of a garden community.

There is also a policy on the Presumption in Favour of Sustainable Development (TLP02). This too fails to mention climate change, while the policy on Sustainable Urban Drainage and Reducing (TLP47) Flood Risk merely specifies “consideration of climate change”.

Little of this seems much more than lip service to the issue and it is hard to see how these policies “secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change”.

Moreover, in practice, the local plan undermines rather than secures the mitigation of, and adaption to climate change. The transport policy, as noted above, makes clear that development in Tier 1 and Tier 2 settlements reduces travelling distances and enables sustainable modes of travel and the Sustainability Appraisal ranks Approach 2 as among the best for reducing the need to travel, encouraging sustainable transport options and improving accessibility to all services and facilities and for reducing greenhouse gas emissions and moving to a low carbon economy.

The approach that includes a garden community is ranked equally highly for these purposes but this is only because “a new settlement can be located near to an existing train station and then
also provide the necessary services and infrastructure that will help reduce reliance on private motor vehicles”. But, though South Godstone does have a railway station, the line provides a very limited service, and the SA accepts that the Garden Community's inhabitants will be dependent on private car use. Inevitably, therefore, carbon dioxide emissions will increase, exacerbating rather than mitigating climate change.

As for adaptation, the council's own documents make clear that climate change will increase the risk of flooding. In the absence of better information, it is assumed that it will escalate areas at present in Flood Zone 2 to equivalence with the present Flood Zone 3, where housebuilding is generally discouraged.

The Sustainability Appraisal discloses that the Environment Agency asked the Council to avoid development completely in Flood Zone 2, a sensible measure that would have contributed markedly to adaptation to climate change. The Council, however, decided this was not “feasible as Tandridge is striving to meet housing targets.”

Thus the Local Plan fails to include the policies required by the Planning and Compulsory Purchase Act 2004 and in practice, instead of improving mitigation and adaptation, would make them worse.
**MATTER 2**

*Question 2.7. Is the plan justified in not meeting the full OAN for Tandridge and is it consistent with paragraph 14 of the Framework?*

Having closely followed the development of the NPPF, I believe that there can be few districts in the country to which its paragraph 14 – together with its footnote – would be more relevant.

The paragraph states unambiguously that local plans do not need to meet OANs when “specific policies in this Framework indicate development should be restricted” and the footnote makes clear that this applies to policies relating to “land designated as Green Belt”. Paragraph 47 reiterates the point, saying that the Plans should only meet full OANs “as far as is consistent with the policies set out in this Framework”.

I understand that this is confirmed in the NPPG’s Guidance on Housing and Economic Land Availability Assessment. And, of course, “protecting the Green Belt” is part of the NPPF’s “core planning principles” laid out in paragraph 17.

The importance of protecting the Green Belt has been repeatedly stressed by successive ministers and prime ministers. Indeed the present Prime Minister told the Surrey Mirror, in an interview published on June 26th, 2019: “We should not be imposing targets on councils that they are simply finding impossible to meet without building on the Green Belt”. This appears to be precisely what the OAN did to Tandridge District Council.

Ninety-four per cent of Tandridge's area is in the Green Belt, the joint highest proportion in the country. So it is hard to envisage a local authority – unless it is completely contained in a National Park or Area of Outstanding Natural Beauty - to which Paragraph 14 would apply more clearly.

Tandridge has, moreover, had an unusually high rate of housebuilding over the last decade or so, twice what was set down in its Core Strategy – and, I understand from data provided in the Oxted and Limpsfield Resident Group's (ORLG) regulation 19 submission at times twice the England average. This resulted from large military and health service previously developed sites becoming available and being redeveloped for residential use – a circumstance which, as the Head of Planning Policy told the 2014 Whyteleafe Road inquiry - “will not be repeated”.

As I mentioned in my Regulation 19 representation, I do not have personal expertise in this area, but I am told that this historic growth rate inflated the OAN and that the NPPG stipulates that councils are permitted to adjust their OANs down when they have been informed by past delivery rates. If this is indeed so, that would seem to provide further ample justification for the plan not meeting the full OAN for Tandridge.

Other important elements in Tandridge's situation provide further support for this conclusion. It has very low population growth, and thus itself generates little need for new housing. Some 90 percent of the new homes built in the recent past have been bought by people coming into the district; thus Tandridge has effectively been meeting the unmet need of other areas by default, and this will only increase with greater housebuilding in the area.

These purchasers from outside the district are often wealthier than other Tandridge residents, and thus drive house prices higher. For well rehearsed reasons, building new houses does little to reduce prices: MHCLG’s *Analysis of the determinants of house price changes*, published last year, for example, concluded that building even 300,000 houses per year nationwide for 20 years would only reduce prices by 6% by 2038, all other things being equal. It is likely that building more houses in Tandridge will have even less effect, given the apparently huge demand to move...
there from surrounding, more urban, areas.

The new residents will also often be retaining jobs outside the district and commuting longer
distances to them, adding to existing overcrowding of trains and congestion on the road network.
And as most commuting from Tandridge is by car, this will add both to local air pollution and to
greenhouse gas emissions.

The past high rate of housebuilding has also led to a deficit of infrastructure in Tandridge
from doctors, surgeries to roads: the more new dwellings are built the more this is likely to get even
worse. The development of a garden community at South Godstone is unlikely to resolve this deficit
since, as I mentioned in my Regulation 19 representation, it is hard to see how the infrastructure it
will itself require will be financed.

For all these reasons, there is ample justification for reducing Tandridge's OAN. Indeed the
additional pressures resulting from even the Council's target of little over 6,000 dwellings can be
expected far to exceed their benefits.

**Question 2.8. Have all realistic options for meeting the OAN in Tandridge in full been
exhausted?**

Realistic options should exclude major building in the Green Belt if its “essential
characteristic” of permanence, laid down in paragraph 79 of the NPPF, is to be respected. This is all
the more so where the Green Belt serves its purposes, as it does in Tandridge.

Tandridge District Council appears to believe that even its reduced target of just over 6000
dwellings cannot be accommodated without a major incursion into the Green Belt, through the
South Godstone garden community.

It is wrong to do so. By its own figures it could, as demonstrated in my regulation 19
representation, meet its target solely by building on Tier 1 and 2 sites inset from the Green Belt, in a
way that is both much more sustainable and consistent with its own settlement hierarchy. It could
also accommodate more housing in these areas by optimising its density but, as also described in
my representation, it deliberately decided not to do so, in expressed defiance of Government policy
as laid out in the housing White Paper and the new NPPF.

However, while the council's target could undoubtedly be met without building on the Green
Belt, it is unlikely that the full OAN of 9,400 homes could be. It is not within my abilities, or
responsibilities, to work out precisely where those dwellings should be accommodated but,
intuitively, it would seem that that would have to involve some use of Green Belt land - albeit in a
much more sustainable and less destructive way than building the South Godstone garden
community.

**MATTER 3.**

*Question 3.1 Have all the realistic options for the distribution of development within the District been identified and*
Tandridge District Council does not seem to have robustly considered options that would not only deliver as many – or more – houses than its chosen strategy, but would do so more sustainably.

I go into one of these options – the Council's own Approach 2 – in my Regulation 19 representation, and will not repeat it here except to note that it presented two alternatives: Approach 2a, which – on the council's own figures – can accommodate an extra 2336 dwellings entirely on sites in Tier 1 and tier 2 settlements; and Approach 2b, which by using a greater density on the same sites, raises this figure to 3403 homes. When added to the 2334 dwellings that have already been built or received planning permission, the 435 allocated to windfalls, the 250 from town centre initiatives, and the 336 grouped under “other supply (e.g. empty homes)”, Approach 2a would yield a total of 5442 homes and 2b a total of 6,508 homes – straddling the Council's target figure.

The Tandridge Lane Action Group carried out another exercise for its Regulation 19 representations, which through proposing more realistic densities for the housing allocation sites in Tier 1 and 2 settlements in the Local Plan, and reflecting past rates for windfalls reached a total of 5,781 homes for the plan period - again close to the Council's target – without resort to a garden community. It has now done a more detailed analysis of sites which shows great potential both for increasing densities and using additional sites, which it covers in its responses to these MIQs.

Should more houses be required – something that I believe would be unjustified (see my response to Q2.7) – there is a supply of potential sites in the Council's Approach 3, which also takes in sites on the fringes of the Tier 1 and Tier 2 settlements which, by its own figures, could accommodate three times the average yield of Approaches 2a and 2b.

These approaches would be more sustainable than than the spatial strategy proposed in the Local Plan. I drew extensively on the Sustainability Appraisal in my Regulation 19 representation to show that Approaches 2a and 2b were much the most sustainable of all the Council's options. And in my answer to question 3.2 I quote evidence that Approach 3 is more sustainable than the chosen strategy, (I am not seeking to promote Approach 3: I am opposed to development in the Green Belt except where it is plainly no longer serving its purposes. But if Green Belt land is to be taken it is better, and more sustainable, to develop it at the edges of existing settlements than in relatively remote pristine countryside.)

All these approaches, however, have been dismissed by the Council, without proper consideration, even though this militates against its own settlement hierarchy and its own policies, even in the same Local Plan (such as TLP 50: see response to question 1.8)

This has had some strange consequences. Between 2026 and 2033, under the Local Plan, as few as 282 homes would be built in Tier 1 and 2 settlements, the most sustainable locations, while 1,400 – nearly five times as many – were constructed in the Green Belt at South Godstone. Remarkably, Oxted, which is top of the Council's settlement hierarchy, actually has no new sites allocated (though sites in Hurst Green, a different settlement, are erroneously described in being in Oxted on one occasion).

The Caterham, Chaldon and Whyteleafe (CR3) area is much the most sustainable area for new housing in the entire district. Public transport links, for example, are very good with three railway stations – at Caterham, Whyteleafe South and Upper Warlingham – serving two direct railway lines, with a total of six trains an hour to London. Upper Warlingham station also gives access to trains south to stations to East Grinstead and Uckfield. The train service to London is within the Oyster Card area and is thus markedly cheaper than from other parts of the District. The bus service is much better than elsewhere in the district, being more extensive, and operating at higher frequencies and for longer hours.

As the Sustainability Assessment for the Tandridge Local Plan puts it: “The very good access to public transport in Caterham would be expected to minimise the use of the private car, benefiting local air quality”. This is entirely in line with the NPPF's requirements for the siting of new housing development.

The area also has good road links, with easy access to the M25. It has much the most brownfield land in the district, including the Surrey National Golf Course which has been proposed as the site for over 1000 homes. Houses in the area tend to be more affordable than elsewhere in Tandridge. And despite having only just over a third of the District's population it is host to four of its nine general practice surgeries, together with two hospitals. It has four primary schools and a secondary school.

The contrast with the South Godstone is marked. Yet a new draft neighbourhood plan would effectively switch construction of dwellings that would otherwise have been built in the area to the much less sustainable Garden Community.
The previous draft Neighbourhood plan, dated April 2017, proposed a target of 102 units a year between 2015 and 2025, determined by “the available supply of brownfield land” without touching the Green Belt. It added that once the Local Plan was completed the neighbourhood plan's steering committee would “seek to identify sufficient specific developable brownfield sites for years 2025-2035” in the area.

The new draft however, undertakes only to provide “at least 1,348 additional net new units in the period 2015-2033”, which it says is “an appropriate and proportionate delivery for this period”. This figure represents a reduction of just short of 500 dwellings from what would have been built if the 102 a year rate of the previous draft had continued to 2033. Thus, a useful contribution to meeting housing demand in the Tandridge area through building on brownfield land, in accordance with the NPPF's requirements, has been lost.

Even more concerning, the draft plan clearly intends these houses to go to South Godstone instead, saying that the area's “proportionate contribution to District requirements” will cease in 2025 “when it is anticipated that the new garden village will commence its contribution”.

And yet it reports; “The area has suffered for many years with long term derelict sites. Some have been empty for 15 years or more and many became eyesores. These buildings mainly occupy prominent sites within the area and have a detrimental impact on the appearance, and indirectly on the economic well-being of the town”.

Thus the neighbourhood plan envisages switching building on brownfield land in the most sustainable part of the district, which has an ample supply of it and is plagued by derelict sites, to open countryside in pristine Green Belt that is serving its purposes. That runs directly counter to the National Planning Policy Framework and repeated Government assurances about the protection of the Green Belt.

**Question 3.2, Is the proposed distribution of housing and other development supported by the Sustainability Appraisal, and will it lead to the most appropriate pattern of housing growth?**

I addressed this extensively in my regulation 19 representations, quoting extensively from the Sustainability Appraisal to show that Tandridge District Council's Approaches 2a and 2b, which concentrate development in Tier 1 and 2 settlements – at the top of its settlement hierarchy - were much the most sustainable of the alternatives it considered.

By definition, of course, they are much the best approaches for conserving the Green Belt. But they also came out top for the use of previously developed land using natural resources prudently reducing land contamination and safeguarding soil quantity and quality and protecting and enhancing landscape character. They were judged also amongst those that do most to reduce the need to travel, encourage sustainable transport options and improve accessibility to all services and facilities, and in reducing greenhouse gas emissions and moving to a low carbon economy.

Approach 2, as also discussed in my Regulation 19 representation, would provide enough new dwellings to meet the Tandridge District Council's housing target. If more are required this could be accommodated by using sites around the Tier 1 and Tier 2 settlements contained in the Council's Approach 3, which effectively triples the supply available from Approach 2. This is less sustainable, but more so than Garden Community. Though it would involve developing some Green Belt land, it is better to do so at the edge of existing settlements where public transport links and other services are relatively easily available than at a remote Garden Community. The Sustainability Appraisal shows that shows that Approach 3 performs best of all in reducing greenhouse gas emissions and in the move to a low carbon economy since the sites it uses are naturally close to existing public transport, services and infrastructure. The garden community approach also scores well, but this is dependent on it being “near to an existing train station”. South Godstone is indeed near such a station, but it is little used as it is on a failing line which no longer provides a direct service to London and has no realistic prospect of its improving. It will therefore be much more dependent on the private car than Approach 3 sites.

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Approach 3 scores less well in the Sustainability Appraisal than Approach 2 on some other sustainability measures, but this results from the “level of development”, and is therefore inevitable if that number of new dwellings are to be accommodated. The appraisal adds that “mitigation measures can be implemented to reduce these impacts”.

However Tandridge Council has rejected these approaches in favour of a garden community that would destroy hundreds of acres of pristine Green Belt countryside and use virtually none of the previously developed land that is supposed to be prioritised under the NPPF. Moreover its development, as again shown in my Reg 19 representation, would breach the NPPF's core planning principles in as many as 12 places.

The proposed distribution of housing and other development is neither justified by the Sustainability Appraisal, nor will
it lead to the most appropriate pattern of housing growth.

Question 3.3. Is the distribution of new homes between the Tiers of settlements justified, and how has it been established?

To avoid repetition, I would like to refer back to my responses to Questions 3.1 and 3.2

MATTER 4.

Question 4.3 Have all realistic alternatives to releasing land from the Green Belt been considered, such as further development in the urban area or increasing development densities, and would the most efficient use of land proposed for release from the Green Belt be made?

As outlined in my response to Question 3.1 and my Regulation 19 representations, Tandridge District Council has rejected – after inadequate consideration – its own Approach 2, which would have concentrated development in Tier 1 and 2 settlements in what the Sustainability Appraisal judges to be a much more sustainable way than is envisaged in its spatial strategy.

As my account of the neighbourhood plan for the Caterham, Chaldon and Whyteleafe area in my response to Question 3.1 - and the low allocation for the area in the Local plan - demonstrate, opportunities to site new dwellings on brownfield land, especially after 2025, are being ignored in favour of building hundreds of homes in the Green Belt at South Godstone, again in violation of the NPPF.

The Council has also deliberately decided to reject Government policy on optimising densities. As recorded in my Regulation 19 representations, its Strategic Director of Place told a key committee meeting in July 2018 that Policy TLP19 had been amended “to remove reference... to the idea of optimised densities” adding that this was “despite the fact that it is mentioned in the Government's White Paper and is also in the draft new version of the NPPF.”

Limited research by TLAG has established, moreover, that this defiance of national policy has been carried out into practice on specific sites in Caterham and Warlingham, where the proposed densities are well below optimised ones, suggesting that this is more general practice across the District.

There is also considerable evidence that the Council has failed in its Duty to Cooperate with other local authorities on whether they could meet its unmet need. As several Regulation 19 representations – such as those by Godstone Parish Council, TLAG, and the Developers Forum – record, such negotiations were perfunctory to non-existent before the publication of the Local Plan. The (incomplete) roster of Statements of Common Ground that have been published since have yielded no contributions from other authorities to meeting unmet need and appear to be last-minute attempts to give the impression that something has been done, which fall far short of the requirements of the Planning and Compulsory Purchase Act 2004 for the council to engage constructively, actively and on an ongoing basis in such negotiations.

The Council has thus demonstrably failed to consider all realistic alternatives to releasing Green Belt land. All the above alternatives must be exhausted under the new NPPF before the exceptional circumstances needed to release Green Belt land can be justified.

Question 4.5 In overall terms, are there exceptional circumstances for the proposed alterations of the boundaries of the Green Belt, to accommodate the level development proposed?

The short answer is that we do not know, because Tandridge District Council has decided to defer consideration of exceptional circumstances for the vast majority of its withdrawal of land from the Green Belt – what would be required for the South Godstone Garden Community to the Area Action Plan.

This is a wholly unacceptable course of action. An issue so fundamental to the suitability of a site that is such a major part of the Local Plan simply cannot be deferred until later, and must be considered and examined at this stage. It is quite impossible to determine the merits or otherwise of constructing the Garden Community without being able to address whether the exceptional circumstances required by the NPPF exist.
The inspector examining the recent North Essex Authorities Strategic Plan was absolutely clear on this point, establishing that the soundness of allocation of land for garden communities must be determined through the strategic plan, and that any future plans should be concerned merely with matters of detail. He concluded; “Follow-on plans are intended to set out the principles of design, development and phasing for each GC, but it is this examination which must determine whether or not the GC proposals are properly justified and realistically developable”.

That said, it must be extremely unlikely that the release of Green belt land at South Godstone can be justified under exceptional circumstances. As outlined in my answer to Question 4.3, and my Regulation 19 representations, the council has comprehensively failed to meet the requirements of the new NPPF, already established in principle, that must be met if exceptional circumstances are to be established. And as TLAG demonstrated in its Regulation 19 representations the South Godstone proposal also falls short of every one of the Calverton principles.

MATTER 6.

Question 6.1. Is the approach that the specific details of the proposed Garden Community at South Godstone justified, effective and consistent with national policy?

Issues that are fundamental to any judgement of the soundness of the plan for a garden community – including crucial questions on affordable homes, infrastructure requirements and whether exceptional circumstances exist to justify removing hundreds of acres of and from the Green Belt - have been left to be determined through a future Area Action Plan.

This is clearly not justified, effective or consistent with national policy and threatens seriously to undermine
the whole process of taking a decision on this major new development, including the hearing. It should surely be dismissed as unsound.

Such, indeed, was the course taken by the inspector for the North Essex Authority's Strategic Plan which sought to establish the principle of its garden communities proposals through the Plan, with further documents being prepared later. He concluded: “It is this examination which must determine whether or not the Garden Community proposals are properly justified and realistically developable. This is of more than usual importance given the large scale and long-term nature of the GC proposals, two of which will take around 30 years to complete and the other at least 40 years.”

He added that the proposals were “not adequately justified and have not been shown to have a reasonable prospect of being viably developed. As submitted, they are unsound”.

The similarities with Tandridge District Councils position on the South Godstone Garden Community are very marked and should surely lead to a similar conclusion.

**Question 6.2. Was the broad location for the proposed Garden Community selected on a robust basis?**

The NPPF lays down, in paragraph 52, that “new settlements that follow the principles of Garden Cities” should be considered by councils “working with the support of their local communities”. This is consistent with its core planning principle of “empowering local people to shape their surroundings” (paragraph 17), and its stipulations at paragraph 69 that councils must create a “shared vision” of development with local people and should “aim to involve all sections of the community in the development of Local Plans and planning decisions”, and at Paragraph 155 that Local Plans should “as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area”.

By contrast, every consultation carried out by Tandridge District Council shows that the proposal overwhelmingly lacks public support. In my Regulation 19 representation, I recounted how only 4% of respondents to the 2015 ‘Issues and Objectives’ consultation supported the idea while only 5.2 percent of those to the 2017 Garden Village consultation did so. In addition the 2016 ‘Sites Consultation’ showed very little public support and the most recent, Regulation 19, consultation, completed this dismal picture with over 95 per cent of a 25% randomly selected sample believing that the Local Plan fails the tests of soundness.

Those responding to a consultation are, of course self selecting. The local elections attract many more participants and for the last two years they have told a similar story, where independents opposed to the garden community won a net total of nine seats and were the major force causing the ruling Conservative Party to lose its 22 seat majority, and control of the Council for the first time in 19 years. Analysis of the 2019 vote shows that, nearly twice as many people supported the Oxted and Limpsfield Residents Group/Independent Alliance - opposing the Local Plan and garden community – as voted for the supportive Conservatives and LibDems combined, in seats where its candidates stood. The leader of the council blamed the Local Plan for both years' losses at the polls.

Yet the Council appears to have ignored public opinion. It pursued the concept of a new settlement despite the minimal support for it in the 2015 ‘Issues and Objectives’ consultation. It then adopted a preferred strategy largely focussed on a garden community even before the similarly hostile results of the 2016 one had been fully analysed. And its report on the outcome of the 2017 consultation falsely painted a picture of apparently balanced feedback and views. This does not appear to be a robust way to proceed.

There is also evidence, cited in some of the Regulation 19 representations - notably those by TLAG and Thakeham Homes - that the Sustainability Appraisal scored South Godstone more highly, and the proposed garden community site at Redhill Aerodrome, more poorly than the evidence justified.

And Godstone Parish Council, in its Regulation 19 representations, concluded: that it “has all the appearance of being a justification for a decision having already been made rather than a meaningful assessment of all the opportunities in a sound planning balancing exercise leading to an informed choice.” It added that there was “no reasoned justification” for rejecting having a substantial urban extension, rather than a new Garden Community, despite the “cumulative benefits” such extensions could bring to settlements' infrastructure and services.

Finally, the Council placed too much emphasis on supposed benefits of the garden Community that proved to be illusory including the railway station - which was little used even when it had a direct service to London, which has now been discontinued wit no prospect of a return – and the employment it might generate. And it has failed to show any meaningful negotiation with neighbouring local authorities on meeting unmet need, as required under the Duty
Question 6.3. Is the proposed broad location in a suitable location for housing development?

A large part of my Regulation 19 representations concerned South Godstone's (as well as Blindley Heath's) unsuitability for housing development, including the ill-effects on landscape and biodiversity, its poor accessibility to public transport and effect on the road network, and the fact that it would breach the NPPF's core planning principles in no less than 12 places. I will not reiterate them here. But there is new information to report on one of these, the impact on Green Belt land that serves its purposes.

The Arc report, submitted by TLAG as part of its Regulation 19 representation, describes the value of the Green Belt in the area of search, and how it serves its purposes strongly, and emphasises that development of a garden community would be harmful, confirming similar conclusions from Tandridge District Council's Green Belt Assessment. This has been further underlined by another report, from Land Use Consultants (LUC).

The Green Belt around South Godstone, it concludes “contributes strongly to purposes 1 in preventing settlement sprawl and 3, protection of the countryside”. It also concludes that the part that “falls between the settlements of South Godstone and Blindley Heath contributes to purpose 2 in maintaining the settlement gap” adding “if this area were to be developed the Green Belt here would be weakened.

The two main local parcels of the Tandridge Green Belt, parcels 26 and 32, also emerge strongly from the LUC report. It concludes that parcel 26, to the North of the railway line “contributes strongly” to purpose 1, “contributes” to purpose 2, and “contributes well” to purpose 3. Parcel 32, which stretches southwards to also take in the eastern side of the rejected Blindley Heath site, has a “strong” contribution to purposes 1 and 2 and “contributes well” to purpose 3.

Indeed, the report adds that all the proposed garden village sites “make a strong contribution to preventing encroachment on countryside” and that “none of them are in Green Belt that fails to contribute to the purposes of the designation, so any of the proposed development locations will harm the Green Belt”. It may be of interest that the report was prepared for, and included in the Reg 19 representation of, Taylor Wimpey, which wishes to develop a garden community at Blindley Heath.

Question 6.4 How was the proposed broad location defined and is the defined extent justified?

Taylor Wimpey pressed, in its Regulation 19 representation, for the area of search for the South Godstone Garden Community to “comprise a much larger area”, including the site at Blindley Heath which Tandridge District Council has rejected as unsuitable. It's interest is obvious. Such a development, however, would lead to considerable delay, extra research and increased expenditure, and increase the problems of the broad location rather than resolving them.

The research, expenditure and delays would go beyond what would be normally required by such a modification having to go out for consultation because much of the evidence base for the land south of South Godstone is non-existent. In general, the research and data collection that was supposed to inform the Reg 18 Garden Village Consultation in 2017 was only carried out for the Western half of the Blindley Heath site, to the west of the A22, which was the original proposed location. Shortly before the 2017 consultation the proposal was extended to include land between the A22 and Tandridge Lane but almost no information on this eastern area was added to the documents that informed the exercise.

Independent, authoritative research has thus yet to be carried out on the eastern half of the proposed site and this is bound to be more onerous than that done so far, as it contains most of the proposed site's biggest constraints, including the Blindley Heath SSSI and vulnerability to flooding.

Essentially the further south the area of search were to be extended, the greater the constraints to development would become and the harder it would be to meet the requirements of the NPPF.

The Sustainability Appraisal concludes, for example, that development at Blindley Heath, would be even
more car dependent than South Godstone with “high levels of associated emissions per capita”. It would not even have the very limited facility of Godstone station and would be reliant on “rail services provided by other garden village broad locations.

Similarly the economic viability and the ability to create new jobs would diminish, since Tandridge District Council’s Economic Needs Assessment 2017 ranks Blindley Heath as “the poorest commercial location”. And even more of Parcel 32 of the Tandridge Green Belt, which has been identified as serving its purposes particularly well in several assessments, would become vulnerable to development.

Extension to the south would also run into new constraints. The Council’s documents show that Blindley Heath has a considerable flooding problem with a “large part of the south east of the area” in Flood Zone 3a and much of its land at risk of surface water flooding.

Moreover, the proposed Blindley Heath garden village site directly abuts – and may even include much of – the SSSI, and is in its Impact Risk Zone. The Sustainability Appraisal says that there is “a risk of nearby development and increased visitor numbers negatively affecting it”, and that this is a “concern for the deliverability of development in this broad location”.

It adds that “potential run-off from the development …could adversely affect” the SSSI and that its water table could be adversely affected, impacting the flora and fauna. Only the effect of run-off from development in the western half of the site, the furthest from the SSSI, appears to have been analysed, but even this “could be significant”. Development in the Eastern side, from which there are “surface water pathways” could be expected to have even worse effects.

And it would achieve little or nothing. Owners of most of the land in the Eastern side of the site have said they will not sell and extension of the South Godstone area of search to the south would quickly run up against their land holdings. Taylor Wimpey does control 122 ha of land in the western half, but it would seem hard to connect this area with South Godstone as a single community.

**Question 6.7 Is there sufficient evidence in regard to possible infrastructure requirements to suggest that there is a reasonable prospect that homes could be built at the proposed Garden Community in the Plan period as set out in the Plan’s trajectory? Points to consider include:**

- Any necessary improvements to Junction 6 of the M25;
- Any necessary improvements to the A22;
- Any necessary improvements to South Godstone Railway Station;
- Whether the infrastructure requirements have been sufficiently considered and costed so as to inform the high-level viability of the proposal;
- Whether there are any infrastructure requirements which would mean that the site could not be viably developed at the point envisaged.

Objectors to the garden community have long voiced concern that Tandridge District Council has been wrong to claim that it would facilitate the provision of needed infrastructure and affordable housing in the district – holding that, on the contrary, a developer would aim to maximise profits through providing high-priced property and that any extra it had to spend on infrastructure would be likely to reduce its provision of affordable housing even further. I touched briefly on this in my Regulation 19 representations.

In the intervening year, the Council appears to have accepted this view, and to have moved decisively against a developer-led garden community at South Godstone. A meeting of its Policy and Resources Committee on February 6th, 2019, considered a report from consultants GVA offering three alternatives for delivering a garden community: “planning led” where a developer or developers built it, leaving the Council only to exercise its planning functions; “landowner led” where the Council acquired “significant landownership” itself, if necessary by CPO, so as to give it “a seat at the table”; and “partnership”, where it used CPOs to acquire up to all the land necessary to deliver the scheme”, and itself drove the development so as “to really make sure that its ambitions
are realised”.

These options, the Chief Executive told the meeting, were designed to set out how the Council could “take a more proactive approach so that its aspirations in terms of design, liveability, affordability and, crucially, the roll out of infrastructure at an appropriate time, can be delivered”. She added: “The greater the involvement the greater the likelihood of driving the project through to a conclusion that we all want to see”.

There was unanimity among speakers that the planning-led approach would not work, for the very reasons that objectors had advanced. For example, Keith Jecks, the Chairman of the crucial Planning Policy Committee, said that, under it, “there is a severe danger that we don't get what we want out of it”. Chris Botten, the LibDem leader said that it was “absolutely abhorrent” adding “I don't trust the market to deliver best value”. And Jeremy Purshouse, now Chair of the Council, – said: “It is not going to deliver what we want it to deliver”.

The committee ruled out the traditional approach and in further meetings TDC has increasingly moved towards the partnership one. Despite its good intentions, however, it must be extremely doubtful that such a small local authority, with a very limited budget, could muster the human and financial resources to carry out such a big development – especially when it would be reliant on the complex and time-consuming process of using extensive CPOs.

Thus the kind of garden community that the Council has planned is unachievable, because a developer will not, and Council cannot, deliver it.

**Question 6.8. When would the proposed Garden Community realistically deliver the first homes? What is the realistic rate of delivery which should be assumed?**

It seems clear that the first houses in the Garden Community – if it were to go ahead – could not be built in 2025, as the Council envisages, and that it could not deliver the 200 houses it promises, especially initially.

The report by Neame Sutton for the developers' Tandridge Housing Forum concludes that it's “proposed starting point for the delivery of housing in 2026 cannot possibly be right, not least because of the deferral of the detail to an Area Action Plan that has yet to start”. Indeed, it adds, the site “cannot possibly be relied upon to deliver any dwellings until at least 2028”.

It adds that since it takes time to “gear up” large scale sites the Garden Community could not expect to deliver more than 50 homes in the first year and 150 in the second.

Another report, by Lichfields, which is appended as an appendix to the Neame Sutton report, concludes from studying 70 large scale developments that too many “fail to deliver as quickly as expected”. On average, it found, it took 5.3-6.9 years from their first identification as sites for housing for the first dwelling to be completed. And once construction began the average annual build rate for sites of over 2000 homes was only 161 a year, just four fifths of what the Council, envisages.

As a result of all this, the Neame Sutton report concludes that “at best” the South Godstone Garden Community is likely to produce 683 homes during the plan period. And, in practice, this is likely to be limited further by constraints of “infrastructure delivery requirements”, such as the A22, Junction 6 and the railway station, problems with land assembly, and the absence of a developer.