Tandridge Local Plan Examination - Statement to Matter 1
Bellway Homes

September 2019
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1. **Introduction**

1.1 This Statement has been prepared on behalf of Bellway in response to Matter 1 of the Examination into the emerging Tandridge Local Plan 2033.

1.2 Bellway are promoting the land at Galloway Lodge, Warlingham for new residential development. Representations have been submitted on behalf of Bellway to previous consultations regarding the Local Plan.

1.3 Galloway Lodge, Warlingham has been assessed by the Council under reference WAR 035 in document SAD6.¹

1.4 The site is located at a sustainable location, with Warlingham identified as a tier 1 settlement within the emerging Local Plan. The site, as with much of the District, is located within the Green Belt and is not proposed to be allocated. However Bellway are aware that the District Council has, through the emerging Local Plan, proposed the release of sites from the Green Belt to accommodate new housing.

1.5 Bellway are aware that the Inspector has indicated that he will not be considering the merits or otherwise of omissions sites as part of the Examination. However, consistent with their previous representations, Bellway consider that the emerging Local Plan is fundamentally unsound, that the housing requirement should be increase and additional sources of supply identified.

1.6 For the sake of brevity and minimising repetition, this Statement should be read alongside Bellway’s previous representations on such issues. The contribution made on behalf of Bellway during the Examination will have regard to their Statements and previous representations.

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¹ Housing and Economic Land Availability Assessment 2017-2018 Appendix 3 Deliverable and Developable Sites
2. Response to Matter 1: Procedural / Legal Requirements

Issue: Whether all Statutory and Regulatory requirements have been met?

Duty to Cooperate

Q1.1 Is there clear evidence that, in the preparation of the Plan, the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies on strategic matters and issues with cross-boundary impacts in accordance with section 33A of the Planning and Compulsory Purchase Act 2004, as amended [the 2004 Act]? Is there clear evidence that the Council has done all it could reasonably do to maximise the effectiveness of plan preparation by cooperating with all other relevant bodies, particularly in respect of addressing unmet housing need?

2.1 Aside from any wider comments set out in this statement regarding the Duty to Cooperate, Bellway note the Inspector’s question refers to cooperation regarding the matter of unmet need.

2.2 However, in this case, the Local Planning Authority has failed to maximise the effectiveness of plan preparation within its own boundaries. It is abundantly clear from Q1.1 (and others) that this draft Local Plan will result in a demonstrable shortfall of planned housing provision against requirements (a matter to be considered in greater detail under other questions).

2.3 Bellway’s detailed representations on the Duty to Cooperate are set out in their previous representations. Whilst we note that the Council has included a series of Statements of Common Ground within the Examination library, these do not add much to the debate or background information as to how matters such as unmet housing need have been addressed under the Duty to Cooperate. Whilst these Statements of Common Ground include a series of actions, these are not actions that result in unmet housing need being addressed.

2.4 However taken at face value, the Statements of Common Ground appear to suggest that none of the other authorities would be in a position to accommodate Tandridge’s unmet needs. As we explain elsewhere, that need should be addressed in Tandridge given the opportunities to do so, and the apparent lack of opportunities (and need) to meet it elsewhere.

Sustainability Appraisal

Q1.2 Is the Sustainability Appraisal (SA) adequate?

2.5 No. As we explain elsewhere in the Statements on behalf of Bellway raise fundamental concerns regarding the fact that the SA2019 (MD5 - Tandridge Local Plan 2033 Sustainability Appraisal Volume 2 Options Assessment 2019) assessment of the ‘delivery strategy approaches’ on page 164 includes a garden village in each option.
2.6 The Sustainability Appraisal should have been based on an analysis of all reasonable alternatives. Given the number of sites which the Council has considered, it is evident that there is a supply of sites which would provide a quantum of development which is at least equivalent to, if not greater than, the quantum of housing expected to be delivered from the South Godstone.

2.7 The Council appears to have determined that the each option should include the GC, but that approach fails to have regard to the other ways in which housing sites could be accommodated in the District.

Q1.3 Has the SA been undertaken on the basis of a consistent methodology and is the assessment robust?

2.8 Bellway consider that there are serious flaws, or a lack of explanation over the assessment conclusions and that as a consequence it does not represent a robust assessment.

2.9 For example, whilst matters associated with the planned housing requirement are addressed elsewhere, we note that Volume 2 of the SA (document SSHA3) (section 5.4) sets out the assessment of the housing requirement options. The scoring of each of these options is presented in table 11.

2.10 As far as we can establish, the SA does not provide any explanation as to why the first of the options considered (referred to as ‘DCLG new methodology housing number – 645 dwellings per annum (dpa)’) would result in a different score to the other options. For example, the option based on 645 dpa scores – (two minuses) against biodiversity and contaminated land. Against the same objectives the option based on 306 dpa is assessed as 0. However the SA does not provide any explanation as to why this is the case. In relation to biodiversity, we note the requirement in the NPPF 2019 (which will apply for decision-taking) seeks to ensure that proposals lead to net gains for biodiversity. There is an argument therefore that greater levels of housing would provide further opportunities for net gain.

2.11 We also note that table 11 in Document SSHA3 suggests that the increase housing requirement would have a worse impact on health. We do not understand why the Council considers this to be the case.

2.12 These are only three such examples as to why the SA assessment is flawed and why there is a lack of reasoning for the rejection of alternatives.

2.13 Section 5.4 of document SSHA3 also records that “Even economic objectives (6&7) seem likely to be negatively affected by the OAN and DCLG numbers. This is because the growth rate would be unsustainable, negatively affecting the balance of local homes and jobs. Higher housing numbers would lead to increased pressure on employment premises to change use to residential”. We have not seen any evidence that planning for higher housing numbers would lead to increased pressure on employment premises to change use to residential. As we explain elsewhere in our Statements to this examination, other sites have been promoted (and assessed by the LPA), however these have been excluded without full and proper justification and would provide a source of additional sites without the change of use of employment sites.
2.14 We note that in every respect, table 11 of Document SSHA3 (other than when assessed against the provision of housing). The assessment does not record any positive scores against other socio-economic matters by providing new housing, other than against ‘Economics’ and ‘Employment’ in the scenario of planning for the ‘maximum potential in light of background evidence’. An increased housing requirement (and supply) is capable of providing an additional workforce, helping to sustain local businesses and generating additional local expenditure.

2.15 We also raise concern over the fact that table 11 of Document SSHA3 scores the ‘maximum potential in light of background evidence’ option (i.e. 303dpa) against the housing objective as +. In contrast, the higher requirement derived from the MHCLG figures (645dpa) is scored as ++ and the OAN option of 470 dpa is scored +++. This is despite the fact that the figure of 303 dpa fails to provide for even the demographic needs of the area and results in a substantial shortfall against the affordable housing needs of the area early in the Plan period (391 affordable dpa). The options which are capable of addressing these needs should be scored positively. In our view, there is a case that the 303dpa option should be scored negatively since it fails to provide for the needs of the area.

2.16 The analysis in section 5.4 of Document SSHA3 suggests that:

“Even economic objectives (6&7) seem likely to be negatively affected by the OAN and MHCLG numbers. This is because the growth rate would be unsustainable, negatively affecting the balance of local homes and jobs, leading to a greater level of out-commuting. Higher housing numbers would lead to increased pressure on employment premises to change use to residential – incentivised by greater land values and a more relaxed permitted development order at national level. Pressure for housing development to be extended into tier 3 and 4 settlements, or even the open countryside would inhibit the ability of the Local Plan to reduce car dependency and support town centres.”

2.17 We disagree with the above statement. The Council has identified, considered and then arbitrarily discounted sites which could be allocated at higher order settlements (such for WAR 035) without increasing the pressure on less sustainable settlements/the open countryside to accommodate development.

2.18 The SA of this emerging Local Plan requires reconsideration to ensure that the adverse impacts of development are not overplayed and the benefits of development are not underplayed. As it is currently drafted, the assessment is skewed towards the identification of adverse impacts. Moreover the assessment overstates the positive impacts of measures that align with the Council’s view of the area’s capacity to accommodate development.

Q1.4 Has the SA taken into account the reasonable alternatives and has sufficient reasoning been given for the rejection of alternatives

2.19 No. The Council should have assessed an alternative ‘delivery strategy approaches’ on which does not include a garden village. The SA is fundamentally flawed due this apparent predetermination. The Council cannot say that the inclusion of the GC represents the most reasonable approach when it has not considered all other reasonable alternatives.
2.20 The Council has failed to include any reasonable alternatives which increase the housing numbers delivered by the Tier 1 and 2 settlements. This is despite Policy TLP01 of the Draft Plan, which states that “In the short to medium term development is directed towards the most sustainable settlements which are our urban (Tier 1) and semi-rural service settlements (Tier 2).”

2.21 In addition, we note that the SA has considered options based on the premise of development being at a significantly greater density than the prevailing character of the area. In our opinion, it is not robust to consider approaches which assume development at a rate of 70 dwellings per hectare.

2.22 The higher density housing options appraised in the latest SA (July 2018) do not represent ‘reasonable alternatives’ and we would consider it reasonable to distribute housing in an alternative way at a standard density with higher housing numbers being deliverable in the Tier 1 and Tier 2 settlements. This would be in line with preferred approach to focus residential development on Tier 1 and 2 settlements.

2.23 Document SSHA3 (Tandridge Local Plan Sustainability Appraisal Regulation 19 Stage Volume 2 Options Assessments 2018) (page 215) sets out that site WAR 035 (the land at Galloway Lodge, Warlingham) failed the Green Belt exceptional circumstances test. No reasons are given in the SA as to why the Council did not consider that there were exceptional circumstances which justified the release of this site from the Green Belt. As the Statements and previous representations submitted on behalf of Bellway demonstrate, the Council’s assessment of alternative sites is flawed. However these flawed assessments appear to have influenced the assessment of options in the SA by arbitrarily discounting sites.