## TLAG – response to MIQs (6 September 2019)

### Matter 2 – The provision of housing

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<th>MIQ number</th>
<th>Question</th>
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<tr>
<td>Q2.11</td>
<td>Does the housing trajectory set out in the Housing Topic Paper (HNS2) provide a sound basis for meeting the identified housing need?</td>
<td>Paras 4.7 – 4.36</td>
<td>The Housing Topic Paper (HNS2) indicates that the Garden Community will deliver 200 dwellings per annum from 2026/2027 to the end of the plan period (providing a total of 1,400 dwellings). After taking into account completions and existing permissions this represents almost 40% of the remaining proposed housing supply over the plan period - which is more than the combined total yielded by the proposed site allocations in the most sustainable locations in the district (i.e. the Tier 1 and 2 settlements). Indeed sites in the Tier 1 and Tier 2 settlements would contribute only 282 dwellings in the period from 2026/2027 to the end of the plan period – placing significant reliance on a Garden Community which would, in TLAG’s view, not be deliverable (which we address further in response to Question 2.12). Our regulation 19 representations (at paragraphs 4.7-4.36) set out TLAG’s grave concerns with the spatial strategy for meeting housing needs – and that the strategy should be focused on the most sustainable locations in and around the Tier 1 and Tier 2 settlements. We consider this further in response to the questions relating to Matter 3 (Spatial Strategy). In specific response to Question 2.11, the inclusion of the dwellings at South Godstone in the trajectory is simply a consequence of the spatial strategy. Therefore if the matters in relation to the spatial strategy are resolved (to remove the proposed garden community at South Godstone) the trajectory would have to be amended accordingly. As such, the housing trajectory set out in HNS2 is considered to be currently fundamentally unsound.</td>
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<td>Q2.12</td>
<td>Is the housing trajectory realistic and deliverable in terms of its components and are there any threats to delivery?</td>
<td>Paras</td>
<td>The same point applies here, that if the spatial strategy is amended, then modifications to the trajectory will automatically follow.</td>
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1 Appendix 4 of the Housing Topic Paper (HNS2) provides an alternative trajectory which places an even greater emphasis on the delivery of a Garden Community.
It is, however, appropriate to address the proposed timing of the delivery of housing at South Godstone as set out in the trajectory, and why this is flawed, having specific regard to the reasons that the proposed garden community is not deliverable.

TLAG’s regulation 19 representations explain, at paragraphs 4.75 – 4.90, why a spatial strategy which relies on a Garden Community at South Godstone is neither realistic nor deliverable, having regard to: the proposed mix of uses; the reliance on Godstone Station to make it a supposedly ‘sustainable location’; the necessary infrastructure; and issues around land assembly.

We do not intend to repeat the matters set out previously on these issues, but we will add to our representations below in response to this question and, in particular, threats to delivery, where matters have progressed since September 2018.

**Sustainable mix of uses (Employment land)**

One of the objectives for the South Godstone Community, as set out in the Local Plan (SGC Objective 2) is to provide and facilitate local employment opportunities. Draft Policy SGC01 states that the Garden Community will be planned to make the settlement ‘more self-sufficient’ and would provide a mix of employment space “including offices, start up space and ‘hot-desking’ facilities will be provided to ensure that local employment opportunities are woven across the community”. The evidence presented in our regulation 19 representations (see paragraph 4.76) clearly demonstrates that it is simply not credible that any developer would build offices speculatively in this location.

The Tandridge Strategic Economic Assessment (TSEA) (Nov 2018) provides further analysis to “identify the quantum of employment land which may be reasonably planned for at the new Garden Community...”. This analysis serves to corroborate our case that the Garden Community would simply act as a commuter settlement (and for the reasons covered below would perpetuate the use of the private car).

The TSEA finds that the number of full time jobs worked by residents at the Garden Community would be up to 1,340 assuming the delivery of 1,400 units by the end of the plan period (and up to 3,840 based on the future assumption that the community would increase to 4,000 homes). The analysis concludes that based on the existing sectoral profile within Tandridge the greatest proportion of jobs worked by residents in the community would be in professional services (followed by construction). The analysis then concludes (para 4.31) that certain sectors, specifically professional services, have a greater propensity to commute longer distances (over 10km) to work (with managerial and professional occupants likely to commute further) and that commuting patters suggest that many in these professions commute to London. It then
acknowledges that “there will be limited opportunity to provide equivalent job opportunities at the Garden Community. Therefore, continued commuting outflows for these types of jobs is expected”. With regard to office demand, the analysis acknowledges that demand in more rural areas is mainly for smaller office units of less than 185sqm with very little demand for anything over 500sqm. It also, however, highlights a relatively high percentage of vacant office stock in Tandridge (para 4.38) and that the office market activity is focussed in the main settlements of Oxted, Caterham and Whyteleafe (para 4.44). And even in these more core locations, the viability of developing new offices is marginal at best due to the low rents that prevail in the district.

With regard to industrial land, the analysis notes that there is small scale activity in Tandridge (compared to higher levels of activity in Crawley, Croydon, Reigate and Redhill) mainly focused along the A22 corridor, Caterham and the south west of district near Gatwick Airport. This is consistent with the conclusion of the SA which (in relation to the comparative merits of location for a Garden Community) considered Redhill Aerodrome to be the best commercial opportunity (see the table at para 4.112 of our regulation 19 representations). Paragraph 4.40 of the TSEA therefore concludes that the industrial market in Tandridge is limited compared to neighbouring areas.

The TSEA continues, to state that in order that the employment needs of the residents can be met close to where they live, around 3.5ha of employment land would be needed at the Garden Community over the plan period and around 10ha in the longer term for the future total of 4,000 dwellings. Paragraph 4.65 finds that “this level of employment land provision would ensure alignment between the number of workers and jobs and would give the opportunity to support employment uses such that a significant number of residents could both live and work at the Garden Community”. It is then concluded at 4.66 however that “in reality only a small proportion of residents will both live and work in a settlement of this size”.

At paragraph 4.72 the TSEA wraps this point up, stating that “a considerable quantum of residents at the Garden Community will work in office premises, albeit it is realistic to expect high levels of commuting for these types of jobs to elsewhere in the District and beyond” and recommends that it would be ‘sensible’ to plan for only 1.6 – 1.9ha of employment land (i.e. about half that would be required to meet the employment needs of residents) and to not be prescriptive about the split between office and industrial.

Even assuming that all this employment land is delivered (which is unlikely given both the office and industrial market evidence) and that the number of jobs in service sectors (retail, leisure, health etc) are delivered at the Garden Community, it would still only retain fewer than 50% of the total jobs of residents at the Garden Community. Even as a gross overestimate (given the likelihood of the take up of
employment land at the site) this does not represent a ‘self-sustaining new community’. The reality is that South Godstone will be a dormitory commuter settlement. This represents a fundamental problem when this is directly contrary to garden town principles, but more so that commuters will not be served by a viable train service and will inevitably resort to the private car in order to commute to work.

*Godstone Station*

TDC places great emphasis on the sustainability benefits provided by the proximity to Godstone Station (and as we conclude above, good public transport links would be essential given the inability of the community to be self-sustaining).

TDC have repeatedly stated that a garden community at South Godstone will not be supported unless the service to Godstone station is greatly improved, to an extent to which it would be illogical for rail users to drive to other locations.

The line between Tonbridge and Redhill on which Godstone station is located currently operates as little more than a shuttle service in terminal decline. It currently take 65 minutes to travel into London Bridge, compared to 38 minutes from Oxted. The line will, however, never be capable of generating a sufficiently attractive service to London, and residents will simply get in their cars and drive to other stations, like Oxted, with direct links to London. This is robustly demonstrated in the attached *Analysis of Rail Services on Tonbridge to Redhill Line paper prepared by Michael Crane (of over twenty years’ managerial experience in the rail industry).*

This paper addresses the decline in rail services over time, dialogue between TDC and the rail industry and the commercial viability of the route. This is clear and compelling evidence that one of the key facets of TDC’s sustainability case for South Godstone is fundamentally flawed and will not be realised. And his correspondence with TDC, also appended, shines a light on the extraordinarily fanciful ideas of the sort of development that might happen at Godstone Station and along the line. Indeed, this correspondence highlights the fact that TDC consider some 25,000 new homes would be needed along the Tonbridge/Redhill line in order to justify any meaningful increase in the service, something that patently will not happen given the very small villages served by the line.
Infrastructure delivery

Our regulation 19 representations outline that the delivery of infrastructure needed for the garden community is far from certain and does not meet the requirements of the NPPF that there must be a reasonable prospect that planned infrastructure is deliverable in a timely fashion.

Turning to the required highways infrastructure (having already commented on the likelihood, or not, of any improvements to the services to Godstone station), it is our understanding that discussions with Highways England about upgrading Junction 6 are at a very early stage and there is no certainty that these improvements can be delivered in the required timescales, nor are these costs known accurately. Furthermore, it is our understanding that once the long planned, but delayed, works to Junction 10 at the intersection of the M25 & A3 are complete, probably not until at least 2022, there will then be a 5 year moratorium on any major works on this stretch of the M25, taking even just a start on site for these works to 2027 at best – the date that the housing trajectory suggests that housing will start to be delivered at South Godstone.

Land assembly

The lack of certainty with regard to land assembly also raised major doubts with regard to the ability to deliver houses at South Godstone in line with the trajectory. The land is very fragmented, TDC will need to use CPO powers, several landowners have confirmed their land is not for sale and there is no single promoter for the scheme. We are aware of many landowners who do not want to sell, several of whom have written to the Inspector in this regard. Even the council’s own advice from Avison Young acknowledges that the multiple interests, options etc from different promoters would mean a very big task in pulling this all together. We consider this further in response to Question 6.6.

TLAG also note the evidence presented by the Tandridge Housing Forum and published by Neame Sutton and Lichfields – which provides a further practical housebuilder perspective as to why the South Godstone Garden Community cannot deliver the 1,400 dwellings projected for it during the plan period. This has reference to experience and examples of matters inherent in large scale developments and concludes that the best case scenario would be the completion of 683 dwellings by the end of the plan period. We consider this further in response to Q6.8. This is clearly notwithstanding the more critical strategic barriers and uncertainties to delivery of any housing at all at South Godstone as set out above.
| Q2.13 | *Is the contribution towards housing supply of housing from windfall, town centre initiatives and the predicted supply of 20 vacant dwellings per annum being brought back into use realistic and justified?* | Para 4.22 | In relation to the number of homes allowed for as part of the windfall, we refer back to their representations from the Reg. 19 consultation, to paragraph 4.22 in particular.  

There is no justification for the adoption of a windfall allowance that is lower than past trends of completion rates.  

Adopting a more robust windfall allowance based on full past annual delivery rates, would deliver a supply of over 300 more homes over the plan period.  

TLAG question the rationale for adopting a radical spatial strategy which would require vast swathes of Green Belt release in an unsustainable location, rather than maximising delivery in more appropriate locations – including through windfall developments.  

Until all other avenues of supply have been realistically assessed, it is not sound for TDC to claim that the delivery of a garden community is the most appropriate and justified approach. |
| Q2.15 | *In broad terms, is the housing development proposed in the Plan and set out in the trajectory based on a sound understanding and robust evidence of viability?* | Paras 4.80 – 4.88 | We consider viability in relation to the infrastructure requirements for the Garden Community further in our response to Q6.7. However, in response to Q2.15, as to whether the housing development proposed is based on *“a sound understanding and robust evidence of viability”*, we refer to our regulation 19 representations which highlight the significant inconsistencies between TDC’s viability evidence in the BNP Viability Appraisal and the IDP in terms of infrastructure costs (and subsequent work by Avison Young). This serves as an example to demonstrate that the proposed development in the Local Plan is not founded on any sound understanding or robust viability evidence.  

It is acknowledged that the Garden Community has been identified as one of nineteen to receive support and financial backing from the government. This was announced by James Brokenshire, the then Communities Secretary, in June 2019. However, this amounts to just £150,000 and we do not believe that the Communities Secretary was made aware of the huge local opposition to this proposal, which totally lacks local support. Also, this money is intended to be used towards progressing planning applications and |
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<th><strong>Q2.16</strong></th>
<th><strong>Para 4.42-4.44</strong></th>
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| **Given that the proposed South Godstone Garden Community is intended to deliver around 1,400 new homes in the Plan period and the details of the development would be considered by an Area Action Plan (AAP), would it be effective to include within the Plan a Policy which commits the Council to a review of the Plan if the AAP is not adopted by a specified date in order to sustain the supply of housing?** | **Q2.16 considers whether it would be effective to include a time constrained policy within the plan, committing to a review in the event that an AAP for the Garden Community is not adopted by a specified date.**

**TLAG agree that this may be an appropriate suggestion in circumstances where the rationale for an AAP is well founded. The deferral of matters that are fundamental to the deliverability of a key component of TDC’s spatial strategy, as proposed by TDC, is however an entirely inappropriate use of an AAP.**

The test of effectiveness in the NPPF (para 35 of the old NPPF) is whether plans are deliverable over the plan period. It also specifically makes reference (albeit in the context of cross boundary working) to dealing with strategic matters rather than deferring them.

It is impossible to make a full assessment of the deliverability of the South Godstone garden community (notwithstanding all of the other reasons which clearly demonstrate that it is not in any event) in the absence of the detailed consideration of whether ‘exceptional circumstances’ exist to fully justify Green Belt release, any specific assessment of infrastructure delivery (noting the intention to produce a location specific update to the IDP) or the level of employment that the site will provide to support the new community. These are all matters which TDC proposes to defer to the future AAP.

The scope of the AAP should be limited to matters of detail, including design and layout, and not matters that go to the heart of the principle of whether the garden community is appropriate in planning terms – and must be done at the point of strategic plan making through the Local Plan.

These principles were clearly established through the recent North Essex Authorities Strategic Plan Examination in relation to new garden communities. The Inspector concluded in his report\(^2\) that “**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**”. This is crucial and highlights the importance of including within the Local Plan sufficient evidence to demonstrate that proposals and justified and developable, leaving only more detailed matters.

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such as design and phasing to the follow up plan. The “follow up plan” (in this case the proposed AAP) approach is therefore not appropriate based on the proposed scope set out at 3.20 of the Local Plan.

These are not matters that can be easily resolved by TDC simply retrospectively preparing additional evidence. These are matters that go to the heart of the entire decision making process in considering alternative options for the spatial strategy or (if it one is needed at all) alternative locations for a garden community.

TLAG therefore consider that the Inspector has no option but to conclude that the deferral of these strategic matters to a future AAP automatically means that the test of effectiveness has been failed.