MATTER 3

THE SPATIAL STRATEGY

Hearing Session: Wed 23 October 2019

WRITTEN STATEMENT

Prepared by:
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On behalf of:
Millwood Design Homes Ltd

Representor ID No: 1178623

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WBP Ref: 7925
Executive Summary

Millwood Designer Homes Ltd maintain their objections to the soundness of the Local Plan in the context of the Council’s proposed approach to policies TLP01, TLP06, TLP07, TLP08 and TLP09. This relates to the approach to the spatial strategy in seeking to accommodate the District’s objectively assessed needs, the failure to demonstrate a five year supply of deliverable housing land; and the need to identify additional deliverable housing allocations, at sustainable settlements, including on land at Limpsfield, South Nutfield, Felbridge and Dormansland.

Their objections may be summarised as follows:

- The Plan is **not justified** having regard to the inconsistent approach to reviewing Green Belt boundaries to accommodate the District’s objectively assessed housing needs. Consequently, it cannot be said to provide the most appropriate strategy when considered against the reasonable alternatives.

- The Plan is **not effective** and will fail to provide a five year supply of deliverable housing land on adoption and deliver the requisite amount of housing during the plan period.

- The Plan is **not consistent with national policy** having regard to clear guidance in the NPPF that settlements which do not contribute towards the openness of the Green Belt must be omitted, irrespective of their sustainability (paragraph 86 of the NPPF). The failure of the Plan to remove the settlements of South Nutfield, Dormansland and Felbridge indicate that the submitted Plan is inconsistent with national policy.

In order for the Local Plan to provide an appropriate basis for the planning of the District to 2033, and in helping to meet the District’s objectively assessed housing need, Millwood Designer Homes Ltd identify a need to allocate additional sites at sustainable settlements, including the Tier 1 settlement of Limpsfield.

In addition, there is also a need to inset the Tier 3 settlements of South Nutfield, Dormansland and Felbridge from the Green Belt in order to accord with the paragraph 6 of the NPPF; and to provide for additional housing allocations that can help meet the objectively assessed housing need whilst also contributing towards sustainable patterns of growth.

The above changes are necessary in order to satisfy the NPPF tests of soundness.
Issue

Is the spatial strategy and settlement hierarchy as set out in Policies TLP01, TLP06, TLP07, TLP08 and TLP09 justified as the most appropriate strategy and is it based on robust evidence?

1. INTRODUCTION

Context and Background

1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Millwood Designer Homes Ltd, addressing the questions for Matter 3 as set out in the Inspector’s Matters, Issues and Questions regarding the soundness of the Local Plan having regard to the approach of the Spatial Strategy to accommodate the District’s development requirements during the plan period to 2033.

1.2. In setting out our position in relation to the Spatial Strategy, we continue to rely upon and refer to the content of our detailed representations submitted in response to the Regulation 19 consultation in September 2018, alongside the other statements submitted to the Examination, either by ourselves (Matter 4) or through those of the Tandridge Housing Forum (of which Millwood Designer Homes Ltd forms part)
2. Responding to the Questions

Question 3.1:

Have all realistic options for the distribution of development within the District been identified and considered robustly in the formulation of the Plan?

2.1. No. as detailed in the representations, the submitted Plan has not adequately considered the scope of settlements such as Dormansland, South Nutfield and Felbridge to accommodate growth, as these should be removed from the Green Belt since they do not contribute towards its openness. If these settlements had been excluded as the authority is obligated to do in accordance with paragraph 86 of the NPPF, further opportunities to accommodate development could be reasonably been identified.

2.2. This is one example of where a reasonable opportunity has not been considered for the plan.

2.3. As detailed in the representations, the scope for additional allocations at other settlements (in and adjoining the district) such as Felbridge has also not been fully considered. This is a failure of the Plan as settlements in adjoining authorities have been acknowledged by the respective Council as being suitable for growth. For consistency, Tandridge should have treated the settlements the same, especially where (as in Felbridge/Mid Sussex), the strategy has been recently found sound by an Inspector.
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?

2.4. The failure to consider growth in settlements where development would not be harmful to the openness of the Green Belt indicates that the plan will not lead to the most appropriate pattern of housing growth. The NPPF (paragraph 84) is clear that the consequences for sustainable development both with the authority and adjoining areas must be considered in the context of the achievement of sustainable patterns of development. The failure of the authority to meet its objectively assessed needs, either within or outside of the authority means all opportunities within the administrative boundary must be explored.

2.5. The failure consider the scope for growth in washed over settlements such as Dormansland, Felbridge and South Nutfield means that the Plan will not lead to the most appropriate pattern of growth.

Question 3.3:

Is the distribution of new homes between the Tiers of settlements and proposed garden community justified and how has it been established?

2.6. The distribution of homes between the tiers in the hierarchy is unjustified as no allowance has been made for development in third tier settlements. As outlined in the representations and the Metter 4 statement, these settlements do not contribute towards the openness of the Green Belt (as illustrated in the assessment of Dormansland provided in the Mater 4 statement) and consequently the authority was obligated to remove them from this designation. Following their insetting from Green Belt, they would have had scope to accommodate further growth and therefore an allowance should have been included within the Plan.
Spatial Strategy Policy wording
TLP06: Urban Settlements

Question 3.4:

Is the Policy effective and consistent with national policy in requiring accordance with the Councils Infrastructure Delivery Plan which is not a development plan document?

2.7. The policy as drafted is not effective nor consistent with national policy. The NPPF (paragraphs 156 & 157) details how infrastructure requirements must be considered in the preparation of a plan. Paragraph 174 is clear that the authority should detail the requirements within the Local Plan. Therefore, reliance on the guidance of a separate document to provide advice on infrastructure indicates that the submitted Plan is inconsistent with the NPPF. This raises doubts over its effectiveness as acknowledged by the Inspector.

Question 3.5:
Are the proposed Modifications necessary for soundness?

2.8. Further guidance on the requirements for infrastructure for schemes is necessary. This is beyond that envisaged in the Modifications.

TLP07: Semi-Rural Service Settlements

Question 3.6:

Is the Policy effective and consistent with national policy in requiring accordance with the Councils Infrastructure Delivery Plan which is not a development plan document?

2.9. As explained in the response to question 3.4 above, the policy as drafted in not effective nor consistent with national policy. The NPPF (paragraphs 156 & 157) details how infrastructure requirements must be considered in the preparation of a plan. Paragraph 174 is clear that the authority should detail the requirements within the Local Plan. Therefore, reliance on the guidance of a separate document to provide advice on infrastructure indicates that the submitted Plan
is inconsistent with the NPPF. This raises doubts over its effectiveness as acknowledged by the Inspector.

2.10. Furthermore, as tier 2 settlements are inset from the Green Belt, in order to full the Government’s objectives in paragraph 47 of the NPPF of significantly boosting the supply of housing, it is not considered that the criteria in section A will achieve this. The criteria currently seek to limit the opportunities for residential development in these locations which emphasises the extent that submitted plan conflicts with the Governments objectives in the NPPF.

2.11. Furthermore, as detailed in the representations, the Plan has failed to fully consider the opportunities for revisions to settlement boundaries i.e.ee at Felbridge to enable the district to better achieve the requirements of paragraph 47 in meeting the areas’ objectively assessed needs. Revisions to the policy are consequently necessary.

**Question 3.7**

*Are the proposed Modifications necessary for soundness?*

2.12. Further guidance on the requirements for infrastructure for schemes is necessary. This is beyond that envisaged in the Modifications.

**TLP08: Rural settlements**

**Question 3.8**

*Is the Policy sufficiently clear and would it be effective in respect of Woldingham which is inset, in part, from the Green Belt?*

2.13. No. As Woldingham is partly inset from the Green Belt, in order to full the Government's objectives in paragraph 47 of the NPPF of significantly boosting the supply of housing, it is not considered that sentence before part B will achieve this. The criteria currently seek to limit the opportunities for residential development in Woldingham which emphasises the extent that submitted plan conflicts with the Governments objectives in the NPPF.
2.14. These concerns apply to the other settlement listed in the policy which the Council unjustifiably seeks to retain in the Green Belt. As detailed in the representations and the Metter 4 statements, in accordance with paragraph 86 of the NPPF, these settlements must be removed from the Green Belt as they do not contribute towards its openness.

2.15. As explained for Woldingham above, the criteria in section A should not apply as they limit the ability of boosting the supply of housing, contrary to paragraph 47 of the NPPF.

**Question 3.9**

*Are the criteria set out in A) consistent with Green Belt policy as set out in paragraph 89 of the Framework and are they justified?*

2.16. No. As detailed in the representations and the matter 4 statement, the settlements listed in the policy must all be inset from the Green Belt to ensure the Plan complies with paragraph 86 of the NPPF. Notwithstanding this, the criteria in section A of the policy unjustifiably constrains development in villages beyond that specified in paragraph 89 of the NPPF. I.e. the restrictions on infilling are more onerous than the NPPF and have not been justified. As explained above, the approach of the authority conflicts with the Government’s objectives of significantly boosting the supply of housing. The policy therefore must be amended.

**Question 3.10**

*Is the Policy effective and consistent with national policy in requiring accordance with the Councils Housing Strategy which is not a development plan document?*

2.17. No comment.
Question 3.11
Are the proposed Modifications necessary for soundness?

2.18. No. As detailed in the presentation and the matter 4 statement, all settlements in this tier should be inset from the Green Belt with opportunities for allocations to further address the district’s identified development needs earmarked.

Suggested Policy Changes

2.19. As detailed in the representations and the matter 4 statement, all the settlements listed in TLP08 must be inset from the Green Belt as there is no justification for their retention in this designation pursuant to paragraph 86 of the NPPF.

2.20. In insetting these settlements, opportunities for allocations to provide more sites to address the district’s objectively assessed needs must be identified. As detailed in the representations, this must also include opportunities in other inset settlements such as Limpsfield (a tier 1 settlement). Overall, the settlements with scope for allocations include Dormansland, South Nutfield, Felbridge and Limpsfield.

2.21. Additionally, the criteria in sections A of policies TLP07 and TLP08 must be omitted as they hinder the ability of the authority to significant boosting the supply of housing, which they are obligated to address pursuant to paragraph 47 of the NPPF.

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