Tandridge Local Plan 2033 Examination

Examination Statement in respect of Matter 3: The Spatial Strategy

Brookworth Homes Ltd

September 2019
1. Introduction

1.1 This Statement has been prepared on behalf of Brookworth Homes Ltd. Representations were submitted by Turley on behalf of Brookworth Homes Ltd to the Regulation 19 Draft Local Plan 2033 (DLP) in September 2018 (Council ID reference 1742).

1.2 In short, the representations focussed on the lack of sufficient justification for a housing requirement in the Plan which falls significantly short (3,334 dwellings) of the Council’s own assessment of Objectively Assessed Needs (OAN). This justification is almost entirely focussed on the Green Belt as a key and over-arching constraint.

1.3 Whilst the significance of the Green Belt is acknowledged, in accordance with the national guidance (Paragraph 84 and 85, NPPF 2012) the Plan provides an opportunity to review the Green Belt boundaries, in the context of meeting identified requirements for sustainable development.

1.4 The Plan does commit to release some sites from the Green Belt and identify them as allocations within the Plan. However, there remains a significant under provision of housing against OAN, which runs contrary to the government’s objective to significantly boost the supply of housing (Paragraph 47, 2012 Framework), and to ‘positively seek opportunities to meet the development needs of the area’” (Paragraph 14 and 157, 2012 Framework), will lead to worsening affordability crises across the District, and have implications for the wider housing market area.

1.5 Brookworth Homes Ltd has land interest in Smallfield that in our view has a limited role in meeting the Green Belt purposes as defined at Paragraph 80 of the NPPF 2012. As a tier 2 “semi-rural service settlements”, further allocations adjacent to the settlement boundary of Smallfield represent a sustainable location to provide for more market and affordable housing to meet increased housing requirements, and this is recognised by the DLP proposed allocations HSG1-4. In this context, such sites are considered to represent exceptional circumstances to release more land from the Green Belt.

1.6 Section 2 of the Statement provides responses to the key questions set out within the Inspector’s Initial Matters, Issues and Questions (ID/5 V3) in respect of Matter 3.

1.7 This Statement should be read in conjunction with the Statement prepared on behalf of Brookworth Homes and in respect of Matter 2 : The provision of housing.
2. **Initial Matters, Issues and Questions – Matter 3 : The Spatial Strategy**

2.1 Each of the Questions listed in the Initial Matters, Issues and Questions (Examination document ID/5 v3) in relation to Matter 3 are considered in turn below. Within the document, the Inspector has summarised the over-arching key Issue as follows:

> “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?”

**Q 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?**

2.2 No. Page 127 of the Sustainability Appraisal Vol2 : Options Assessment (SA 2015) and related Table 1 confirm that 6 delivery strategy options were assessed. Clarification is required as to what constitutes ‘Approach 1’ as this is not detailed within the Table. For the purposes of this Statement it is assumed this represents existing commitments only.

2.3 Approach 3 included existing commitments (subject to clarification as per above), sites within the inset areas of the District (i.e. outside the Green Belt), and deliverable sites that are currently in the Green Belt around the main urban settlements and semi-rural service settlements (Oxted, Limpsfield, Hurst Green, Caterham on the Hill, Caterham Valley, Warlingham, Whyteleafe, Smallfield, Lingfield and Godstone) developed at an average density. It is acknowledged that this could deliver 8,569 dwellings.

2.4 The SA 2015 confirmed that Approaches 3 ‘performed well against SA objectives in terms of providing sufficient housing to enable people to live in a home suitable to their needs, however, this level of development does mean that they score relatively poorly against a number of the other sustainability objectives. There are mitigation measures that can be implemented to reduce these impacts and if either of these approaches is taken forward as the preferred approach the site selection process will need to assess, both, their individual impact and the cumulative impact.’

2.5 Section 5.8.1 of the updated Sustainability Appraisal 2019 (SA) provides the background evidence that is relied upon in determining the distribution of development included within the DLP. This identified five approaches to delivering the development needs of the DLP (the extract below relates to housing approaches only):

- **Approach 7a**: Focus residential development on Tier 1 and 2 settlements, plus development of a ‘Garden Village’; all at standard density;

- **Approach 7b**: Focus residential development on Tier 1 and 2 settlements, plus development of a ‘Garden Village’ - all at higher density (HD) – as high as 70 dwellings per hectare (dph);
• Approach 7c: Focus residential development on Tier 1 and 2 settlements at standard density; plus development of a 'Garden Village' at higher density (HD);

• Approach 8a: Focus residential development on Tier 1, 2 and 3 settlements, plus development of a 'Garden Village'; all at standard density;

• Approach 8b: Tier 1, 2 and 3 settlements plus 'Garden Village' - all at higher density (HD).

2.6 The SA 2019 report concludes (pg 165) that approach 7a, whilst being the 'least ambitious' of the options for meeting housing needs, does represent a considerably higher level of development than the approaches assessed as part of the previous Sustainability Appraisal undertaken in 2015, whilst avoiding the worst of the more damaging negative impacts that may result from approaches 7b, 8a and 8b.

2.7 This approach is both contrived and flawed.

2.8 Firstly, approach 7a of the SA 2019 report notably only considers the scale of residential development identified in the DLP at Policy TLP01 (i.e. 768 in Tier 1 settlements and 533 in Tier 2 settlements). It DOES NOT include all of the sites identified as deliverable within the Housing and Economic Land Availability Assessment (HELAA) adjacent to the policy boundary of Tier 1 and Tier 2 settlements. This option was assessed within Approach 3 within the SA 2015 which identified a yield of 8,569 dwellings (including commitments and sites within inset areas.)

2.9 It is unclear from the report why Approach 3 from SA 2015 was not carried forward for assessment within SA 2019. However, page 165 of the SA 2019 does provide a ‘note on the Green Belt’ which refers to sites needing to ‘demonstrably pass the Green Belt exceptional circumstances test - leading to their eventual release from the Green Belt’, and section 5.11 of the SA 2019 confirms the ‘failed the Exception Test’ against several of the relevant sites adjacent to the boundary of Tier 1 and Tier 2 settlements and considered within the ‘SA commentary, mitigation and conclusion’. These conclusions are drawn from the Council’s related background evidence within the Green Belt Assessment Part 3. Only those that pass this test are allocated and included within approach 7a within the 2019 SA.

2.10 This has two fundamental consequences:

a) The Council have therefore failed to include any reasonable alternatives at this stage which increase the housing numbers delivered by the Tier 1 and 2 settlements, despite other deliverable sites adjacent to the settlement boundary being included as an identified Approach in the 2015 SA, and Policy TLP 01 of the Draft Plan stating 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).’;

b) The Councils approach is considered unsound as Green Belt is a policy designation, not a reason for rejection and is not engaged by any of the criteria within the SEA regulations or, as highlighted within the 2019 SA, not part of the SA Framework Objectives agreed across East Surrey local authorities. The review of Green Belt land (a
separate evidence study) should not be used to overlook a further ‘reasonable alternative’ that would include more suitable and deliverable HELAA sites adjacent to Tier 1 and Tier 2 settlements as part of an increased housing provision.

2.11 Secondly, testing higher densities of up to 70 dph within Approach 7b is not considered a ‘reasonable alternative’. Development of this scale will clearly have a significant negative score against several Sustainability Objectives.

**Q3.2 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?**

2.12 No. For the purposes of comparison, reference is made to site SMA021 as assessed in the 2019 SA, the northern part of which is being promoted by Brookworth Homes Ltd.

2.13 Policy TLP01 of the DLP sets out the distribution of housing. This is focussed on the Tier 1 (Urban Settlements) and Tier 2 (Semi-Rural Service Settlements) in the short medium term, and for the longer term and beyond the plan period at South Godstone New Garden Community (GC).

2.14 From a **distribution** perspective, it is agreed that focussing short and medium term housing development at Tier 1 and 2 settlements is supported by the 2019 SA (as amplified by Table 23: Strategic Settlement Hierarchy and Suitability for Growth), and will lead to a sustainable and appropriate pattern of housing growth.

2.15 The principle of a establishing a new community is accepted can also offer benefits in terms of infrastructure provision and delivering sustainable new communities. However, in respect of the proposed allocation at the GC, the nature and significance of the constraints that exist in the locality, and the scale of infrastructure requirements necessary to provide for a sustainable community, the current evidence of the deliverability of significant housing and infrastructure growth at the GC is considered neither sound nor robust.

2.16 Paragraph 126 of the 2012 NPPF requires LPA’s to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment.

2.17 Langham Manor is Grade II* listed and a Scheduled Ancient Monument. It is centrally located within the broad location identified for the GC, and immediately south of the railway station. There are also several Listed Buildings in the locality. The Council’s Heritage Desk-Based Assessment (March 2017), acknowledges that:

“No direct physical impact to this area is recommended, and Consideration of the setting and significance of this monument should be given during masterplanning”.

2.18 In terms of Transport infrastructure, whilst there is evidence of meetings between Network Rail and TDC, it is not obvious from the evidence provided that Network Rail have confirmed that there is certainty of capacity on the line in first instance, and that there is scope for a direct service to London. This is critical to the sustainability of the GC and in its absence would render the proposals fundamentally flawed.
2.19 There are also significant infrastructure enhancements linked to securing the GC sustainability credentials: the enhancement of railway station - new platforms, ticket office, new Park & Ride transport interchange; improved pedestrian/cycle links; enhanced bus service provision; improvements to junction 6 of the M25; 1 new secondary and 2 new primary schools required; health centre provision, strategic green infrastructure; and improvements to footpaths and waterways. Additionally, the railway line is also acknowledged as a barrier to integration between the existing and emerging community. These all represent challenges to delivering a genuinely sustainable community.

2.20 The consequential scoring assessment of the South Godstone Garden Community Option within the 2019 SA – Document MD5 (Table 57 page 228) is considered unduly optimistic, and compares unduly favourably in comparison with the SA assessments of sites that are located adjacent to the settlement boundaries of Tier 1 and Tier 2 settlements, e.g. SMA021: Land at Greenleas House, Smallfield (Table 44 – Document MD5).

2.21 For example, it would be more accurate to consider the above heritage constraints as equating to a ‘double negative’ score rather than a single ‘negative’. Equally, there are no SAM, Listed Buildings or Conservation Areas close to site SMA021, (the nearest is a Grade II Listed Building located some 500m to the south-west), and yet this is also scored a single negative.

2.22 Similarly, Transport and Services are scored a single positive in respect of both, and yet South Godstone benefits from very few existing facilities and services (including bus services) relative to Smallfield (see Table 23: SA of Strategic Settlement Hierarchy and Suitability for Growth – Document MD5). Any transport and service provision in the new community is heavily reliant on a) the delivery of significant infrastructure associated with the new community, and b) improved capacity in the existing rail service and related improved station facilities. By comparison, many current key facilities and services are located within walking distance of the SMA021 site, and yet this is also given a single positive score.

2.23 Finally, the new community is scored a single positive for both categories of Economic and Employment Growth (objectives 7 and 8), whereas the SMA021 site scores a neutral and single positive respectively.

2.24 It is recognised that Lamb’s Business Park is located to the west of South Godstone and is a strategic employment site. However, the Economic Needs Assessment (2017) acknowledges that Gatwick Airport provides a key economic driver for the District (para 10.1), and airport related businesses located predominantly in Crawley and Horsham (10.2). The significant of this economic and employment hub would indicate that provision of housing in this part of the District is likely to better respond to wider economic and employment needs and objectives.

2.25 Smallfield is located much more closely to the centre of the ‘Gatwick Diamond’ and the related extensive business parks close to the Airport than South Godstone, and with bus connectivity, rail connectivity (via Horley), and to a lesser extent, cycling (or a combination of these), all representing viable opportunities.
At a Plan level, given the strategic significance of the GC and the proportionally high contribution that the DLP indicates it will make to the overall delivery of housing within the plan period, and the existence of significant constraints and infrastructure requirements, it is imperative that more certainty is provided about its deliverability and viability. It is not appropriate to define a broad area and rely on a future Area Action Plan to provide the necessary detail.

The current supporting information provided within the Infrastructure Delivery Plan (INF1) and South Godstone Garden Community Viability Assessment (no Examination reference provided) does not go far enough to provide this evidence.

Q3.3 Is the distribution of new homes between the Tiers of settlements and proposed garden community justified and how has it been established?

No. The distribution of homes to the Tier 1 and Tier 2 settlements is justified and as supported by the 2019 SA. However, for the reasons give above, the SA 2019 should have included an approach that sought to assess the merits of releasing all the deliverable sites on the edge of Tier 1 and Tier 2 settlements. In the absence of this approach, whether a new garden community at South Godstone is justified as a preferable approach in the distribution of homes cannot be concluded.

Spatial Strategy Policy wording: TLP06: Urban Settlements

Q3.4 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?

My client has no comments to make on this question.

Q 3.5 Are the proposed Modifications necessary for soundness?

My client has no comments to make on this question.

TLP07: Semi-Rural Service Settlements

Q3.6 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?

My client has no comments to make on this question.

Q3.7 Are the proposed Modifications necessary for soundness?

My client has no comments to make on this question.

TLP08: Rural settlements

Q3.8 Is the Policy sufficiently clear and would it be effective in respect of Woldingham which is inset, in part, from the Green Belt?

My client has no comments to make on this question.
Q3.9 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?

2.34 Paragraph 89 of the 2012 Framework is very clear that construction of new buildings should be regarded as inappropriate development. There are limited exceptions included within the Framework, but the criteria of the policy indicate a much more flexible approach that is not consistent with the Framework. For example, there is no reference to ‘limited’ infilling, nor reference to redevelopment of previously developed land having no greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development.

2.35 A policy that is aligned with the Framework will have consequential effects on the likely extent of delivery of additional housing from within the Rural Settlements.

Q3.10 Is the Policy effective and consistent with national policy in requiring accordance with the Councils Housing Strategy which is not a development plan document?

2.36 My client has no comments to make on this question.

QW3.11 Are the proposed Modifications necessary for soundness?

2.37 My client has no comments to make on this question.

TLP09: Limited and Unserviced settlements

Q3.12 Are the second and third bullet points consistent with paragraph 90 of the Framework in not taking into account the preservation of openness and the purposes of including land in the Green Belt?

2.38 My client has no comments to make on this question.

Q3.13 To be effective, should the Policy state ‘made’ Neighbourhood Plan rather than ‘adopted’?

2.39 My client has no comments to make on this question.