6 September 2019

Dear Mr Banks

Tandridge Local Plan - INSPECTOR’S INITIAL MATTERS, ISSUES AND QUESTIONS
Andrew Black Consulting on behalf of Oxted Shareholders

Matter 6: South Godstone Garden Community and housing allocations

I write on behalf of the Oxted Shareholders in response to the Inspector’s Initial Matters, Issues and Questions (MIQs) for the Tandridge Local Plan in relation to a number of sites in Oxted. Andrew Black Consulting (ABC) will be appearing at the examination on behalf of the Oxted Shareholders who hold under common ownership but separate companies the following omission sites against which Regulation 18 and 19 statements have been previously made:

- Land West of Chalkpit Lane, Oxted (OXT035) - Oxted Land Limited
- Chichelle Road, Oxted (OXT006) - Oxted Residential Ltd
- Land at St Mary's Church (OXT034 - Adjoining OXT006) - Oxted Developments 2008 Ltd
- Land at Barrow Green Road, Oxted (Also known as Stoneyfields) (OXT007) - Oxted Developments 2007 Ltd

Matter 6 South Godstone Garden Community and housing allocations

SCG01: South Godstone Garden Community

Issue: Is the policy for the allocation of a broad location for a Garden Community at South Godstone justified, effective and consistent with national policy?

6.1 Is the approach that the specific details of the proposed Garden Community would be determined through an Area Action Plan (APP) effective and is it clearly justified to address these matters in an additional development plan document?

6.1.1 The concept of using a garden community as part of the strategy to boost the supply of housing in the district is broadly supported. However for the reasons as set out in this matters statement, there are significant concerns about the approach being taken for South Godstone.

6.1.2 TDC states that the specific details of the Garden Community will come through in an AAP. However this leaves a substantial amount of ambiguity around the
feasibility and viability of the delivery of much of the detail for South Godstone at this stage of the Local Plan examination.

6.1.3 Strategic Policy SGC01 sets out the specific requirements for South Godstone Garden Community and highlights the level of ambiguity which remains at this stage of the Local Plan process such as the following matters:
- Uncertainty over the appropriate level of affordable housing to be provided.
- The need to explore the dualing of the A22
- The timing for the delivery of upgraded rail services
- The method for land value capture.
- The ability to protect the setting of heritage assets.
- The area of green belt boundary that will be altered as a result of the delivery of the garden community
- The ability to bring forward the garden community as a single development.

6.1.4 TDC must remove the ambiguity around these areas if the prospect of delivery of an AAP is to be accepted. At present there is no evidence to suggest that TDC has confidence that these matters can be adequately dealt with and until such time the weight which can be applied to the delivery of the garden community must be considered as minimal.

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

6.2.1 The process of choosing Garden Villages to be included as part of the spatial strategy has already been discussed earlier on in these representations. The more detailed process of the selection of appropriate locations for new settlements has been long and complex.

6.2.2 In total, twenty-four broad locations were considered for the provision of a new settlement. From these, ten were considered in more detail. Seven of these were discounted for reasons set out on page 223 of the SA (July 2018). The remaining three broad locations were then assessed before South Godstone was selected as the preferred site.

6.2.3 Due to the confusing nature of the SAs and other evidence documents, it is difficult to understand full picture as to the capacity of each of these sites, why some were discounted and why others were chosen. Without details relating to how the capacities of sites have been calculated, it is difficult to scrutinise the process and it therefore lacks transparency.

6.3 Is the proposed broad location in a suitable location for housing development?

6.3.1 South Godstone has been chosen as the location for a new settlement as part of TDC's hybrid spatial strategy. TDC contend that:

‘...a fundamental element in [South Godstone's] selection was the level of security the Council obtained around the adequate and timely provision of supporting infrastructure within the plan period.’
6.3.2 It is unclear exactly what this ‘level of security’ is and what form it takes. It is not specific as to whether this reassurance has come from discussions with the developer or through TDC’s own work.

6.3.3 Another issue is the question of the sustainability of the settlement. Many parties have expressed concerns surrounding the provision of employment and the capacity of the surrounding transport links. These matters have not been fully addressed.

6.3.4 South Godstone already has a train station with services running between Redhill and Tonbridge twice an hour. Mobility access to the station is currently limited and would need significant improvement to support a 4,000 dwelling new settlement. This has been considered by TDC and they have said that the cost of station improvements will fall to the developer.

6.3.5 In the Housing Topic Paper, paragraph 360 states that (emphasis added):

‘whilst the settlement is and will be split by the railway line, it was considered that a large scale urban extension in this area would expand the settlement around the railway line and thereby potentially help to retain this service...’

6.3.6 This indicates that there is a possibility that Godstone station may close and that there has been no agreement between Network Rail, Govia, TDC and the developer. This point was also raised at the Planning Policy Committee meeting on 3 July 2018 where TDC conceded that Network Rail and Govia would not agree to anything prior to the final decision of the location of the Garden Village. As a result this leaves open the distinct possibility that the railway station could be closed which would therefore reduce the sustainability of the site.

6.3.7 It also calls into question how the high level of security around provision of infrastructure obtained by TDC and the absence of an agreement for investment into the existing railway station are interlinked. It appears that these are two contradictory statements. TDC have not set out how they plan to ensure the retaining and expansion of the railway station. It is also not clear whether TDC have considered what the potential impacts on other forms of transport would be if the station is not retained or how this would impact delivery.

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

6.4.1 This is a matter of extreme uncertainty and must be answered by TDC prior to the commencement of the hearing sessions. The lack of clarity over the extent of the garden community is analogous of the lack of certainty over its delivery and the subsequent need for delivery from other sites to allow for the inevitable under delivery of housing that will occur as a result.

6.4.2 Paragraph 33.23 of the Local Plan highlights this uncertainty and states that:

Not all of the land within the ‘area of search’ will be fundamental to the delivery of the Garden Community and in preparing the AAP it is likely that areas will be discounted from development due to, but not limited to: landscape impact, ecology, or heritage reasons and even because the design of the development would not be served positively. As such, the boundary below merely represents the starting point for our evidence gathering and assessment.
6.4.3 This is further evidence that TDC submitted the plan for examination before it was ready and in compliance with regulation 20 of the Act. The ambiguity in this regard must be reflected in the weight which can be applied to the certainty of delivery from the garden community.

6.5 How has the identification of the proposed broad location taken into account the significance of designated and non-designated historic heritage assets. Where is the evidence that the Council has identified and assessed the particular significance of heritage assets within or outwith the defined area of search where their significance may be harmed through development within their settings?

6.5.1 As set out above, TDC themselves state that areas for development for the garden community may be discounted due to heritage impact. The heritage section of policy SCG01 contains modifications in respect of heritage assets and states:

*The proposal will seek to respect, reflect and enhance heritage assets (including Lagham Manor, the Park Pale and various areas of ancient woodland) and their setting.*

6.5.2 If TDC expect that the garden community will go as far as 'enhancing' the heritage assets then the development will be required to give a significant area of land around these assets to achieve this. TDC has made no calculation of what area this might be nor the effect on delivery of units from the garden community.

6.6 Is there evidence that land within the proposed broad location would not be available for development?

6.6.1 There is clear concern from the council that the garden community will not be delivered in a comprehensive fashion to the extent that there is an explicit restriction from piecemeal development as part of SCG01.

6.6.2 Much further scrutiny is required from the inspector over the ownership of the land within the broad area of search and the ability of TDC to secure delivery of housing from this site. The commitment of the existing land holders to the concept of Land Value Capture as set out as set out in SC01 must also be scrutinised by the inspector.

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?
6.7.1 As set out above there is substantial ambiguity over the delivery of infrastructure improvements necessary to support the garden community. The Duty to Cooperate Statement 2018 sets out the 'High Level Options Appraisal for Junction 6' in appendix B. Of the seven separate options considered, only one (option 2) was considered feasible. A briefing note was produced by DHA in relation to junction 6 in December 2018 prior to the submission of the local plan. It highlights the significant amount of work to be undertaken in relation to due diligence of the feasibility of the junction 6 works. It also sets out at paragraph 1.5.4 that:

Subject to the extent of work required, including the potential diversion of utilities infrastructure, as well as the need for the relevant consents from SCC and HE and the necessary forward-funding, it is anticipated that the preferred mitigation scheme could be delivered within a period of 3-4 years.

6.7.2 The housing trajectory, as set out in appendix 3 and 4 of the sets out delivery of dwellings from the garden community from 2026/27. Given that the work would not commence until adoption of the plan, and it is likely to be required prior to occupation of units at the garden community the trajectory is considered to be unrealistic in this regard.

6.7.3 Improvements to the A22 have not been properly detailed, nor has any evidence been provided of co-operation with Highways England in this regard.

6.7.4 Comments in relation to the improvements to Godstone Railway Station have already been set out within this matters statement.

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

6.8.1 TDC recognise the length of time it takes to prepare applications for Garden Villages and for them to get through planning and for work to commence on the ground. The Housing Trajectory shows that delivery of completed homes is expected by 2026/27.

6.8.2 The trajectory also shows that South Godstone Garden Village is expected to deliver 200dpa for seven years (or 270 dwellings through the accelerated delivery trajectory). It is difficult for developers to sustain this level of delivery for extended periods of time and it is unusual for large developments such as this one to immediately deliver such a high number of homes in one year rather than building up the rate of development.

6.8.3 The housing trajectory shows no lead in rate for the delivery of housing or tail of at the end of the delivery period which is logical to expect from all developments.

6.8.4 A report was produced in November 2016 by Nathaniel Lichfield & Partners entitled 'Start to Finish - How Quickly do Large-Scale Housing Sites Deliver?'. The executive summary sets out a number of conclusions from the findings of the surveys as follows:

- **3.9 years** the average lead in time for large sites prior to the submission of the first planning application
6.1 years the average planning approval period of schemes of 2,000+. The average for all large sites is circa 5 years

6.1 The average annual build rate for a scheme of 2,000+ dwellings

321 the highest average annual build rate of the schemes assessed, but the site has only delivered for three years

6.8.5 Given the significant amount of large sites surveyed as part of the survey it is considered that the inspector should use this report as a basis for further scrutiny of the trajectory from the garden communities.

6.9 Given the affordable housing need identified for the HMA, is it effective to leave the definition of a target for affordable housing to the AAP?

6.9.1 No. The delivery of affordable housing in the borough is a critical issue and to leave the definition of the target for affordable housing until AAP stage creates substantial uncertainty over the ability of TDC to meet the pressing need for delivery of much needed housing in the district.

6.10 Are the proposed Modifications necessary for soundness?

6.10.1 Yes. The prospect of delivery from a garden community in the local plan is supported but requires a realistic approach to delivery of housing and infrastructure. As a result allocations of other areas of sustainably located housing sites must be considered in order to make the plan sound.

I can confirm that we will be seeking to appear in person for matter 6 at the hearing sessions and would be grateful for your confirmation of this.

Yours Sincerely

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