Examination Statement

Tandridge Local Plan

Matter 8

For Wates Developments, Land Group and others

Client: Wates Developments Land Group and others
Date: September 2019
Ref: 1183415
Introduction

We represent Wates Developments Limited (WD). WD, with others, has land interests adjoining the built-up area of Hurst Green. The company and the others, combined known as the Holland Park Consortium, have been active in making representations at every stage of the local plan process. WD and Land Group Limited are also part of the Tandridge Housing Forum (THF) which is making Examination Statements on various Matters. WD and Land Group are in full agreement with the THF Statements.

Matter 8: Development Management Policies

Issues: are the individual policies clear, justified and consistent with national policy and will they be effective?

TLP02: Presumption in favour of Sustainable Development

Given the advice in the PPG, there is no necessity to include this policy in the Local Plan: its thrust is repetition of paragraph 11d of Framework 2019. If the policy is justified it should be wholly consistent with the Framework 2019 which it is not.

TLP03: Green Belt

The second paragraph of the Policy is in direct conflict with the legal requirement that local plans are to be reviewed at least every five years. Green Belt boundaries can be changed as part of any LP review.

The third paragraph is not consistent with para. 87 of Framework 2012.

TLP04: Infrastructure Delivery and Financial Contributions

The policy is not realistic in terms of the advice given in para. 154 of Framework 2012. The IDP is not a Development Plan Document and is therefore not subject to proper scrutiny. As such, the untested requirements of the IDP could be unrealistic, with the result that much needed development could be frustrated or delayed. To require
planning applications to include mechanisms to provide infrastructure as set out in the IDP could therefore run counter to delivering needed development and is contrary to para. 002 Ref. ID: 10-002-20190509 of the PPG which advises that policies should not undermine the deliverability of the plan.

The tests in para. 204 of the Framework 2012 are the relevant tests and policy TLP04 goes well beyond these tests.

**TLP05: Development Viability**

The policy is not effective and consistent with national policy because it requires compliance with a non-DPD, i.e. the IDP. As stated above the IDP will not be subject to rigorous testing.

The requirement for a fee for future viability work is not appropriate for inclusion in a land use plan. Moreover, the bald statement that, "the Council will require viability updates after planning permission has been granted ...", is not consistent with para 009 Ref. ID: 10-009-20190509 of the PPG which advises that, "Plans should set out circumstances where review mechanisms may be appropriate...". The Plan does not set out what the circumstances are.

**TLP10: Responsive Housing Strategy**

As with the IDP the Council appears to want to incorrectly raise the status of a non-DPD document against national policy. The clear inference of this policy is that if a proposal does not accord with the Housing Strategy it will be viewed negatively. The Policy is contrary to para. 154 of the Framework 2012.

These are matters which para. 159 of Framework 2012 indicates should be considered as part of the SHMA.

**TLP19: Housing Densities and the Best Use of Land**

The Policy is not consistent with paras. 122 and 123 of Framework 2019 which are geared to increasing densities where there are anticipated land shortages.

The Policy does not provide a clear indication of how the decision maker should react to a proposal. For example, the reference to, "Proposals must have regard to the Council’s Urban Capacity Study...” lacks precision.
TLP32: Landscape Character

The Policy goes beyond national policy in the Framework which is concerned with protecting and enhancing “valued” landscapes. The SLCA and TLCSA are not part of the Local Plan and the Policy does not meet the requirements of para. 154 of the Framework 2012.

TLP38: Play and Open Space

It is considered that the Policy broadly does comply with national policy in the Framework. It would benefit, for reasons of clarity, to include the following in the first sentence after “replaced”:

“...by equivalent or better provision in terms of quantity and quality...”

TLP39: Providing Playing Pitches and Built Leisure Facilities

As with TLP38 the Policy would benefit from the changes above for the existing playing pitches and built leisure facilities depicted on the Policies Maps.

The Council’s Playing Pitch Strategy is not a DPD and accordance with it should not therefore be a requirement of Policy. The Policy does not accord with para. 154 of the Framework.

TLP50: Sustainable Transport and Travel

The Local Transport Plan requirements are not specified and therefore the decision maker is not provided with a clear indication as to how to react to development proposals.

No justification is given as to why the bus subsidy is required for 10 years. In my experience 5 years is the norm but in any event is determined as part of the considerations for planning obligations under paras. 203 to 206 of the Framework 2012 on a case by case basis (paras 56 and 57 of the Framework 2019).