



Woking Borough Council

Development Plan Document – Site Allocations Development Plan Document

Duty to Cooperate Bodies Topic Paper

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Produced by the Planning Policy Team

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Land east of Martyrs Lane – representations from statutory consultees and neighbouring authorities

Introduction

The proposal for consultation is defined as follows:

This 112.1 hectare site has been identified for consultation in respect of the possibility of substituting it for the sites safeguarded in the draft Regulation 18 version of the Sites Allocations DPD to meet the long term development needs of the Borough between 2027 and 2040. It is anticipated that the site is sufficient to enable the delivery of at least 1,200 net additional homes and the necessary green and other infrastructure to support the potential development of the site. Any safeguarded land that will be identified in the adopted Site Allocations DPD will only be released for development as part of the future review of the Core Strategy and/or the Site Allocations DPD. Specific key requirements to ensure the future development of the land is acceptable will be set out as part of the review of the Site Allocations DPD.

The safeguarded sites that are proposed to be replaced by the land east of Martyrs Lane and their indicative capacities are:

- Land south of High Road, Byfleet (Proposal GB4 in the draft Site Allocations DPD. Anticipated capacity is 85 dwellings);
- Land to the south of Murray's Lane, Byfleet (Proposal GB5 in the draft Site Allocations DPD. Anticipated capacity is 135 dwellings);
- Land to the north east of Saunders Lane, between Saunders Lane and Hook Hill Lane, Mayford (Proposal GB10 of the draft Site Allocations DPD. Anticipated capacity is 171 dwellings);
- Land to the north west of Saunders Lane, Mayford (Proposal GB11 in the draft Site Allocations DPD. Anticipated capacity is 210 dwellings);
- Land rear of 79 – 95 Lovelace Drive, Teggs Lane, Pyrford (Proposal GB12 in the draft Site Allocations DPD. Anticipated capacity is 223 dwellings); and
- Land east of Upshot Lane and south of Aviary Road, Pyrford (Proposal GB13 in the draft Site Allocations DPD. Anticipated capacity is 200 dwellings).

In accordance with paragraphs 178 – 181 of the NPPF public bodies have a duty to cooperate on planning issues that cross administrative boundaries, in particular those which relate to the strategic priorities set out in paragraph 156. The strategic priorities defined in paragraph 156 include:

- The homes and jobs needed in the area;
- The provision of retail, leisure and other commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Paragraph 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 defines the prescribed public bodies identified for the purposes of the duty to cooperate. The following relevant bodies submitted representations regarding the consultation on land east of Martyrs Lane covering a wide range of issues:

- Natural England;
- Highways England
- Environment Agency
- Surrey Heath Borough Council;
- Elmbridge Borough Council;
- Waverley Borough Council
- Runnymede Borough Council;
- Surrey County Council
- Guildford Borough Council;

Their representations are summarised with Officer's response as set out below.

Summary of representations with the Council's response

- 1 The review of the Green Belt boundary should be considered within the context of the unmet housing need within the Housing Market Area arising from the shortfall in planned growth contained in the Woking Core Strategy against its current objectively assessed need identified in the West Surrey Strategic Housing Market Assessment (SHMA). The land east of Martyrs Lane could be brought forward to meet current unmet needs rather than safeguarding it to meet future development needs beyond the Core Strategy period. The Council should explore the early delivery of the potential safeguarded sites to meet current shortfall or as a minimum provide evidence to demonstrate that the adverse impacts of allocating the sites to meet the current shortfall would significantly and demonstrably outweigh the benefits of doing so. The Council should explore allocating land east of Martyrs Lane in addition to the original six safeguarded sites rather than as an alternative to help meet its unmet housing need.

Officer's response

In accordance with Section 15 of the Planning and Compulsory Purchase Act 2004, Woking Borough Council has prepared a Local Development Scheme (LDS) that has committed the Council to prepare the following distinct but interrelated Development Plan Documents each with a specifically stated purpose:

- **The Woking Core Strategy (adopted 2012)** – a strategic document setting out the Vision and Spatial Strategy for meeting known and anticipated development requirements to 2027, including number of dwellings required;
- **Site Allocations DPD** – to identify and allocate site for development. In particular, sufficient employment and housing land and infrastructure to cover the period to 2027, in accordance with requirements, vision and spatial strategy set out in the Core Strategy; and
- **Development Management Policies DPD (adopted 2016)** – to set out detailed development management policies that could not be included in the Core Strategy because of its nature and content. It will complement the Core Strategy in setting the policy framework for determining planning applications.

Paragraph 1.10 of the Core Strategy reiterates the Development Plan Documents that the Council is committed to prepare and signposts to the LDS for the detailed timetable for their preparation. Copies of the LDS, the Core Strategy and the Development Management Policies DPD are on the Council's website (www.woking.goc.uk). The current LDS will be reviewed to take into account the time it is taking to deal with the Martyrs Lane consultation.

The LDS requires the Site Allocations DPD and the Development Management Policies DPD to be prepared to be in general conformity with the Core Strategy and national planning policy, and this requirement should be a particularly significant material consideration in responding to this representation.

Woking Borough Council has an adopted Core Strategy (October 2012) that post dates the publication of the NPPF. It was judged to be in general conformity with the NPPF and found sound. Its requirements are up to date, including its annual housing requirement. In coming to this conclusion, the Council is fully aware of the statutory requirement for local plans to be reviewed every five years. The Core Strategy sets out the quantum of development that will

be provided across the Borough during the plan period between 2010 and 2027 and the spatial strategy for the distribution of the development. Full details of the spatial strategy are set out in Policy CS1: *A spatial strategy for Woking Borough* of the Core Strategy. In summary, the Core Strategy makes provision for the delivery of 4,964 (annual average of 292 dwellings) net additional dwellings, 28,000sq.m of office floorspace, 20,000sq.m of warehouse floorspace and 93,900sq.m of retail floorspace between 2010 and 2027. The quantum of development is justified by evidence, and the impacts on the development have been fully and collectively assessed. Adequate and appropriate infrastructure has been identified to support the development to achieve sustainable development. Against this backdrop, it is clear that the Core Strategy does not seek to allocate specific sites to enable the delivery of the development requirements. It rather requires the Council to prepare the Site Allocations Development Plan Document with the clear purpose of allocating specific deliverable sites to deliver the required development. It is also clear that the proposed quantity of development are balanced and interlinked and as such elements of it could not be changed without the careful consideration of the others.

Policy CS1 re-emphasises the specific role of the Site Allocations DPD by stating 'a Site Allocations Development Plan Document will be prepared to allocate specific deliverable sites for the proposed development'.

As demonstrated above, there is no ambiguity regarding the respective functions of the various DPDs and in particular, it is very clear that it is not the role of the Site Allocations DPD to determine the housing requirement for the borough or in fact, whether additional housing should be provided to meet the objectively assessed housing needs of the Borough or within the Housing Market Area. This is a matter that has been comprehensively examined and settled as part of the Core Strategy examination for which all the neighbouring authorities were invited to attend and make submissions. It would therefore be unreasonable to call for and expect the Site Allocations DPD to assume the role of the Core Strategy and re-open a matter that has already been examined and agreed by the Secretary of State. The plan-led system risk being significantly undermined if the respective roles for the various DPDs as set out in the LDS are allowed to be conflated as suggested by the representation without careful thought about how well the various parts of the Core Strategy could be integrated.

Part 4 of the Town and Country (Local Plan) (England) Regulations 2012 deals with the form and content of Local Plans. Regulation 8(4) requires policies contained in a Local Plan to be consistent with the adopted development plan. The Site Allocations DPD must therefore be prepared to be consistent with the Core Strategy, and must be judged on the basis of whether it has identified sufficient deliverable sites to enable the delivery of at least 4,964 net additional dwellings up to 2027. It could not be used as back door to retrofit any perceived deficiencies that the representations thought of the Core Strategy. The Planning and Compulsory Purchase Act 2004 requires Local Authorities to keep under review their local development documents having regard to a set of matters set out in Section 13 of the Act. The Core Strategy takes this on board and has its own in-built mechanism for the monitoring of its performance and when and how it would be reviewed. The Core Strategy is the appropriate level of plan making to address the matters raised by the representation. To boost the supply of housing it is important that the Site Allocations DPD is expeditiously prepared without the unnecessary delay that could be caused as a result of the representation.

Paragraph 158 of the NPPF provides guidance on using proportional evidence base. It states that 'each Local Planning Authority should ensure that the Local Plan is based on adequate, up to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local Planning Authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals'. The development requirements of the Core Strategy are identified in an integrated manner and justified by a significant body of evidence as set out in Appendix 1 of the Core Strategy. The evidence includes an Infrastructure Delivery Plan that identifies the necessary scale and type of infrastructure to support the identified quantum of development. To bring forward the safeguarded sites to meet unmet needs up to 2027 without the corresponding review of office floorspace, warehousing floorspace, retail floorspace and the necessary infrastructure to support the outcome of the review would at best be irresponsible, overly simplistic and ill conceived. It would undermine the overall purpose of the planning system to help achieve sustainable development. To delay the preparation of the Site Allocations DPD to enable the Core Strategy to address these matters in an integrated and sustainable manner would undermine the Government's overriding objective to boost the supply of housing as emphasised in paragraph 47 of the NPPF. Whilst it would be for the future review of the Core Strategy to appropriately determine the future housing requirement, based on a number of assumptions, if the revised Local Plan is to have a 15 year plan period from the date of its adoption, there is no guarantee that even the current annual housing requirement of 292 dwellings would be achieved within the context of the prevailing environmental constraints and the capacity of the urban area to accommodate significant further growth. Such an exercise may therefore not help to address the concerns of the representation but would lead to unnecessary delay in the preparation of the Site Allocations DPD. Based on the above, there is a strong case to demonstrate that the benefits for the Site Allocations DPD to focus on delivering the requirements of the Core Strategy far outweighs any benefits that could be gained in meeting the requests set out in this representation. The specific matter of the review of the Core Strategy in the light of the new regulation to review local plans every five years is addressed below.

Woking is in the same Housing Market Area as Guildford and Waverley Borough Councils and has constructively worked in partnership with them throughout the preparation of its Development Plan Documents. Guildford Borough Council is in the process of preparing its Local Plan. The Plan is presently going through an examination. Waverley Borough Council has recently adopted its Local Plan Part 1 and is at an advance stage of preparing its Local Plan Part 2. Runnymede and Elmbridge Borough Councils who have also made similar representations are at different stages of preparing their Local Plans.

Waverley borough Council has accepted to meet 50% of Woking's unmet housing need. This is an integral part of their adopted housing requirement. It is not yet confirmed what the respective housing requirements of the Guildford Local Plan and the other local plans would be. This will be a matter that will be subject to appropriate scrutiny at the various Examinations with the recommendation of the Secretary of State. It would be pre-mature at this stage to second guess the outcome of the examinations by suggesting that the objectively assessed housing needs within the Housing Market Area cannot be met. Regardless of that, once the housing requirement of the Guildford Local Plan is confirmed, Woking Borough Council has already positively worked with Guildford and Waverley

Borough Councils to agree a Memorandum of Understanding and a Statement of Common Ground setting out appropriate steps for working in partnership to address any residual unmet housing needs within the Housing Market Area. It seems to the Council that this is a logical path to follow regarding addressing this representation. It is also important to emphasise that Woking Borough Council has not used its annual housing requirement to restrict the delivery of housing. On average, housing delivery within the Borough is holding against the requirement and the Council has a healthy five year housing land supply (about 7.7 years supply) to sustain housing delivery into the future. For example net housing completions for 2015/16 was to 360 dwellings and for 2016/17 348 dwellings. Overall, the Council believes that the issue raised by the representation is beyond the scope of the Site Allocations DPD and the harm to sustainable development for bringing forward the delivery of the safeguarded sites during the Core Strategy period would far outweigh the benefits for meeting the objectively assessed housing need.

The Council is aware of the new Government regulation to require local planning authorities to review their local plans every five years. Given that the Core Strategy is over 5 years old, the Council has already embarked upon the process for its review. It is important to highlight that the fact a local plan is five years old does not automatically make it out of date. Also, the request to review plans every five year does not take away the need to plan strategically over a minimum period of 15 years.

The Council has carried up to date studies to assess the capacities of the urban area and the Green Belt to accommodate potential future need for development. The Green Belt boundary review and the Strategic Housing Land Availability Assessment are published documents on the Council's website. Based on the evidence land can be identified within the urban area and the Green Belt to enable an overall delivery of about 4,500 new homes up to the period 2040. The 4,500 figure includes all the land identified to be safeguarded in the draft Site Allocations DPD to meet future development needs between 2027 and 2040. It also assumes that the Council will continue with its approach to high density development in the Town centre. It includes an allowance for windfall development of about 40 dwellings per annum. No allowance has been made for the non implementation of the identified sites.

If the Council were to begin the process of updating the Core Strategy, the earliest it could be expected to be adopted will be about 2020/21 with a 15 year plan period up to 2035/36. By simple arithmetic based on the housing land supply constraints, the most optimistic housing requirement that could be achieved would be about 265 dwellings per year. This is less than the current 292 annual requirement. Based on this analysis, no purpose would be served by delaying the preparation of the Site Allocations DPD with hope that a review of the Core Strategy would result in an increase of the housing requirement. Certainly, the constraints of the environment cannot support the delivery of the 517 per year objectively assessed housing need.

- 2 Highways England will be concerned if any material increase in traffic were to occur on the strategic road network (M25 and its Junction 11) as a result of the planned growth without careful consideration of mitigation measures. It is important for the Core Strategy to provide the planning policy framework to ensure that development cannot progress without the appropriate infrastructure in place. Highways England would support proposals that consider sustainable measures which manage down demand and reduces the need to travel. Infrastructure improvements on the strategic road network should be seen as a last resort.

Officer's response

The draft Site Allocations DPD specifies that the safeguarded sites will be allocated or released for development through the review of the Site Allocations DPD and/or the Core Strategy. The Council appreciates that if the Martyrs Lane site is to be safeguarded there will continue to be further detailed investigation of development impacts before the land is allocated and/or developed. Nevertheless, the Council has carried out strategic transport assessments to quantify the volume and distribution of vehicular trips that will be generated by the proposed developments. It has worked with the County Council and neighbouring authorities to undertake further works to identify the necessary measures of mitigation to address the potential development impacts, in particular, along the A320 and A245 corridors. These measures could overall have positive benefits on the strategic network.

The allocation of the land for development will also set out the specific key requirements to make sure that detailed Transport Assessment is carried out to fully assess the site specific impacts of the development on the strategic network and the appropriate measures of mitigation that will be put in place to address any material increase in traffic on the strategic road network. Examples of the nature of the key requirements that could be specified in the allocation to make the development of the site acceptable are in the draft Site Allocations DPD that was published for Regulation 18 consultation.

The Transport Assessment carried out to quantify the volume of traffic that will be generated by the particular potential development at Martyrs Lane acknowledges the further work that might be necessary and the County Council have said in their representation that this work must be done as part of the review of the Core Strategy and/or the Site Allocations DPD. The Council is committed to comply with this request.

The Council is committed to promote sustainable transport modes and manage travel by car and has a good track record for doing so. Policy CS18: *Transport and accessibility* of the Core Strategy requires a transport assessment for development proposals to fully assess the impacts of development and identify appropriate mitigation measures. It also requires proposals that generate significant traffic or have significant impact on the Strategic Road Network to be accompanied by a travel plan, clearly setting out how the travel needs of occupiers on the site will be managed in a sustainable manner. The Core Strategy also encourages development to deliver improvements and increased accessibility to cycle, walking and public transport networks and interchange facilities. It is certain that the future review of the Core Strategy will follow a similar policy path to seek to influence a shift to

sustainable travel modes. Infrastructure improvements on the strategic road network in policy terms will therefore always be seen as a last resort.

- 3 The consultation document does not point to any clear evidence to justify the choice of Martyrs Lane as the direction of urban growth. This change of direction from the original proposals could have adverse impacts on residents and business in Surrey Heath. Martyrs Lane lies adjacent to the A320, which is a strategic corridor that serves Woking, Runnymede and Surrey Heath. Congestion along the route has previously been identified as an issue for the wider area. Given the importance of the corridor and the scale of the Martyrs Lane proposal, there is a need to address in detail both local and strategic transport impacts before determining that this is an appropriate site to bring forward.

Officer's response

It is important to clarify at the outset that the Council has not yet made a choice to safeguard the land east of Martyrs Lane. It is only rightly consulting on the possibility of substituting the land east of Martyrs Lane for the six sites that were originally published as part of the Regulation 18 consultation of the Site Allocations DPD. The consultation has been appropriate in testing potential options in the context of the Green Belt being identified as potential direction of future growth by the Core Strategy. The Council has said that it will make its choice about the preferred approach to safeguarding after careful consideration of the representations received during the Martyrs Lane consultation.

The decision to consult on the option of the land east of Martyrs Lane as a reasonable alternative is a legitimate one and there is evidence to justify its consideration. Paragraph 182 of the NPPF deals with the examination of Local Plans. It stresses that to be found sound, a Local Plan amongst other things must be justified. The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. It would have been irresponsible of the Council if it did not at least consider this as a reasonable alternative in the light of the changing circumstances regarding the part of the land in the ownership of McLaren which occurred after the Regulation 18 consultation. The delivery of the Core Strategy will impact on all aspects of life of people who live and work in the borough. In this regard, Members and Officers of the Council has a duty to familiarise themselves with all the necessary information that might be relevant to its decisions about the Site Allocations DPD, which is one of the key means for delivering the Core Strategy. The representations received on the consultation are a source of relevant information. A number of studies have been carried out to inform the consideration of the site as a reasonable alternative. The consultation document includes a list of some of the evidence base used to inform the Council's decision on the matter.

The Council has carried out a strategic transport assessment of Site Allocations Development Plan Document to quantify the amount of vehicular trips that would be generated by developing the land east of Martyrs and have also assessed how that would compare with traffic generation from developing the alternative six other sites. It is also acknowledged in the recommendations of the Transport Assessment that further detailed work will be necessary at the review of the Core Strategy and/or the Site Allocations DPD when the site is likely to be allocated or released for development to quantify development impacts on the strategic road network. The Council is fully aware of the impacts that the development of the land would have on the A320 and has worked with Surrey County

Council, Runnymede and Surrey Heath Borough Councils to identify potential measures of mitigation to address the adverse impacts of the cumulative planned developments within the three authorities. The transport assessment for the potential development at Martyrs Lane is on the Council's website. The A320 Corridor Study is also on the website.

The A320 study demonstrates that measures can be identified to address the cumulative development impacts and to assist in the sustainable delivery of developments across the three boroughs. The Councils have jointly submitted a bid for HIF fund to help delivery the proposed measures of mitigation. The bid has been supported by the Government to go to the co-development stage.

- 4 Whilst the Site Allocations DPD is seeking to enable the delivery of the Core Strategy, more up to date evidence published by Woking Borough Council suggests the need to consider whether it could go beyond its current target and bring forward the safeguarded sites for early development. Woking has an unmet need of about 225 dwellings per year, and the Council should be seeking opportunities to increase housing delivery above the levels set out in the Core Strategy. In the light of the duty to cooperate consideration should be given to releasing the safeguarded sites within the earlier period of 2015 and 2027 to meet the wider development needs of the West Surrey Housing Market Area (HMA) or neighbouring HMAs where housing need is unlikely to be met. Due to constraints such as the Green Belt, Elmbridge Borough Council might enquire whether other authorities such as Woking have the potential to meet some of its needs. Also Runnymede is unable to meet its objectively assessed needs, and it is expected that Local Planning Authorities will work together to meet each others unmet needs where constraints prevent an authority from meeting its needs in full in its own area. Objection is raised to the safeguarding of Martyrs Lane. However, should Woking Borough Council identify the land to meet housing need, it should be done to meet unmet need in the local area, including that arising from within Runnymede, at the present time, rather than for the period beyond 2027.

Officer's response

This matter has in most part been comprehensively addressed in the Council's response to 1 above. In addition, contrary to the representation, there has not been any material change in evidence regarding the objectively assessed housing need arising in the Borough prior to and since the Core Strategy was adopted. If anything, there is a downward trend of the overall need. The 2009 Strategic Housing Market Assessment (SHMA) used to inform the Core Strategy identified an overall objectively assessed housing need of 594 dwellings per year. It is against this backdrop and the available evidence that the Secretary of State agreed the Core Strategy's adopted annual housing requirement of 292 dwellings. None of the underlying circumstances and policy context at the time has changed significantly. The SHMA was reviewed in September 2015 and it identified a revised objectively assessed housing need figure of 517 dwellings per year. Whilst there is still unmet need as a result of the latest SHMA figure, it is clear that this has come down since 2012 when the Core Strategy was adopted and the nature of the change would not justify a review of the housing requirement. It is also unlikely that a review will produce a different outcome. It is more likely that there will be a lower housing requirement if the revised Core Strategy is to have a 15 year plan period starting from the date of adoption which is estimated to be 2020/21. This adopted date could only be achieved if the modification of the Core Strategy is to begin immediately.

Elmbridge and Runnymede Borough Councils are in different Housing Market Areas from Woking. They have not provided any evidence in their representations to demonstrate that any unmet need arising from their boroughs could not be met within their respective housing market areas and indeed within their borough boundaries. Both authorities have not got to the stage in their plan making process where they are in a position to confirm that they could not meet their objectively assessed needs within their borough boundaries. Non on them

have provided any evidence that they have given consideration to meeting the unmet needs from Woking as part of the preparation of their plans. Woking Borough Council has however approached this matter constructively and has met Runnymede Borough Council to discuss and suggest to them opportunities that might exist within their borough to meet their own needs. The Councils have agreed a Statement of Common Ground about how to work together in the future to address cross boundary strategic matters.

The need to safeguard land to ensure the enduring permanence of the Green Belt boundary is encouraged by national planning policy as set out in the NPPF. The safeguarded sites will help sustain housing delivery at the current housing requirement into the next plan period. Bringing forward the sites to meet need up to 2027 would mean a significantly less land being available to meet development needs in the next plan period and consequently a significant lower housing requirement with far greater unmet need which other authorities such as Runnymede Borough Council will be asked to assist to meet. The representation takes a short-termism view of what should rather be a long term strategic planning to provide certainty and ensure the sustainable development of the borough.

- 5 The Green Belt boundary review and Woking Borough Council have previously said that apart from the sites identified to be released from the Green Belt in the Regulation 18 version of the Site Allocations DPD, no further sites could be identified without damaging the purpose and integrity of the Green Belt. Therefore the rationale behind substituting sustainable sites with land east of Martyrs Lane that would damage the purposes of the Green Belt is strongly questionable. No documentation has been given about why this approach has been taken.

Officer's response

The Council does not disagree that it made the statement cited in the representation, and has given details above about why it was justified to carry out this consultation. Paragraph 3.5.22 of the Green Belt boundary review report makes this point clear. The statement should however be seen in the context of the change in circumstances that had occurred since the Regulation 18 version of the Site Allocations DPD was published. At the time of the Green Belt boundary review and the Regulation 18 consultation, the part of the land in the ownership of McLaren had planning approval for 60,000sq.m of applied technology centre (ref. PLAN/2011/0823) and was therefore not assessed on its own or as part of a comprehensive development of the total area. Since then McLaren has got a similar planning approval (albeit c.8,000sq.m less floorspace) to consolidate their operations at their existing site west of the A320 (ref: PLAN/2014/1297). Part of the condition for the new planning permission is that the planning approval on the land east of Martyrs Lane will be revoked when development commenced at the existing site. This is a significant change of circumstances that was not previously considered, which justified the testing of this land in combination with the other adjacent sites as a reasonable alternative. It is stressed that no decision had yet been made to substitute the land east of Martyrs Lane for the previous six safeguarded sites. The Local Development Framework Working Group gave clear reasons why the land should be identified for consultation. This is documented and is on the Council's website. It is therefore incorrect to suggest that there is no documentation about why the site was identified for consultation.

- 6 Under the duty to cooperate, the Council should have consulted neighbouring authorities prior to the consultation on the land east of Martyrs Lane. Woking Borough Council has therefore not appropriately addressed its duty to cooperate. Consequently, this may not satisfy the legal tests described in the duty to cooperate.

Officer's response

The Council disagrees with the representation that it has not met its requirements for the duty to cooperate regarding this matter by not consulting the neighbouring authorities prior to the consultation. The Council resolved to consult on the possibility of substituting the land east of Martyrs Lane for the six original safeguarded sites at its meeting on 20 October 2016. The neighbouring authorities were notified of the Council's decision soon after that on 24 October 2016. The Council had not previously considered this matter. The proposal was referred to Council for consideration by the LDF Working Group and the 20 October 2016 meeting was the first time the Council had considered the matter.

The neighbouring authorities were once again invited on 28 October 2016 to send any informal representations they may have and for them to be taken into account before the proposal was formally published for consultation. They were also offered an opportunity to meet to discuss the details of the proposal and the nature of the consultation. The consultation started on 6 January 2017 for a period of six weeks. There have been a number of meetings with the neighbouring authorities since to discuss and explain the Council's consultation document and the justification for the consultation. The Council is satisfied that it has gone beyond the requirements of the duty to cooperate to reach out to the neighbouring authorities to listen to any concerns they may have, and it is not correct that they were not consulted prior to the consultation. The Council understands that the duty to cooperate is a continuous process and has been engaging with Runnymede and Surrey Heath Borough Councils to establish a framework for joint working to assess the cumulative impacts of development across the three boroughs on the A320. This work has now been completed, and the councils are working together to bid for Government funding to deliver the measures of mitigation. On the basis of the above, the Council does not envisage any risk for not meeting the legal test described in the duty to cooperate regarding this proposal.

- 7 The consultation is not supported by additional transport assessment to identify potential traffic impacts on the local and strategic road network including A245 and A318.

Officer's response

The Council has carried out an additional transport assessment to quantify the amount of vehicular traffic that would be generated for developing the Martyrs Lane site. This can be assessed by the following link:

<https://www.woking.gov.uk/planning/policy/ldfresearch/strategictransportassessmentaddendum>. The assessment includes the traffic impacts on the above roads. The Martyrs Lane consultation document had the Transported Assessment listed as a helpful document to inform the representations. Since the consultation, the Council has carried out further work to identify the appropriate measures of mitigation to address development impacts along the A245. A similar work has been done regarding the A320.

- 8 Land east of Martyrs Lane has been included in preference to the six alternative sites previously identified in the Regulation 18 consultation. Given that there has not been any material change in circumstances in planning terms since the Regulation 18 consultation, it is not understood why the site at Martyrs Lane that was considered unsuitable can now be found to be superior choice to the six sites. The Council's own evidence and reports has supported the suitability of the six sites to meet the development needs of the area. No information has been published to demonstrate that the Martyrs Lane site should be considered a more suitable alternative than the previous six sites.

Officer's response

This representation has been comprehensively addressed in previous responses above. The Council has not yet decided on its preferred approach to safeguarding. That will be decided after careful consideration of the representations received during the consultation period. It is important to note that the representations received are an essential part of the evidence that the Council has to take into account.

The consultation was appropriate in order for the Council to be satisfied that it has tested all reasonable alternatives to inform its preferred approach. The changing status of the McLaren site, which post dates the Regulation 18 consultation provided a justification to also consider the land east of Martyrs Lane as a reasonable alternative.

- 9 The boundaries of the proposed draft allocations GB4 and GB5 in Byfleet are poorly drawn and should be redefined along the M25, along the western edge of Parcel 6. It is not clear from the evidence why draft proposals GB12 and GB13 were considered appropriate for allocation.

Officer's response

The Council has noted the comments regarding the proposed boundaries of Proposals GB4 and GB5 of the draft Site Allocations DPD, and will take that into account if the Council decides to safeguard the sites for the purposes of the Regulation 19 consultation of the Site Allocations DPD. The justification for proposals GB12 and GB13 in the draft Site Allocations DPD have been comprehensively addressed in the Officer's response to the representations received during the Regulation 18 consultation of the Site Allocations DPD. The Council is yet to consider the responses with Officer's recommendations, and no purpose will be served by re-opening this discussion on the back of the Martyrs Lane consultation. In the main, the safeguarding of Proposal GB12 is justified by the available evidence. It should be noted that Officers have recommended that Proposal GB13 should not be safeguarded for the purposes of the Regulation 19 consultation.

- 10 The safeguarding of the land east of Martyrs Lane for development will result in a high likelihood of urban sprawl into the countryside and the potential for the perception of neighbouring towns to merge.

Officer's response

Paragraph 80 of the NPPF defines the five purposes of the Green Belt. Of particular relevance to this representation are:

- To check the unrestricted sprawl of large build up areas;
- To prevent neighbouring towns merging into one another; and
- To assist in safeguarding the countryside from encroachment.

The Council has carried out the following two studies that assessed the site against the above purposes of the Green Belt.

- Woking Green Belt review (2013) by Peter Brett Associates; and
- Landscape assessment and Green Belt review (2016) by Hankinson Duckett.

Based on the outcome of the studies, the Council agrees with the representation that the development of the Martyrs Lane site would lead to a degree of urban sprawl and a potential perception of towns merging. This is a matter the Council will have to weigh in the balance in its decision about the preferred approach to safeguarding. It is important to emphasise that the overall purpose of the planning system as set out in the NPPF is to contribute to the achievement of sustainable development. Each policy in the NPPF including the Green Belt policies such as paragraph 80 is servant to the overall goal of achieving sustainable development. Sustainable development is the overall goal of the Core Strategy and decisions about its delivery must also be seen in that context. The Government's definition of sustainable development in the context of the planning system is 'the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18 – 219 of the NPPF. Planning judgments must therefore be holistic and should seek to balance the Green Belt policies with all other policies with sustainable development as the ultimate goal. Regarding the spatial distribution of development across the borough and the Site Allocations DPD in particular, meeting this goal in addition to the purposes of the Green Belt would include other evidence and factors such as the sustainability appraisal, proximity of sites to key services and facilities to minimise the need to travel and minimise adverse impacts on climate change, land availability and deliverability and the realistic prospect and feasibility for mitigating development impacts. It is also about creating sustainable places that links homes to jobs and key facilities and services by sustainable modes of travel. The decision of the Council for the purposes of the Regulation 19 consultation will rest on balancing all the above factors, using the available evidence, including evidence gathered through this consultation exercise.

Officers are aware of criticism made against some of the details of the above studies. On the whole, Officers are satisfied that the studies are robust and sufficiently comprehensive to withstand scrutiny at an Examination. The Council risk delving into the minutiae of the opinion of two independent consultants report without credible counter-balancing evidence either submitted as part of the representations to the consultation or carried out by the

Council to demonstrate a different position to the conclusions and recommendations of the existing studies.

- 11 The A320 has been identified in the representations to the Runnymede's Regulation 18 consultation of their Local Plan as a congestion concern. The proposed Garden Village at Longcross in Runnymede and the possible development at Fair Oaks will all have levels of impact on the same road that will require considerable mitigation. In this context the six sites strategy should be the preferred strategy of the Council.

Officer's response

The potential traffic impacts of development of the land east of Martyrs Lane have been assessed, and the A320 is one of the corridors that measures of mitigation are suggested. The Council will work with Surrey Council to identify potential mitigation measures if the safeguarded sites and developments in Woking were to come forward on their own. However, the Council accepts that there would be potential cumulative traffic impacts as a result of cumulative developments at the Garden Village at Longcross and at Fair Oaks in Surrey Heath. In this regard, the Council has already worked with the County Council, Surrey Heath and Runnymede Borough Councils to carry out an A320 corridor study to assess the cumulative impacts of vehicular traffic that would arise from planned developments in Woking, Runnymede and Surrey Heath boroughs on the A320. The study has recommended measures of mitigation to address and/or minimise the development impacts. The study includes an assessment of the development traffic arising from Martyrs Lane if the site were to come forward as a preferred alternative by the Council. The three authorities are jointly working with the County Council to bid for HIF fund to deliver the mitigation measures that are identified.

- 12 The Transport Assessment predicts the level of traffic that would be generated by the options tested and does not make judgment about which sites the Council should identify for development. However, the Martyrs Lane site, in particular with regard to its northern end does not appear to be as sustainable in transport terms as the other Green Belt sites put forward for safeguarding. Should the Martyrs Lane site be safeguarded, the County Council would emphasise that prior to the allocation in a future Local Plan, the Council should undertake detailed assessment and analysis of the strategic impacts of the development on the wider network along with the identification of the necessary road improvements and other measures required to limit the impacts. The assessment will have to consider any other strategic sites coming forward, including those beyond the borough boundary. This work must be undertaken as part of the review of the Local Plan.

Officer's response

The Council acknowledges that it would be necessary to carry out the detailed study suggested by the County Council and will make it an essential requirement for it to be undertaken as part of the review of either the Core Strategy and/or the Site Allocations DPD. This will enable site specific requirements to be identified. It should be noted that the Council has already jointly worked with Runnymede and Surrey Heath Borough Councils to undertake an assessment of the cumulative impacts of vehicular traffic arising from planned developments across the three boroughs on the A320 corridor. The study recommends measures of mitigation to address the development impacts.

- 13 On the basis of making provision for 1,200 dwelling on the Martyrs Lane site, the County Council will require an on site primary school, with a developer contribution towards secondary school provision. This will be kept under review because of the timeframe for when the site is expected to come forward.

Officer's response

The County Council is the education provider for the area and its views on education will be seriously considered if the site is to be allocated. If the need is proven at the time of the review of the Core Strategy and or the Site Allocations DPD, the Council will make it a key requirement for the development of the site to be acceptable. The Council will work constructively with the County Council to identify the necessary infrastructure to support the development of the land if it is allocated and/or developed.

- 14 The County Council will seek to retain the community recycling centre, which it owes. Alternatively, a suitable replacement facility will need to be provided on a site allocated either as part of the wider master plan or beyond. Any replacement facility should be designed to provide commensurate levels of service and accessibility to local residents. The future need for the allocated waste site will be considered in the context of the emerging Surrey Waste Local Plan. This is due to be published in Summer 2017. It will decide the continued need for the site as potential waste management site. If the site were to be safeguarded the landowner will support its use for housing development. The minerals safeguarding will require a minerals assessment to ascertain the amount and quantity of the resource along with the viability and practicalities of prior extraction.

Officer's response

The Council recognises the contribution that the community recycling centre makes towards its objective to maximise recycling in the borough. Its retention in situ, as part of a master planning of the site or a new facility at an enhanced location will be made a key requirement of the allocation of the site when the Core Strategy and/or the Site Allocations DPD is reviewed. The land owner of the allocated waste site has submitted a representation as part of the Martyrs Lane consultation, and has indicated support for the site to be safeguarded to meet future housing needs of the Council. In this regard, the land would be available for future housing needs subject to further discussion with the County Council on whether or not the site will continue to be needed for their future purposes. At this stage the County Council is unsure about the future need of the site for their purposes until further assessment is undertaken as part of the emerging Surrey Waste Local Plan. Officers will continue to liaise with the County Council on this matter.

- 15 Part of the Martyrs Lane site lies within Flood Zones 2 and 3. If the site were to be allocated, it will need to be supported by a robust sequential test to demonstrate why the site is sequentially preferable in flood risk terms. The sequential test should be done in accordance with the Council's up to date Flood Risk Assessment. The Council should ensure that any additional housing at Martyrs Lane that is over and above the six sites that it is replacing should be supported by the necessary infrastructure.

Officer's response

A relatively small section of the land along the northern boundary encroaches into flood zones 2 and 3. This is acknowledged in the Martyrs Lane consultation document with a reason why it is included in the site boundary. The total site area is 112.14 ha. This comprises of:

- Flood Zone 1 – 102.64 ha (91.5%);
- Flood Zone 2 – 3.16 ha (2.8%); and
- Flood Zone 3 – 6.36 ha (5.65%).

The Martyrs Lane consultation document (paragraph 2.5) makes it clear that if the land is to be developed, the development will be directed to the 91.5% of the site that falls within Flood Zone 1. It is not intended that the areas within Flood Zones 2 and 3 will be developed. They are included in the proposal to ensure a defensible boundary of the Green Belt. The Council prepared a sequential test to support the Regulation 18 version of the Site Allocations DPD, which the Environment Agency has already commented. This will be updated to include the Martyrs Lane site to inform the Council in deciding on its preferred choice of land for safeguarding.

It is not envisage that the overall expected quantum of development up to 2027 and between 2027 and 2040 would change. Sufficient infrastructure has been identified to support the delivery of the Core Strategy. Even if the safeguarding policy were to lead to an additional 176 dwellings over the 13 year period, the Council will fully assess the impacts and identify the necessary infrastructure to support that if the site is allocated for development in the next plan.

- 16 The development of the site will be required to provide either a bespoke Suitable Alternative Natural Greenspace (SANG) or a financial contribution towards SANG and Strategic Access Management and Monitoring (SAMM). Due to the proposed size of the site and its close proximity to the Thames Basin Heaths Special Protection Areas (SPA), Natural England are of the opinion that avoidance and mitigation will need to be over and above the minimum quantum of 8 ha per 1,000 population. A discussion should be had with Natural England to agree the size of SANG that will be needed to serve the development. Examples where large applications are at similar distance to the SPA and a similar approach has been taken include Queen Elizabeth Barracks, Deepcut Barracks and Crowthorne TRL.

Officer's response

Policy CS8: *Thames Basin Heaths Special Protection Areas (SPA)* of the Core Strategy accords priority to the protection of the Thames Basin Heaths SPA. The policy provides a robust planning policy framework to make sure that no sites are allocated or granted planning permission for new residential development within 400 metres exclusion zone of the SPA. New residential development beyond the 400 metres threshold but within 5 kilometres of the SPA will be required to make appropriate contribution towards the provision of Suitable Alternative Natural Greenspace and the Strategic Access Management and Monitoring (SAMM). In this regard, the Council has always intended to meet the requirements highlighted in the representation by Natural England. The policy allows scope for bespoke SANGs to be secured if it is considered feasible and deliverable. The Council takes a precautionary approach towards avoiding harm to the SPA and as such has applied the policy rigorously, and will continue to do so in the future.

The Council has identified sufficient SANG capacity through existing SANG sites and proposed allocations in the Draft Site Allocations DPD to enable the delivery of the Core Strategy and beyond. The Council will also make sure that the next plan identifies sufficient SANG land to enable future requirements to be met. The Council will accept the offer to engage with Natural England to agree the nature and size of SANG that will be needed to serve this development if it is allocated. The Council will initiate the discussion at the appropriate time.