

Woking Site Allocations Development Plan Document**Inspector:** G J Fort BA PGDip LLM MCD MRTPI**Programme Officer:** Chris Banks

7 February 2020

Dear Mr Amaoko,

Woking Site Allocations Development Plan Document Post-hearings Letter*Introduction*

1. As discussed, I am writing following the closure of the hearing sessions on the Woking Site Allocations Development Plan Document (SADPD) in December 2019. The Examination is not yet complete and will not be so until the consultation on Main Modifications has concluded and my Report is issued to the Council. It follows that the contents of this letter are without prejudice to my final conclusions on the overall legal compliance and soundness of the SADPD. Aside from where I have indicated otherwise, I am not inviting comments on the contents of this letter.

Duty to Cooperate

2. As discussed at the hearing sessions, could you now please publish on the Examination website a signed copy of the October 2016 Statement of Common Ground between Guildford Borough Council, Waverley Borough Council and Woking Borough Council.

Annual Monitoring Report

3. It has been drawn to my attention that an update to Woking's Annual Monitoring Report (AMR) was published shortly after the closure of the hearing sessions. Please could you make this document available on the Examination website. Interested parties should have an opportunity to make comments on this document via written representations and we will agree via the Programme Officer a timetable and process for this to be carried out, which can run at the same time as work to prepare the final table of modifications. Should this consultation result in the need for any modifications to the plan I will advise you in due course.

Policy SA1: Overall Policy Framework for Land Released from the Green Belt for Development

4. With the exception of the traveller allocations and GB11, the residential GB sites identified within the SADPD are due for release between 2022 and 2027. However, Policy SA1, in reference to the housing allocations on land to be removed from the Green Belt, states that "The exact timing for the release of the land during this period will be informed by a full assessment of the overall housing provision since 2010 against the Core Strategy's housing requirement. The land will *only* be released for residential development if there is evidence of significant under provision against the housing requirement and there is no indication that the shortfall could be met by development on previously developed land within the urban area" (my emphasis).

5. However, there is a lack of clarity as to what would constitute 'significant under provision against the housing requirement', and when such an assessment of supply would take place. Furthermore, the final paragraph of the policy indicates that all land "allocated or safeguarded for release from the Green Belt will be removed from the Green Belt upon adoption of the SADPD", which appears to contradict earlier parts of the policy. For these reasons, Policy SA1 as drafted is neither effective or unambiguous and thus is not soundly based in these regards.
6. Furthermore, the Core Strategy clearly sets out a requirement for residential development on Green Belt sites to meet not only quantitative, but also qualitative needs in the plan period. Consequently, it is not clear why a purely quantitative assessment of housing delivery within the urban area would inform whether the allocated sites should be released or not. Neither has it been demonstrated that development in the urban area alone would deliver the size, type and tenure of housing needed for different groups in the community¹. For these, and the above-given reasons, Policy SA1 will need to be modified to set out more clearly when and how Green Belt sites would be released for development, and I will liaise with you to formulate main modifications to achieve this aim.
7. In addition, a main modification will be required to Policy SA1 to reflect the planning status of the GB11 site. Further clarification is also required firstly, regarding what the "necessary standards for Travellers' accommodation" referred to in Policy SA1 are; and secondly, with regard to "any phasing that the Council will introduce" to manage the delivery of traveller accommodation to ensure that the wording of the policy is unambiguous and thus soundly based in these regards.

Anticipated Rate of Development

8. The National Planning Policy Framework (the Framework) establishes² that all plans should consider whether it would be appropriate to set out the anticipated rate of development for specific sites. Given the scope of the SADPD, I consider that such an approach would be appropriate and should be included in the plan as a main modification. Work already carried out to inform discussions at the hearings³ would provide a basis for the necessary modification in this regard.

Policy UA15: The Big Apple American Amusements Ltd, H.G Wells Conference Centre, the former Rat and Parrot Public House, 48 to 58 Chertsey Road, Woking

9. One of the key requirements of Policy UA15 is for the re-provision of the conferencing facilities at the site as part of its mixed-use redevelopment. I am mindful that Policy CS19 of the Core Strategy seeks to resist the loss of existing social or community facilities and ensure that, amongst other things, adequate alternative facilities should be provided, where this is justified, should re-development displace an existing use. Accordingly, on

¹ Per paragraph 61 of the Framework

² At paragraph 73

³ WBC/SA/035 Additional Information in response to Inspector's Questions of 21.11.2019
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this basis, I consider that re-provision of community uses at the site, which could be used for conferencing alongside other uses would accord with Policy CS19, but that, as currently drafted, the narrow focus and restrictive wording of Policy UA15 is not justified on the basis of the available evidence. Consequently, a further modification to this policy will be required in addition to those we discussed at the hearing sessions.

Policy UA44: Woking Football Club, Woking Gymnastic Club, Woking Snooker Club, Westfield Avenue

10. It is anticipated that this mixed-use site will come forward during the plan period. Unlike other sites which the SADPD seeks to allocate, no indicative housing yield is assumed and I am mindful that there has been a wide range of dwelling numbers suggested from various quarters over the course of the plan's preparation. Consequently, the policy is neither clearly written nor unambiguous, and thus does not accord with the Framework⁴ in this regard.
11. Accordingly, to ensure that Policy UA44 is soundly based in these regards an indicative quantum of residential development should be included, alongside the other modifications already discussed at the hearing. The figure should be based on an assessment of the developable land available over and above the proportion of the site required for the football stadium and associated retailing and be in line with the indicative densities set out in Policy CS10 of the Core Strategy.
12. Confirmation as to whether the UA44 site is in public ownership, is also now necessary to ensure that the appropriate affordable housing requirement is reflected in the policy and included as a main modification, if necessary.

Policy GB7: Nursery Land adjacent to Egley Road, Mayford

13. The SADPD allocates the GB7 site for development of a school and housing. However, a portion of the allocation at the north of the site is identified as an "area of local separation": a part of the site which is "not for built development". As I set out at the hearing, this aspect of the allocation is more restrictive than national policy for Green Belt, from which it is intended to remove the site.
14. Whilst I acknowledge that the aim of the area of local separation is to provide a visual gap between Mayford and the rest of the urban area, it is not clear why such a restrictive policy would be necessary to achieve this aim. Neither is it clear that appropriate visual separation could not be achieved by more proportionate means, such as a key requirement in the policy relating to landscaping measures at the north of the site. Moreover, the evidence presented in the Green Belt Review⁵ (January 2014) (the GBR) focuses on the southern part of the site's importance in maintaining separation rather than the northern element. For these reasons, the area of local separation set out in Policy GB7 is not justified.

⁴ At paragraph 16 (d)

⁵ WBC/SA/E018

A modification is therefore required to Policy GB7, which would remove the area of local separation, and alter the key requirements to ensure that the design and landscaping of the site would take into account the desirability of maintaining a sense of visual separation between Mayford and the rest of the urban area. Consequential modifications will be required to the relevant wording of Policy SA1, alongside appropriate amendments to the Policies Map.

Policy GB9: Land adjacent to Hook Hill Lane, Hook Heath, Woking

15. In accordance with the Local Development Scheme, the SADPD identifies safeguarded sites to plan strategically ahead and to meet future development needs over the period of 2027 to 2040. Of these sites, GB9 is identified to meet long term green infrastructure needs of the Borough. However, the Framework establishes⁶ that plans should where necessary, identify areas of safeguarded land in order to meet longer-term *development* needs stretching well beyond the plan period (my emphasis). It is not clear that use of the land for green infrastructure purposes would entail any development, or if so whether any such measures would be inappropriate within the Green Belt. For these reasons, Policy GB9 as drafted does not appear consistent with the Framework in these regards.

16. Furthermore, the GB9 site could clearly remain within the Green Belt, with clear boundaries using physical features that are readily recognisable and likely to be permanent, including the railway line, and curtilages of dwellings within the site. Moreover, sites located to the south of GB9 that were formerly considered for safeguarding in the Regulation 18 iteration of the SADPD have not been carried forward to the Regulation 19 stage, and thus would stay within the Green Belt; and as a consequence, the GB9 site would therefore remain clearly linked to the wider Green Belt. For these reasons, I recommend that Policy GB9 should be deleted from the SADPD, Policy SA1 and the related Policies Map, to ensure consistency with the Framework.

Policy GB10: Land Surrounding West Hall, Parvis Road, West Byfleet

17. Part of the GB10 allocation would see the provision of 15 traveller pitches. The location of the pitches within the wider GB10 allocation is not identified either within the policy text or on the Policies Map. At the hearing discussions it emerged that the Council assumes that a discrete portion of the site would be suitable to accommodate the pitches.

18. Policy E of the Government's *Planning Policy for Traveller Sites* (PPTS) makes clear⁷ that if land is to be removed from the Green Belt by way of an allocation in a development plan it should be *specifically allocated* as a traveller site *only* (my emphases). Consequently, in order to accord with the national policy expressed in the PPTS, and to be soundly based in these regards, Policy GB10 requires modification so that the specific allocation for traveller provision is identified. Changes should also be made to the Policies Map in order to illustrate the geographical extent of

⁶ At paragraph 139 (c)

⁷ At paragraph 17

the traveller site. Moreover, the policy's justificatory text should clearly set out the delivery arrangements for this element of the GB10 site.

19. In terms of any residual flood risk at the GB10 site we discussed at the hearing whether a sequential approach to designing its layout to inform the siting of houses, pitches and SuDS could be incorporated as a key requirement, as it is in several other allocations⁸ in the SADPD. This should now be taken forward as a main modification.

Policy GB17 (GB19) Woking Palace

20. Policy GB17 (GB19 in the July 2019 version of the SADPD with "Minor Modifications") seeks to allocate 64.4ha of land for a country park in connection with Woking Palace- a Scheduled Monument. Whilst Woking Palace and its immediate environs are in the ownership of the Council, the bulk of the GB17 site is not. The landowner of the remaining part of the GB17 site objects to the allocation; consequently, it has not been successfully demonstrated that the site is available for the purposes proposed.
21. I acknowledge that the *Woking Palace Conservation Management Plan* (January 2016) (the CMP)⁹, and the *Woking Palace Masterplan Presentation*¹⁰ (January 2013) (the Masterplan) place an emphasis on improving accessibility to the Scheduled Monument both in terms of vehicular movement and parking, and in terms of better linkages to the wider rights of way network. Nevertheless, none of the key evidence base documents mentioned in the justification for Policy GB17 establishes a requirement for the full 64ha site to be allocated in order to fulfil these aims. Consequently, the geographical extent of the GB17 site is not justified by the submitted evidence.
22. Critically, whilst the CMP references funding sources that could be available for the delivery of the Woking Palace project as set out in the Masterplan, I have been supplied with no substantive evidence to demonstrate whether such funding has been secured, or any indication as to whether it would come forward in the plan period. This consideration, taken together with the above points leads me to the conclusion that Policy GB17, as drafted, is not soundly based and consequently that modification is required.
23. In arriving at this conclusion, I am mindful that the Framework expects development plans to set out a positive strategy for the conservation and enjoyment of the historic environment¹¹, and that non-strategic policies should set out more detailed policies for specific areas, including those related to conserving and enhancing the natural environment¹². With this in mind, I will liaise with you to formulate a soundly based approach to the Woking Palace site.

⁸ E.g UA1, UA22, UA25, GB1, GB2

⁹ WBC/SA/E061

¹⁰ WBC/SA/E061H

¹¹ At paragraph 185

¹² At paragraph 28

McLaren Campus

24. Following the Regulation 19 stage, the Council proposed a modification to the plan¹³ which would see the McLaren Campus designated as a Major Developed Site (MDS) in the Green Belt pursuant to Policy CS6 of the Core Strategy. The concept of MDS in Green Belt is one that is not included in the Framework. However, the Framework in its list of types of development that could be considered¹⁴ "not inappropriate" includes "limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings) which would: not have a greater impact on the openness of the Green Belt than the existing development".
25. According to the proposed policy, as drafted, the McLaren Campus would remain in the Green Belt; and indeed the GBR notes that removal of the parcel of land within which the site sits would fundamentally conflict with the Green Belt purpose of checking the unrestricted sprawl of large built up areas. Policy CS6 is permissive of infilling and redevelopment within MDS, although there is some distinction between its wording and that of the Framework which requires proposed developments of this type to avoid greater impacts on openness than existing development.
26. It is clear that the Framework could allow some infilling and redevelopment of the site without each application needing to demonstrate very special circumstances. Moreover, anything in the suggested McLaren Campus policy which seeks to allow developments that would have a *greater impact* on openness than the existing development would clearly conflict with the Framework in these regards, and thus would not be soundly based. Furthermore, developments at the site that did have a greater impact on openness than the existing use would be inappropriate for the purposes of the Framework and would therefore have to be justified by very special circumstances in any event.
27. Consequently, it appears that the McLaren Campus policy would not achieve anything over and above what is provided for by the Framework and is therefore not necessary in order to make the plan sound. On this basis, I do not recommend incorporating into the SADPD the McLaren Campus Policy and the related suggested wording in Policy SA1.

Monitoring Framework

28. At the hearing sessions we discussed the monitoring framework for the SADPD, and agreed, in the interests of clarity, that a table similar to that included in the Core Strategy setting out the monitoring arrangements, trigger points for action, and any remedial action should be included as an appendix. A main modification to the plan will be required to secure this aim.

¹³ Policy GB13 in the July 2019 "Regulation 19 with Minor Modifications" version of the SADPD

¹⁴ At paragraph 145 (g)

Conclusion

29. Assuming that the Council would be content to adopt the SADPD on the basis of the main modifications I have indicated are necessary, I would be grateful if you would indicate the timescale necessary to prepare their detailed wording for my consideration. If, on the other hand, the Council would not wish to adopt the SADPD on the basis of the modifications that I have set out, I would be grateful of a response as soon as possible so that I consider how best to progress the Examination.

30. In the meantime, please do not hesitate to contact me via the Programme Officer if you require clarification on any of the above points.

Yours sincerely,

G J Fort

INSPECTOR