

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

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INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

Following my initial review of the supporting evidence for and representations on the Woking Site Allocations Development Plan Document (Regulation 19 Version) (the SADPD), I have identified the following matters

Matter 1: Is the SADPD legally compliant, have the relevant procedural requirements been met, and has the Duty to Co-operate (DtC) been discharged?

Matter 2: Is the SADPD in general conformity with the Woking Core Strategy?

Matter 3: Is the SADPD's approach to allocations and safeguarded land in the Green Belt justified and consistent with national policy?

Matter 4: Are the allocated sites in the urban area justified, consistent with national policy and deliverable?

Matter 5: Are the SADPD's policies justified, consistent with national policies, and clearly written and unambiguous so it is evident how a decision maker should react to development proposals?

Matter 6: Does the SADPD set out effective mechanisms for monitoring and implementation?

This document contains a number of issues and questions, which flow from the identified matters. These relate to the legal compliance of the SADPD and its soundness, taking into account representations made. The questions have been framed with regard to the National Planning Policy Framework (the Framework), including the tests of soundness set out in paragraph 35, and the Government's Planning Practice Guidance (PPG). The Framework also sets out¹ that plans should only contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals and this has also been the basis of several questions.

It is important to note that the matters, issues and questions I have raised here have arisen from my initial assessment of the submission documents and representations, and may evolve through the Examination, not least following on from any responses the Council or others make on these matters prior to the hearing sessions.

¹ At paragraph 16 (d)

Following the Regulation 19 stage the Council produced a 'tracked changes' version of the SADPD² along with changes to its related maps³ (all dated July 2019), which include proposed modifications. The July 2019 version of the SADPD includes different site numbering to that of the Regulation 19 version. Consequently, where I refer to an allocation, where relevant, I will give its reference number as it appears in the July 2019 version in brackets. Where an issue or question relates to proposed modifications contained in the tracked changes version I will make this clear in the text.

I set out separately in my Guidance Note how the Council and others can respond to these matters, issues and questions in the run up to the hearing sessions in weeks commencing 2 and 9 December 2019.

If any further clarification is required on the following please contact me via the Programme Officer.

G J Fort

INSPECTOR

14 October 2019

² Document reference WBC/SA/002A

³ Document references WBC/SA/002B and WBC/SA/002C

WOKING SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT

MATTERS, ISSUES AND QUESTIONS

October 2019

Matter 1: Is the SADPD legally compliant, have the relevant procedural requirements been met, and has the Duty to Co-operate (DtC) been discharged?

Issue (i) Has the DtC been discharged?

Questions:

1. Has the Council engaged constructively and on an ongoing basis with all relevant organisations on any strategic matters in accordance with the DtC?
2. How does the SADPD address any cross-boundary issues that have emerged as a result of engagement with prescribed bodies?

Issue (ii) does the Sustainability Appraisal (SA) comply with the requirements of the Strategic Environmental Assessment Directive (SEA Directive) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations)?

Questions:

1. Has the SA process complied with the requirements of the SEA Directive and the SEA Regulations?
2. Is the approach to SA compliant with the advice set out in the PPG⁴ and based on an appropriate methodology?
3. Has the SA process been genuinely iterative and carried out in step with the stages of plan preparation?
4. Are the alternatives considered by the SA sufficiently distinct to highlight the different sustainability implications of each?

Issue (iii) Is the SADPD supported by a robust approach to Habitats Regulation Assessment?

Questions:

1. Is the HRA adequate and how has the SADPD taken account of its findings?
2. Is the approach to HRA legally compliant having regard to the Court of Justice of the European Union's judgement on *People over Wind, Peter Sweetman v Coillte Teoranta* (Case C-323/17)?

Issue (iv) has consultation on the SADPD been carried out in accordance with the Regulations and the Council's Statement of Community Involvement (SCI)?

Questions:

⁴ *Strategic environmental assessment and sustainability appraisal* published 9 February 2015

1. Has consultation on the SADPD been carried out in accordance with the Council's SCI?
2. Have the publication, advertisement and availability of the SADPD followed the statutory procedures set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) England Regulations 2012?

Issue (v) To what extent has the production of the SADPD complied with the Council's published Local Development Scheme (LDS)?

Questions:

1. Is the scope of the SADPD as described in the LDS?
2. Does the SADPD make explicit which, if any, of its policies are strategic⁵?
3. Do any strategic policies contained in the SADPD accord with the Framework⁶ insofar as they "should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities"?
4. Has the timing of production of the SADPD followed the timetable set out in the LDS?

Issue (vi) To what extent does the SADPD contain policies designed to secure that the development and use of land in the Borough contribute to the mitigation of, and adaption to, climate change?

Question:

1. To what extent does the SADPD contain policies designed to secure that the development and use of land in the Borough contribute to the mitigation of, and adaption to, climate change?

⁵ Per paragraph 21 of the Framework; and having regard to the definition of 'Strategic Policies' given in the glossary of the Framework.

⁶ At paragraph 22

Matter 2: Is the overall approach of the SADPD in general conformity with the Woking Core Strategy?

Issue (i) Are the requirements set out in the Woking Core Strategy (adopted October 2012) (the Core Strategy) justified, up-to-date and consistent with national policy?

Questions:

1. The Council has undertaken a review of the adopted Core Strategy. How have the Borough's Housing Delivery Test results and any evidenced changes to housing need since the adoption of the Core Strategy informed that review⁷?
2. Did the Council's review of the Core Strategy pay due regard to the DtC⁸?
3. Did the review of the Core Strategy take into account plan-making activity in neighbouring authorities, such as whether those LPAs are unable to meet all of their identified housing needs?⁹

Issue (ii) To what extent would the allocations, taken together, meet the requirements set out in the Core Strategy?

Questions:

1. Has the viability of the SADPD been tested and evidenced in accordance with the advice contained in the PPG¹⁰, and does the viability evidence take into account any policy requirements arising from the SADPD, such as the requirement to make use of the Government's optional technical standards?
2. Is the spatial distribution of development allocations in the SADPD in general conformity with the Core Strategy?
3. Policy CS13 of the Core Strategy anticipates that sites would be allocated in the SADPD to meet specialist housing needs: to what extent does the SADPD fulfil this policy requirement?
4. Does the SADPD give due regard to the important contribution that small sites can make to meeting the housing requirement of an area¹¹?
5. Does the SADPD identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare¹²? If not, can it be shown that there are strong reasons why this 10% target cannot be achieved?
6. Would the SADPD allocations deliver a sufficient mix of sites to meet assessed needs for the size, type and tenure of housing for different groups in the community (including, but not limited to, those who require affordable housing, families with

⁷ In accordance with the *Plan Making* PPG Paragraph: 065 Reference ID: 61-065-20190723
Revision date: 23 07 2019

⁸ Ibid Paragraph: 068 Reference ID: 61-068-20190723

⁹ Ibid Paragraph: 065 Reference ID: 61-065-20190723 Revision date: 23 07 2019

¹⁰ *Viability* 1 September 2019

¹¹ Per paragraph 68 of the Framework

¹² Per paragraph 68 of the Framework

children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)¹³?

7. Does the SADPD specify the mix of dwellings that specific sites will be expected to provide in line with paragraph 5.75 of the Core Strategy?
8. Is there a demonstrable requirement for self-build and custom housing in the Borough¹⁴ and is it clear which allocated sites, if any, are expected to meet this requirement?
9. Is the requirement for care homes and extra care accommodation appropriately reflected in the SADPD?
10. The Traveller Accommodation Assessment (TAA) pre-dates the publication of the Government's Planning Policy for Traveller Sites (PPTS). To what extent are the findings of the TAA consistent with the PPTS, particularly as the latter document introduced a new definition of the term "Traveller" for planning purposes?
11. The Employment Land Review material which supports the Core Strategy requirements was published in 2010. Consequently, are the policies of the SADPD flexible enough to accommodate needs not anticipated in the Core Strategy, allow for new and flexible working practices, and enable rapid response to changes in economic circumstances¹⁵?
12. Does the SADPD make sufficient provision of employment, retail and other commercial development of an appropriate range of types and scales?

Issue (iii) Does the SADPD's approach to flooding and water management accord with Policy CS9 of the Core Strategy and the Framework?

Questions:

1. Is the SADPD based on a sequential, risk-based approach to the location of development-taking into account the current and future impacts of climate change- so as to avoid, where possible, flood risk to people and property¹⁶?
2. Do the submitted SADPD and the proposed modifications direct development away from areas at highest risk of flooding¹⁷?
3. Does the SADPD incorporate policies to ensure that developments are appropriately flood resistant and resilient?

¹³ Per paras 61 and 67 of the Framework

¹⁴ Mentioned on page 19 of the SADPD

¹⁵ Per paragraph 81 (d) of the Framework

¹⁶ Per paragraph 157 of the Framework

¹⁷ Per paragraph 155 of the Framework

Issue (iv) Does the SADPD contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution¹⁸?

Question:

1. Do the SADPD and proposed modifications contain policies that would contribute to the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution?

Issue (v) is the SADPD based on a robust assessment of required supporting infrastructure?

Questions:

1. Is the SADPD based on a robust assessment of the required supporting infrastructure?
2. Does the SADPD make sufficient provision for infrastructure including water supply, waste water, health, education and cultural infrastructure?

Issue (vi) is the SADPD supported by adequate consideration of transport issues?

Questions:

1. Does the SADPD ensure that significant development will be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a general choice of transport modes¹⁹?
2. Has the SADPD been prepared with the active involvement of the local highways authorities, other transport infrastructure providers and operators and neighbouring councils so that strategies and investments for supporting sustainable transport and development patterns are aligned²⁰?
3. How has the SADPD taken into account the effects of allocations on the transport network?
4. How have the transport effects of the allocations in Byfleet and West Byfleet been taken into account?
5. Have the effects of developments in neighbouring boroughs on the transport infrastructure of the Borough been taken into account?
6. What measures are in place to mitigate the transport effects of the SADPD and is it clear how actions will be phased to secure appropriate mitigation- is there a reasonable prospect that mitigation measures would be delivered in the planned timescales?

¹⁸ Per paragraph 170 (e) of the Framework

¹⁹ Per paragraph 103 of the Framework

²⁰ Per paragraph 104(b) of the Framework

Matter 3: Is the SADPD’s approach to allocations and safeguarded land in the Green Belt (GB) justified and consistent with national policy?

Issue (i) Does the Woking Green Belt Review²¹ provide a robust evidence base to support the policies and allocations of the SADPD?

Questions:

1. Does the Green Belt Review’s focus on land ‘parcels’ provide a sufficiently fine-grained assessment of the GB?
2. Does the methodology of the Green Belt Review place appropriate emphasis on the permanence and purposes of the GB?
3. Does the Green Belt Review pay appropriate regard to the GB’s purpose of preserving the setting and special character of historic towns²²?
4. Does the Green Belt Review’s objective of identifying suitable, deliverable sites for 550 homes over the plan period provide an appropriate basis for assessment?

Issue (ii) Do the SADPD’s GB allocations and policies accord with national policies and guidance, and do exceptional circumstances exist sufficient to justify the alteration of the GB’s boundaries?

Questions:

1. To what extent can it be demonstrated that exceptional circumstances exist sufficient to alter GB boundaries as proposed?
2. Have reasonable alternatives to the release of GB sites been adequately explored, and have all reasonable options for meeting the Core Strategy’s requirements been fully examined²³?
3. Has the spatial distribution of the SADPD’s GB allocations and safeguarded sites taken into account the need to promote sustainable patterns of development²⁴?
4. Does the SADPD demonstrate that GB boundaries will not need to be altered at the end of the plan period and define boundaries clearly using physical features that are readily recognisable and likely to be permanent²⁵?

²¹ Document reference: WBC/SA/E018

²² See paragraph 134(d) of the Framework

²³ In line with paragraphs 35, 136 and 137 of the Framework

²⁴ Per paragraph 138 of the Framework

²⁵ Per paragraph 139 (e) and (f) of the Framework

5. Would the SADPD be consistent with the GB's purpose²⁶ of assisting in urban regeneration, by encouraging the recycling of derelict and other urban land?
6. Is GB release appropriately phased to assist urban regeneration, and to ensure that as much use as possible is made of suitable brownfield sites and under-utilised land²⁷?
7. Do the allocations contain appropriate provisions to mitigate adverse effects to landscape character where this has been highlighted as an issue in the Green Belt Review?
8. Does the SADPD set out ways in which the impact of removing land from the GB can be offset through compensatory improvements to the environmental quality and accessibility of the remaining GB land, and how such improvements could be secured²⁸?
9. The key role that Woking's GB plays in providing recreational opportunity is identified in the Sustainability Appraisal Report²⁹. Consequently, to what extent do the SADPD's GB proposals accord with the Framework insofar as it states that planning policies should enable and support healthy lifestyles, especially where this would address identified local health and well-being needs, for example through the provision of safe and accessible green infrastructure³⁰?

Issue (iii) Are the GB housing allocations deliverable or developable?

Questions:

1. Are the policy requirements related to the GB allocations informed by evidence of affordable housing need, infrastructure requirements, the inclusion of local and national standards and a proportionate assessment of viability?
2. To what extent would housing allocations in the GB anticipated to come forward in the next 5 years be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years?
3. For GB allocations scheduled later in the plan period, are these in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged?
4. Policy GB10 of the SADPD relates to a site that is within a Mineral Safeguarding Area³¹. The reasoned justification to Policy GB10 indicates that borehole testing of the site would be necessary, which may then lead to the full investigation of whether any reserves could be worked prior to any development that could sterilise those reserves.

²⁶ Set out in paragraph 134 (e) of the Framework

²⁷ Per paragraph 137(a) of the Framework

²⁸ Per paragraph 138 of the Framework and *Green Belt* PPG 22 July 2019

²⁹ Document reference WBC/SA/005 at paragraph 7.12

³⁰ At paragraph 91(c)

³¹ Per Policy MC6 of the Surrey Minerals Plan Core Strategy 2011

How have the implications of this informed the phasing and delivery assumptions of GB10?

5. How has the 14.8ha figure for residential development on the GB10 site been arrived at, and does the figure include the proposed traveller pitch provision?
6. Is the boundary of the 'area of local separation' within GB7 justified, and would the related restriction on "built development" within it act as a constraint on the wider deliverability of the site (i.e through prevention of flood mitigation measures etc)? Should the GB designation remain in place for the area of local separation?

Issue (iv) Are the SADP's policies relating to Traveller Sites consistent with the Core Strategy, national policies and guidance?

Questions:

1. Has the allocation of sites for Traveller accommodation and transit pitch provision followed the sequential approach set out within Policy CS14 of the Core Strategy?
2. What evidence is there to support the statement in the Council's *Regulation 19 Consultation Issues and Matters Topic Paper*³² that use of sites in the urban area to meet the needs of Travellers is unlikely to be viable?
3. The TAA did not identify a need for transit sites³³, consequently, do exceptional circumstances exist to release GB land for this purpose?
4. What factors have been taken into account to inform the SADPD's spatial distribution of Traveller sites?
5. Three sites are identified in Policy SA1 to which "permission in principle" (PiP) would be granted. What is the current planning status of those sites?
6. Mindful of the PPG³⁴ is it anticipated that PiP would be granted through entering the sites on Part 2 of the Council's brownfield land register?
7. Would the use of PiP in relation to Traveller Sites be consistent with the PPG insofar as it states that the PiP "consent route is an alternative way of obtaining permission for *housing-led* development"³⁵ (my emphasis)?
8. Would the grant of PiP be consistent with the PPG's advice on habitats development³⁶?

³² Document reference: WBC/SA/003 at paragraph 3.6

³³ Document reference WBC/SA/E024 at paragraph 21.2

³⁴ *Permission in Principle*

³⁵ Paragraph: 001 Reference ID: 58-001-20180615 Revision date: 15 06 2018; and section 58A(i) of the Town and Country Planning Act 1990 (as amended)

³⁶ Paragraph: 005 Reference ID: 58-005-20190315 Revision date: 15 03 2019

9. Should the term "full planning permission" in relation to these PIP sites be amended to read "technical details consent"?

Issue (v) Will the SADPD's proposals to provide Suitable Alternative Natural Greenspace (SANG) meet identified requirements?

1. Could SANGS be washed over by the GB rather than removed from it?
2. To what extent would the allocated sites meet the requirement for SANGs over the plan period?
3. Do the SADPD's policies contain explicit links between housing allocations and allocated SANGs to underpin planning obligations to support the delivery of those SANGs³⁷?
4. Due to the uncertain quantity of residential development anticipated on some sites (including UA44) what measures are in place to ensure sufficient delivery of SANGs were delivery over the plan period to exceed the 4,964 unit assumption?
5. Several of the SANG allocations are subject to biodiversity designations, or adjacent to land so designated-what effect would this have on delivery, and on the overall supply of SANG?
6. What alternative strategies could be pursued to make appropriate provision of SANG to address any unanticipated shortfalls?
7. Would the biodiversity implications of the development of GB land³⁸create an additional requirement for SANG over and above the amount contemplated in the *Thames Basin Heaths Special Protection Area Avoidance Strategy*³⁹?
8. Given that a proportion of the GB14 (GB16) site is already common land and publicly accessible, to what extent would its allocation constitute SANG? How would the mooted measures to improve access to the site effect its biodiversity?

Issue (vi) are the SADPD's other GB allocations and policies justified and effective?

Questions:

1. GB9 is a safeguarded site to provide green infrastructure-given the nature of the proposal is removal of the site from the GB justified?
2. Is the removal of GB18 (GB12 in the July 2019 version of the SADPD) from the GB justified?

³⁷ Per the suggestion on page 27 of the Habitats Regulation Assessment (June 2018) Document reference WBC/SA/006

³⁸ Noted in the Sustainability Appraisal Report Document reference: WBC/SA/005 at page 95

³⁹ Document reference: WBC/SA/023

3. Would Local Green Space designation be appropriate for GB18 (GB12)?
4. Are the proposals for the McLaren Campus set out in GB13 of the July 2019 version of the SADPD justified and consistent with national policy?
5. In relation to Policy GB13 of the July 2019 version of the SADPD, is its restriction of development to that "for the specific and sole use by McClaren Group Limited and solely for operations undertaken by the Group" justified?
6. Is the extent of land included in GB17 (GB19 in the July 2019 version of the SADPD) justified?
7. Is GB17 (GB19) deliverable in the plan period?
8. Should the supporting text of GB17 (GB19) refer to the necessity to gain Scheduled Monument Consent where necessary?
9. Has the effect of GB17 (GB19) on agricultural land and potential minerals resources been considered?

Issue (vii) does the SADPD's approach to safeguarded land accord with the Framework⁴⁰?

Questions:

1. Is it necessary for the SADPD to identify areas of safeguarded land?
2. To what extent is the amount of safeguarded land included in the SADPD justified?
3. Does the SADPD make the status of the safeguarded land it identifies clear, in accordance with paragraph 139(d) of the Framework?
4. To what extent does the identification of safeguarded land demonstrate that GB boundaries would not have to be altered at the end of the plan period?

⁴⁰ At paragraph 139

Matter 4: Are the allocated sites in the urban area justified and deliverable?

Issue (i) is the SADPD's approach to the provision of housing in the urban area justified and deliverable?

Questions:

1. Are the policy requirements related to the sites informed by evidence of affordable housing need, infrastructure requirements, the inclusion of local and national standards and a proportionate assessment of viability?
2. To what extent would housing sites anticipated to come forward in the next 5 years be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years?
3. For sites scheduled later in the plan period, are these in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged?
4. Several allocations relate to sites which require site assembly before development activity can commence, and with active uses ongoing- how have these factors been taken into account in arriving at the SADPD's phasing and delivery assumptions?
5. Does reliance on mixed use sites in the urban area, with undefined quanta of differing uses, provide sufficient certainty that housing requirements would be delivered over the plan period? Is the SADPD sufficiently flexible to adapt to lower than expected housing delivery on mixed use sites?
6. Is the mix of uses anticipated on urban sites (eg UA4, UA12, UA13) insufficiently flexible, and what effect could this have on housing output on those sites?
7. Would the amalgamation of sites UA12 and UA13 offer more flexibility as to how development could be brought forward?
8. Would the scale and nature of the proposed uses set out in UA44 be compatible with the character, appearance and residential amenity of the site's surroundings?

Issue (ii) is the SADPD's approach to the delivery of other uses in the urban area justified and deliverable?

1. Is the delivery of employment, retail and other uses achievable and realistic over the plan period?
2. What effect would residential amenity considerations related to housing included on mixed use sites have on the deliverability and flexibility of employment uses also anticipated for such sites?
3. Would the allocations for residential development (UA6, UA10, UA11, UA13 and UA34), including the proposed modifications included in the July 2019 version of the SADPD,

ensure that dwellings would be integrated effectively with the safeguarded⁴¹ rail aggregates depot, and ensure that unreasonable restrictions would not be placed on its operation⁴²?

4. Does the SADPD make appropriate arrangements to re-provide community, assembly and leisure facilities as part of site redevelopment?
5. Would the industrial uses proposed for UA40 be compatible with the character, appearance and residential amenity of the surrounding area?
6. Has the effect of the retail development contemplated for the UA44 site on the vitality and viability of the Borough's centres been considered?
7. What is the justification for the requirement for re-provision of conference facilities at the UA15 site?
8. What is the justification for the requirement to re-provide community facilities as part of the UA31 site?
9. Does UA7 give appropriate regard to the requirements of buses and associated garaging?
10. Is the road infrastructure anticipated for UA28 deliverable and would an alternative mix of uses render it and the wider development of the site more viable?

⁴¹ Per Policy MC6 of the Surrey Minerals Plan Core Strategy 2011

⁴² Per paragraph 182 of the Framework

Matter 5: Are the SADPD's policies justified, consistent with national policies, and clearly written and unambiguous so it is evident how a decision maker should react to development proposals?

Issue (i) General Points

1. Policies are repetitive and have overlapping requirements that would benefit from simplification and amalgamation in the interests of clarity. Some elements of policy text (e.g the points relating to CIL liability) would also be better incorporated in reasoned justification and supporting text.
2. Also to aid legibility of the plan, given the number of policy criteria related to each allocation, those criteria should be a numbered rather than a bullet pointed list.
3. Paragraph numbers would greatly assist both applicants and decision-takers to reference salient parts of the SADPD and should be applied.
4. In the interests of clarity a table including likely development yields and projected timing of delivery should be appended to each allocation.

Issue (ii) Is it evident how a decision maker should react to viability issues related to development proposals?

Questions:

10. The *Implementation* section of the SADPD⁴³ outlines that "Very robust finance evidence will be required to justify any negotiation away from the requirements of the Core Strategy and the Site Allocations DPD... The Council will expect development negotiations on specific sites to be supported by an open book financial appraisal process." Would these requirements be more fittingly expressed in a standalone overarching SADPD policy?
11. Does the expressed approach to viability accord with the advice expressed in the PPG that "Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage"⁴⁴?

Issue (iii) Would the policies of the SADPD prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution⁴⁵?

Question:

1. Would the policies of the SADPD prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution?

⁴³ At Page 345 of the July 2019 version

⁴⁴ *Viability* Paragraph: 002 Reference ID: 10-002-20190509 Revision date: 09 05 2019

⁴⁵ Per the Framework paragraph 170(e)

Issue (iv) Would the SADPD's policies for housing which make use of the Government's optional technical standards address an identified need for such properties⁴⁶?

Question:

1. Would the SADPD's policies for housing which make use of the Government's optional technical standards address an identified need for such properties?

Issue (v) Are any requirements for affordable housing contributions from sites delivering less than 10 dwellings consistent with national policy⁴⁷?

Question:

1. Are any requirements for affordable housing contributions from sites delivering less than 10 dwellings consistent with national policy?

Issue (vi) Do the the SADPD's policies related to heritage assets accord with the statutory duties⁴⁸ of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and the Framework⁴⁹?

Questions:

1. Do the SADPD's policies pay appropriate regard to the significance of the Borough's designated and non-designated heritage assets?
2. Do the policies reflect both the statutory duties set out in the Act and national policy set out in the Framework?

Issue (vii) Are the SADPD's policies relating to design, character, appearance and amenity matters clearly written and unambiguous and consistent with national policy⁵⁰ and guidance⁵¹?

Questions:

1. Would the anticipated density of urban allocations result in developments that maintain the area's prevailing character and setting, or promote regeneration and change⁵²?
2. Do the anticipated densities of urban allocations take into account the importance of securing well-designed, attractive and healthy places⁵³?
3. Do the SADPD's policies taken together seek to create places that are safe, inclusive and accessible and which promote health and well-being with a *high standard* of

⁴⁶ In accordance with footnote 46 of the Framework; *Housing for older and disabled people* PPG; and *Housing: optional technical standards* PPG

⁴⁷ Expressed in paragraph 63 of the Framework

⁴⁸ Ss. 16(2), 66(1) and 72(1)

⁴⁹ Paras 184 to 202

⁵⁰ Particularly paras 122 to 132 of the Framework

⁵¹ Including PPG *Design Process and tools*; and the *National Design Guide* (September 2019)

⁵² Per paragraph 122(d) of the Framework

⁵³ Per paragraph 122(e) of the Framework

amenity for existing and future users⁵⁴? (my emphasis)

4. Is it clear from policies whether developments are expected to either (a) enhance, or (b) respect, or (c) merely avoid compromising the character of their surroundings? Could the design aspects of policies be more streamlined and consistent in these regards?

Issue (viii) Is the SADPD's approach to transport matters consistent with national policy⁵⁵?

Questions:

1. Is the SADPD's approach to parking standards consistent with the Framework (at paragraph 106)?
2. Should the requirements for Travel Plans, where appropriate, be positively worded in terms of the promotion of opportunities to maximise the use of sustainable transport solutions, rather than in terms of minimising car use?
3. Should policies require the achievement of safe and suitable access for all people to ensure consistency with the Framework⁵⁶?

Issue (ix) Are the SADPD's policies relating to biodiversity consistent with national policy⁵⁷?

Questions:

1. Does the SADPD allocate land with the least environmental value; and where significant development of agricultural land is anticipated are areas of poorer agricultural quality preferred to those of a higher quality⁵⁸?
2. Does the SADPD take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure⁵⁹?
3. Does the SADPD promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity⁶⁰?

Issue (x) Are the SADPD's policies with regard to drainage and sustainable construction clearly written and unambiguous?

Questions:

1. Would the SADPD's policies including the proposed modifications secure appropriate drainage arrangements for developments?

⁵⁴ Per paragraph 127(f) of the Framework

⁵⁵ Particularly paragraphs 102 to 111 of the Framework

⁵⁶ At paragraph 108 (b)

⁵⁷ Particularly paragraphs 170 to 177 of the Framework

⁵⁸ Per paragraph 171 and Footnote 53 of the Framework

⁵⁹ Per paragraph 171 of the Framework

⁶⁰ Per paragraph 174 of the Framework

2. Are the requirements for Sustainable Drainage Systems (SuDS) as expressed in the SADPD clearly written so it is evident how a decision maker should react to development proposals?
3. Are policy requirements related to sustainable construction clear and consistent with national policy and guidance?

Matter 6: Does the SADPD set out effective mechanisms for monitoring and implementation?

Issue (i) Does the SADPD set out effective mechanisms for monitoring and implementation?

Questions:

1. The SADPD sets out⁶¹that 'in some cases delivery will be assisted by additional guidance provided through Supplementary Planning Documents' (SPDs). Are any specific SPDs contemplated, and if so what is the timetable for their production?
2. Does the monitoring framework set out a clear set of indicators against which to assess the effectiveness of the SADPD's policies and allocations?
3. Does the monitoring framework set out clear actions that could be taken should development not come forward at the rate anticipated in the SADPD?
4. Is the SADPD clear in terms of the triggers for such action?
5. Does the SADPD make clear which development plan policies it will supersede?

******END OF MIQs******

⁶¹ At page 340 of the July 2019 version of the document