

**WOKING BOROUGH
CORE STRATEGY
EXAMINATION IN PUBLIC**

EXAMINATION STATEMENT

CREST NICHOLSON

Submitted 6 March 2012

Matter 2 – Natural Environment

21 March 2012

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CREST NICHOLSON REF: 080**

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Introduction

This Examination Statement has been submitted by Crest Nicholson as part of the Examination in Public on the Woking Borough Local Development Framework Core Strategy. The Statement highlights and where necessary expands upon representations submitted by Crest Nicholson at the Proposed Submission (Regulation 27) stage of the Core Strategy process. It does not repeat representations.

Referencing

Crest Nicholson has referred to its representations submitted on the Proposed Submission 'Publication' Core Strategy throughout the Examination Statement.

Abbreviations / Glossary

- WBC – Woking Borough Council
- Savills – Planning Consultant
- SEP – South East Plan
- PPS – Planning Policy Statement
- WCS – Woking Core Strategy
- TBH SPA – Thames Basins Heath SPA
- SA/SEA – Sustainability Appraisal / Strategic Environmental Assessment

Matter 2 – Natural Environment

21st March 2012

Matter 2: Does the CS take a justified and effective approach to issues relating to the Green Belt (GB) and the natural environment which is consistent with national planning policy?

CS6 Green Belt

1. Is the Council's approach to GB consistent with the advice of PPG2? What evidence underpins the approach advocated within Policy CS6? Should the GB be an area of potential growth?

1. The Green Belt should be an area of potential growth, and is justified as so owing to evidence of:

- Urban capacity.
- Need for greater Green Infrastructure (to meet South East Plan objectives).

And further:

- to be in general conformity with the South East Plan (notably policy SP5).
2. PPG2 seeks to strictly control development in the Green Belt, which draft policy CS6 also achieves. To be effective however, the Core Strategy will need to respond to changing circumstances and guide the subsequent DPDs. This will become more important with the impending abolition of the South East Plan. It is therefore very important for a 'policy hook' to be included in the Core Strategy to enable the Green Belt Review, and subsequent policy allocations for development.
3. PPG2 outlines the criteria for defining the boundaries of the Green Belt, notably that boundary alterations should only be undertaken under 'exceptional circumstances' (PPG2 paragraph 2.7). A key criteria is evidence of urban capacity. PPG2 paragraph 2.8 refers to the alteration of Green Belt through development plans, and outlines that alterations can be approved when the higher tier plan (then the Structure Plan now the South East Plan) has approved an alteration. Policy SP5 of the South East Plan is clear of the need for a Green Belt Review.
4. Owing to the available evidence, which demonstrates the need for housing (SHMA 2009), constrained urban capacity (SHLAA 2011), and the position of the South East Plan, Crest Nicholson is supportive of the identification of the Green Belt as a

development location within draft CS Figure 3 (Areas Identified for Growth). Crest Nicholson considers there to be ample opportunity to seek suitable sites within the Green Belt for development through a Review, ensuring that the fundamental objectives of the Green Belt (PPG2 paragraph 1.5) are maintained.

2. **Is the planned release of GB land for residential development justified by robust evidence and consistent with PPS12 and PPG2? Why is the GB review planned for 2016/17; should this be earlier? Will the CS be effective over the plan period (how will the housing trajectory be managed in relation to GB land release)?**
5. The Green Belt Review should be earlier. Crest Nicholson suggests in 2012/ 13 immediately post Core Strategy adoption. This would enable the process to be 'dovetailed' with the Site Allocations and Development Management DPD. An amendment to draft policy CS6 and the supporting text is therefore required.
6. The approach of the Borough Council to delay the Green Belt Review is ineffective and would likely result in faltering housing delivery within the plan period. In addition, it would also create a potential delay of the delivery of enhanced Green Infrastructure, which may have effects on the Thames Basins Heath SPA. This is because new development as urban extensions to Woking could provide the opportunity for greatly enhanced countryside access, recreation and wider biodiversity improvements.
7. The approach to delay the Green Belt Review has already resulted in a failed five year supply of housing. In evidence to be submitted with Written Statement 3 (Hearing Session 4 - Housing) Crest Nicholson will contend that the Borough Council can only demonstrate between 3.5 - 4 years housing supply.
8. The Borough Council has acknowledged the need for a Green Belt Review, though identification of the Green Belt as a 'location of growth' (draft CS Figure 3). The soundness of the Core Strategy as a delivery vehicle is however questioned owing to the timing of the proposed Green Belt Review. To delay until 2016/ 17 would represent a wasted opportunity and would be an impediment to the delivery of the Core Strategy objectives (notably housing delivery).
9. Owing to the absence of the 'big decision' on Green Belt land, the Core Strategy is effectively a plan to 2017 not 2027. It is a plan which achieves a failed five year supply of housing, with a question mark over the 6 - 10 year supply. This will not deliver the spatial vision and Core Strategy objectives which is neither in the Borough Council's or developer/ stakeholder interests.

3. **Does the CS approach follow the provisions of SEP Policy LF3? Is the CS consistent with the SEP? Is Woking departing from the intention of potential sustainable urban extensions? Is CS6 sufficiently precise so as to be effective? Does the available evidence support a reference to land availability to the south of Woking?**

10. The Core Strategy does not propose any additional strategic allocations. Draft policies CS1 and CS10 effectively propose sustainable urban extensions later in the plan period, to be defined by a subsequent DPD, this is ineffective and not justified by evidence.

11. The approach of the Core Strategy is not in general conformity with the South East Plan, which clearly envisages a need for a Green Belt Review south of Woking. Policy SP5 states:

*“...However, in order to meet regional development needs in the most sustainable locations, selective **reviews of Green Belt boundaries are required**;*

*i. in the Metropolitan Green Belt to the north east of Guildford, **and possibly to the south of Woking** [...]*

*These reviews should satisfy national criteria for Green Belt releases, accord with the spatial strategy, and ensure that sufficient land is safeguarded to avoid the need for further review to meet development needs to **at least 2031**...” (emphasis added)*

12. South East Plan policy LF3 specifically refers to “*selective review of the Metropolitan Green Belt to accommodate sustainable urban extensions at Guildford **and possibly Woking**...”*. There has been no evidence provided by the Borough Council to demonstrate why a Green Belt Review has not been undertaken yet. If the Core Strategy was required to include development sites for the whole plan period, then this issue would be fatal on its soundness. However, PPS12 permits the necessary flexibility to allow a Green Belt Review soon after adoption of the Core Strategy, as paragraph 4.6 states that “*progress on the core strategy should not be held up by inclusion of non strategic sites*”. The Core Strategy as the higher tier plan will however have to sufficiently guide other DPDs. The present approach is neither effective nor justified by evidence.

13. The first issue is that of evidence of urban capacity. Crest Nicholson contend that the Borough Council has an overoptimistic projection of town centre capacity, aside; the market for town centre properties can only deliver part of the housing need (i.e. flatted development).

14. The second issue relates to the effectiveness of the proposed timing. As outlined, to delay the Green Belt Review will simply undermine the wider objectives of the Core Strategy.
 15. The third issue is one of ensuring that a Green Belt Review is 'future proof', in other words is to 'at least 2031'. The difficulty with the approach of the Core Strategy is that it seeks to plan to 2027. The issue is perhaps best resolved through ensuring amendments to draft policy CS6 to ensure that the timeframe for a Green Review is understood to be at least 15 years (or at least to 2031). Housing projections beyond 2027 could be used to understand the quantum of land required. The SHLAA (2011) clearly outlines sufficient Greenfield sites to (theoretically) meet a substantial element of the housing land supply
 16. Crest Nicholson can confirm there to be sufficient opportunities on land immediately south of the Woking Settlement boundary to accommodate further development (this was the conclusion of the previous Structure Plan, as confirmed within the South East Plan Panel Report, paragraph 20.60). There are a number of reasons for this, for example settlement separation from Guildford, distance from the Thames Basins Heath SPA, and favourable location to Woking town. The settlement of Mayford remains the largest within the Green Belt with significant urban characteristics. The detail of submissions for this land is site specific and hence for the Site Allocations and Development Management DPD / Green Belt Review.
- 4. How will sites within the Green Belt be identified for release for residential development? Before or after the Green Belt Review and the Sites Allocation SPD?**
17. The timing of the proposed progress of LDF has been questioned by Crest Nicholson in Written Statement 1 (Hearing Session 1). The present approach of preparing a Site Allocation and Development Management DPD before a Green Belt Review only to then have to undertake a DPD Review is inefficient and perverse.
 18. As part of the process for assessing relevant sites for development allocation a major input will be the PPS3 availability, achievability and suitability of land for development, including Suitable Alternative Natural Greenspace (SANG) mitigation. Sites should also be considered over a long term horizon (to at least 2031), which should also be via the preparation of a DPD (and associated SA/SEA).
 19. The South East Plan Panel Report clearly anticipated a Review as being in-parallel to the progress of the LDF (paragraph 20.60):

*"We recognise that the combination of Thames Basin Heaths SPA, other protective designations and flood constraints limits the opportunities for physical expansion of the town beyond its existing boundaries. This is reflected in our recommendation for more limited growth here compared with Guildford. Further intensification of development within the urban area and the use of reserve sites will help to meet the housing requirement **but new greenfield allocations may be necessary. In these circumstances we consider that the existing MGB boundary which wraps tightly around the urban area should not be regarded as fixed in perpetuity.** It may be necessary to undertake a review of the boundary in order to ensure that the most sustainable options to accommodate increased growth are identified. **The scale of the review will need to be tested through the LDD process** but it may be justified to make more than minor boundary adjustments. **The work undertaken for the Surrey Structure Plan referred to above indicated that south of Woking offered the most potential in this regard and the evidence at the EiP supports this.** For these reasons we consider if selective review of the MGB is necessary around Woking it should focus on this location" (emphasis added).*

20. Crest Nicholson's view is therefore that a Green Belt Review should be undertaken in-parallel to a SHLAA update and the consultation process on the Site Allocation & Development Management DPD. The Green Belt Review should outline assessment of the quality of Green Belt land in terms of the PPG2 criteria and other landscape and environmental criteria. The purpose of the Core Strategy should be to define the timescales and parameters of this process; changes are required to ensure this.

5. **Should Westfield be considered 'urban' (as per Proposals map) or 'semi rural' as in Dev. Plan? Should the areas identified for growth specifically exclude Conservation Areas, flood plains etc?**

21. Crest Nicholson has no comment to make on this matter.

6. **Is CS6 consistent in its aims to protect the GB whilst releasing elements for development?**

22. Crest Nicholson is of the view that policy CS6 presently complements PPG2 in restricting development in the Green Belt. Crest Nicholson does not oppose these aspects of the policy.

23. As outlined, the policy does not however adequately permit the timely release of land for development. Crest Nicholson objects to the present policy wording (and that of supporting paragraphs 5.9 and 5.10) with regard to the timing of the Green Belt Review.

7. Is the delineation of the GB upon the proposals map accurate?

24. Crest Nicholson has no comment to make on this matter.

8. With due regard to the advice of PPG2, is the McLaren group headquarters a Major Developed Site within the GB? Why is the Carters Lane Sewage Treatment works (and others) a major developed site? Should major development within greenbelt designation of Carters Lane Sewage works be more tightly identified?

25. Crest Nicholson has no comment to make on this matter.

9. Will areas of GB lost to development be compensated under the terms of policy CS17?

26. Crest Nicholson believes that through minor amendments to the policy and supporting text of policies CS6/ CS8 that the objective of securing enhanced Green Infrastructure (and also SANG) following the Green Belt Review should be achieved.

27. The Core Strategy provides the opportunity to frame those key matters to be considered in a Green Belt Review. It will ensure a more effective Review as the parameters of the methodology to be applied to sites/ areas assessed is clearly outlined. Crest Nicholson suggests that an additional paragraph be added that outlines the key criteria for assessment, including:

- Present use value of land
- landscape characteristics
- Other environmental constraints
- Accessibility
- Location in relation to existing built development/ settlement boundary

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- Suitability of the land, or part of, to provide Green Infrastructure/ SANG
- Availability, achievability and suitability of land for residential development (PPS3 criteria)

CS7 Biodiversity and CS8 Special Protection Areas (SPA)

10. To what extent is the content of PPS9, particularly paragraphs 3, 4, and 5 satisfied by the Core Strategy? How are matters relating to geological conservation evidenced and resolved within the CS? How are issues of biodiversity intended to be addressed in other parts of the Local Development Framework (LDF)?

28. Crest Nicholson has no comment to make on this matter.

11. What evidence justifies the chosen approach to biodiversity and nature conservation? How has this drawn upon the advice of PPS9 and its Practice Guide? How has the evidence base been used in the production of the CS? Is the role of Biodiversity Opportunity Areas referenced adequately within Policy CS7?

29. Crest Nicholson has no comment to make on this matter.

12. What is the process of evaluating and creating/retaining/ de-designating SNCIs? How does this relate to the CS?

30. Crest Nicholson has no comment to make on this matter.

13. Is the supporting Habitats Regulation Assessment adequate?

31. In broad terms, Crest Nicholson considers that the Core Strategy presents a robust 'framework' to preventing adverse effects on the Thames Basin Heath SPA and all other environmental assets within the Borough. The CS 'Key Diagram' in combination with draft CS Figure 3 'Areas Identified for Growth' clearly identifies the extent of the SPA, the level of constraint that it represents and the broad mitigation measures required to avoid likely significant impacts on the SPA.

32. The approach of providing Suitable Alternative Natural Greenspace (SANG) to mitigate the potential harmful affect of increased population arising from new residential development on Special Protection Areas is now widely endorsed and operated. Recent sound Core Strategies in nearby Bracknell, Rushmoor, Surrey Heath and Wokingham are all based on SANGs policies as mitigation measures. This approach is consistent with the view expressed in *Hart DC v SSCLG & Others (the Dilly Lane*

judgement (2008) EWHC 1204) that avoidance or mitigation measures forming part of a plan or project can, as a matter of law, be considered at the screening stage in the decision making process that is required by relevant legislation.

33. There is nothing therefore to suggest that the planned growth outlined by policy CS1 cannot be delivered owing to the Thames Basins Heath SPA.
 34. However, aspects of the evidence underpinning the approach of the Core Strategy, and hence evidence available to support further DPDs is questioned. Crest Nicholson is concerned that the Core Strategy may not provide the necessary lead consistent with the requirements of the Special Protection Area Delivery Framework and hence the endorsed approach of the Thames Basin Heaths Joint Strategic Partnership Board. This is owing to the present knowledge over the extent, location and deliverability of the SANGs required to deliver the whole Core Strategy as outlined by the growth planned by draft policy CS1.
 35. This matter can easily be addressed through a subsequent DPD.
- 14. Does the CS take a robust and justified approach to biodiversity issues, particularly in relation to the Thames Basin Heath SPA? Is CS8 consistent with SEP NRM6? Will CS8 provide adequate policy direction with regard to the Thames Basin Heath SPA? Is there evidence that reasonable mitigation measures can be employed in the event residential development occurs? (Adequacy of SANG over the plan period)**
36. Crest Nicholson notes the operation of the Woking Borough Avoidance and Mitigation Strategy (2010-2015), but has concerns that the onward strategy of the Borough Council is only based to 2015 and not the plan end date of 2027 (or 2031). These concerns can be addressed through an earlier Green Belt Review and as part of the Site Allocation and Development Management DPD progress, which should also incorporate as a key test of the suitability of sites the ability to provide Green Infrastructure.
 37. Crest Nicholson has concerns that owing to the absence of a Green Belt Review and hence an earlier indication of the strategic growth locations that the opportunity to broadly plan SANG locations across the whole plan period (2010 – 2027) has not be taken.

38. In order to provide sufficient guidance for the production of the subsequent Site Allocation and Development Management DPD the following changes are required to:

- CS8 policy text;
- The delivery strategy.

39. The present identified SANGs in the Borough is given by the Woking Borough Avoidance and Mitigation Strategy (2010 - 2015):

- Brookwood Country Park – 20 hectares
- Hoes Valley Country Park – 8 hectares
- Horsell Common, Monument Road – 28 hectares

Total 56.2 hectares

40. Based on the planned residential growth (draft policy CS10) SANG in the order of 95 hectares may be required. The need would be greater if the planned provision is aligned to the recommended Green Belt Review (to 2031).

41. Crest Nicholson is aware of SANG being proposed at Martins Press (13 hectares), Hoe Valley (4 hectares) and at Heather Farm to Mimbridge (23 Hectares – shared with an adjacent Borough). This would generate a total to meet a significant part of the theoretical need over the plan period. However, there is no certainty (yet) as to the delivery of this additional SANG, and further some SANG is not Borough-wide, but for developments within 5km of the relevant SANG. It is therefore very likely that additional SANG will be required as part of new Greenfield Development This reality needs to be adequately covered by policy CS8.

42. Nearby the Surrey Heath Core Strategy was recently found sound, based on there not being sufficient SANG identified, but on the reasonable prospect that there was unlikely to be significant harm to the integrity of the SPA.

15. Is Natural England content with the CS and specifically CS8?

43. Crest Nicholson has no comment to make on this matter.

16. Does the proposed change at paragraph 5.25 represent sufficient recognition of the role of trees within the natural environment?

44. Crest Nicholson has no comment to make on this matter.

CS9 Flooding & Other

45. Crest Nicholson has no comments to make on matters 17 - 21.

Conclusion

46. Crest Nicholson believes that the Core Strategy as submitted fails in a number of respects. In order to ensure that it is justified, effective and consistent with National Planning Policy and is therefore sound in PPS12 terms, changes will be required, or further evidence prepared.

What parts of the Core Strategy are unsound?

47. Crest Nicholson requests changes to the text of policies CS6 and CS8 and also the supporting text associated with these policies.

Which soundness test(s) it fails and why?

48. Crest Nicholson is not satisfied that the present wording is justified, effective or consistent with national planning policy (notably PPG2, PPS3 and PPS12).

How the Core Strategy can be made sound. Including the precise changes and wording that is sought

49. Amend all references in the Core Strategy regarding a Green Belt Review in 2016/17 to read 2012/13.
50. Amend the fourth paragraph of policy CS6 as follows (new text underlined):

The Green Belt has been identified as a ~~potential~~ future direction of growth to meet housing need, in particular the need for family homes over the plan period. A Green Belt Boundary Review to at least 2031 will be undertaken in 2012/13 with the specific objective to identify land for residential development and associated Green Infrastructure. The initial focus of the Review will be on land South of Woking. The Council will ensure...

51. Delete supporting text paragraphs 5.9 and 5.10 and replace with (new text underlined):

Policy CS10 seeks to direct the majority of housing to the existing urban area. However, a proportion of housing will be required on land within the Green Belt. This is in order to achieve a flexible and responsive land supply over the plan period. A Green Belt Review will be undertaken soon after adoption of the Core Strategy in 2012/13. This process will be undertaken alongside the production of the Site Allocation and Development Management DPD. To accord with the previous Structure Plan and South East Plan strategic positions, the starting point for a Review will be on land south of Woking. The Green Belt Review will aim to be long term and will identify the boundaries

of the Green Belt until at least 2031. In undertaking the Review, when assessing whether land should be removed from the Green Belt, the following considerations will be taken account of:

- Present use value
- landscape characteristics
- Other environmental constraints
- Accessibility
- Location in relation to existing built development/ settlement boundary
- Suitability of the land, or part of, to provide Green Infrastructure / SANG
- Availability, achievability and suitability of land for residential development (PPS3 criteria)

52. Delete the fifth paragraph of policy CS8 and replace with (new text underlined):

An applicant may wish to propose SANG as part of development. *New Residential Development located in the Green Belt (as identified following the Green Belt Review) may need to provide SANG and associated Green Infrastructure as integral to the development. As outlined by policy CS6 a relevant consideration in assessing the suitability of sites in the Green Belt for residential development will be SANG provision.*

53. Add a further paragraph following 5.43 (new text underlined):

This policy will also be delivered through the Green Belt Review and the in-parallel production of the Site Allocation and Development Management DPD.

END OF STATEMENT