



Woking Borough Council

Examination of the Woking Development Management Policies Development Plan Document (DPD)

Response to the Inspector's questions to the Council

(15 March 2016)

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Produced by the Planning Policy Team

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Introduction

This response has been prepared by Woking Borough Council to address the Inspector's questions sent to the Council on 15 March 2016. The Inspector's questions (WBC/DM/1001) and the Council's response (WBC/DM/015) are on the Council's website (www.woking.gov.uk). A schedule of suggested modifications has been put forward for the Inspector's consideration (WBC/DM/016) as a result of the Council's response. This is also on the Council's website. Eventually, the further modifications will be added to the proposed modifications submitted to the Inspector as part of the Submission Documents to provide a central reference document for all proposed modifications. It is emphasised that the schedule of proposed modifications could change during the Examination, and it is up to each interested party to contact the Programme Officer or check the Council's website for up-to-date information.

1.0 Issue 1: Whether the Council's approach to plan-making is sound and consistent with strategic objectives for development in the District.

(a) Are the policies consistent with, and do they positively promote, the strategic aim, strategic objectives and key policies contained in the Core Strategy?

In particular:

Objective 3: To enable the provision of well designed homes of different types, tenures and affordability. In preparing the DMPDPD is the Council unduly delaying a new Local Plan that would reflect the full objectively assessed housing need? Does the DMPDPD contribute towards significantly boosting the supply of housing in the Borough?

Objective 4: to protect the integrity of the Green Belt. How should the DPD appropriately reference recent Green Belt Review work in the Borough? Does it need to reflect the Review or is the matter best addressed through the Site Allocations DPD and/or review of the Core strategy?

1.1 Yes, The Council is satisfied that the policies of the DMPDPD are consistent with and will positively promote the vision, objectives and the key policies contained in the Core Strategy. The Council has prepared a self assessment of how the legal and procedural requirements and the tests of soundness have been met (WBC/DM/014). Paragraphs 2.5.0 – 2.5.4 of the self assessment demonstrates how the DMPDPD is consistent with and is positively prepared to help deliver the vision, objectives and policies of the Core strategy. The self assessment can be accessed by: <http://www.woking2027.info/management/dmdpdsb>.

1.2 The Core Strategy defines the type and tenure of housing to be provided to meet the needs of the community. Objective 4 of the Core Strategy seeks to enable the provision of well designed homes of different types, tenure and affordability. Policies CS11 and CS12 of the Core Strategy are particularly relevant in defining the types of homes envisaged by Objective 4. Policy CS21: Design of the Core Strategy sets out the strategic policy context for ensuring good quality design of development across all types of housing. The DMPDPD sets out detailed criteria on how the strategic requirements of Policy CS21 will be met when determining planning applications for specific proposals of the various types of residential development. There is a cohesive thread between the objective and how it translates to detailed policies to determine day to day planning applications to secure good quality design of development. Relevant examples of how the DMPDPD positively promote well design homes include:

- Policies DM1 and DM2 will ensure that trees and landscaping are appropriately incorporated into the design of development proposals. They will also help enhance biodiversity in development (promote the delivery of bullet points 4 and 5 and 6 of Policy CS21 of the Core Strategy);
- Policy DM17 will help create a safe and secure environment where the opportunities for crime and the fear of crime is minimised (bullet point 8 of Policy CS21 of the Core Strategy);

- Policies DM5, DM6, DM7 and DM8 will help avoid significant harm to the environment and general amenity resulting from noise, dust, vibration, light and other releases (last bullet point of Policy CS21 of the Core Strategy);

- 1.3 The housing requirement for the area has already been established by the Core Strategy. This has been supported by the Secretary against its objectively assessed housing need and all the other relevant policies of the NPPF taken as a whole. Since the adoption of the Core Strategy, the Council has carried out a revised Strategic Housing Market Assessment (SHMA) (September 2015). There is no significant new information to require the Council to immediately review the housing requirement of the Core Strategy. Consequently, the preparation of the DMPDPD will not delay any new plan that will reflect the objectively assessed housing need of the area. It is emphasised that the main purpose of the Site Allocations DPD that the Council is preparing is to identify sufficient land to enable the delivery of the housing requirement of the Core Strategy. It is not intended to be used to review the housing requirement of the Core Strategy. The SHMA can be accessed by: <http://www.woking.gov.uk/planning/policy/ldfresearch/shma/SHMA2015>. The Council is committed to the comprehensive delivery of the requirements of the Core Strategy for which both the DMPDPD and the Site Allocations DPD will contribute. The Council does not believe that the preparation of the DMPDPD will unduly delay the preparation of the Site Allocations DPD. Paragraph 1.10 of the Core Strategy commits the Council to prepare both documents. Paragraph 1.11 of the Core Strategy emphasises that the timetable for the preparation of the DPDs will be set out in the Local Development Scheme. The Council has an approved Local Development Scheme (LDS) that can be accessed by the following link: <http://www.woking2027.info/lds/lds2016.pdf>. Both documents are being prepared in accordance with the timescales set out in the LDS. In accordance with paragraph 14 of the NPPF: *Presumption in favour of sustainable development* it is necessary for the Council to have up to date policies to enable the speedy determination of planning applications. The adoption of the DMPDPD will significantly contribute towards meeting the objectives of the presumption in favour of sustainable development. To put into context, the Council continues to determine about 1,130 planning applications per year, which the DMPDPD will be needed to assist in the decision making process. It is also important to highlight that the Council has identified about 6.4 years of housing land supply to meet its housing requirement. Housing development will continue to come forward as expected during the time that the two DPDs are being prepared. For example, in this monitoring year up until February 2016, 327 new houses have been completed as against the housing requirement of 292 dwellings per year. The Council believes that the two DPDs should continue to be prepared as planned to perform their respective roles.
- 1.4 Each of the three DPDs that the Council is committed to prepare as emphasised in paragraph 1.10 of the Core Strategy has their specific role to play to deliver sustainable development. The Core Strategy has established the overall quantity of development to meet objectively assessed needs of the community. The DMPDPD will include detailed policies to help determine day to day planning

applications that will come forward on the back of the Core Strategy. This will boost the effectiveness of the decision making process. In particular, it will ensure that development that comes forward is of high quality standard. It will boost the supply of housing in so far as it will speed up the decision making process for housing proposals. It is stressed that the DMPDPD is not intended to be used to set a new housing requirement for the area. That is a matter for the Core Strategy. As emphasised, there is no evidence to call for the immediate review of the housing requirement.

- 1.5 Objective 4 of the Core Strategy seeks to protect the integrity of the Green Belt and to harness its recreational benefits for the community. Policy CS6: *Green Belt* of the Core Strategy seeks to ensure that the Green Belt continues to serve its fundamental purpose. The Green Belt is a functioning area for a number of domestic, business and recreational activities. It is important that the needs of these activities and new ones are met in a sustainable manner without undermining the overall purpose of the Green Belt. Policies DM3, DM4, DM13, DM14, DM16, DM18 and DM21 of the DMPDPD will significantly contribute towards delivering this objective.
 - 1.6 The Green Belt boundary review report should appropriately be referenced as an evidence base in Appendix 1. The Green Belt boundary review report is one of the key evidence base studies to make sure that development in the Green Belt does not undermine its overall purpose and integrity. The main purpose for commissioning the study is to inform the preparation of the Site Allocations DPD. The DMPDPD does not allocate sites for development. Consequently, reference to the study in the DMPDPD should not and does not relate to the allocation of sites. However, the study has wider useful references that could be acknowledged in the DMPDPD as evidence base. For example, some forms of development could be acceptable development in the Green Belt in accordance with the NPPF or Policy CS6 of the Core Strategy provided they do not undermine the purposes, openness and integrity of the Green Belt. Some of the information in the Green Belt boundary review report could be helpful in avoiding harmful development in the Green Belt. For example, the Green Belt boundary review includes useful information on the sensitivity and capacity of various parts of the Green Belt to accommodate change. DMPDPD policies DM3, DM14 for example are likely to be development in the Green Belt that such information might assist in making informed decisions. In this regard, the Council is satisfied the Green Belt boundary review should be referenced as evidence base in the DPD. However, the Council is happy to accept the Inspector's direction on this matter as the removal of its reference will not significantly undermine the overall need to protect the Green Belt. The Council has published a Landscape Character Assessment that could perform a similar function.
- (b) Has consideration been given to viability testing of the DPD having regard to paragraphs 173 – 177? Does the DPD introduce any requirements to be applied to development that which will carry a cost beyond that stemming from a parent Core Strategy policy? Does the Economic Viability Assessment of 2010 still hold in 2016?**

- 1.7 Yes, the Council has given consideration to viability testing of the DPD having regard to paragraphs 173 – 177 of the NPPF. After consideration, the Council concluded that the DPD does not introduce any requirements to be applied to development that will carry a cost beyond that stemming from the parent Core Strategy policy. Consequently, it was decided that a viability assessment of the DMPDPD will not be necessary. The Council's self assessment of the legal and procedural requirements and the tests of soundness demonstrates that the DMPDPD only expands in detail on the strategic requirements of the Core Strategy for the purposes of determining day to day planning applications.
- 1.8 Whilst the Council believes that the viability assessment (2010) carried out to justify the deliverability of the requirements of the Core Strategy continues to be relevant, it has since carried out a further and an up to date viability assessment as part of introducing the Community Infrastructure Levy to justify the adopted CIL Charging Schedule. The CIL viability assessment was carried out in January 2013 and can be accessed by the following link: <http://www.woking2027.info/infrastructure/cilviabilitystudy.pdf>. The CIL viability assessment was based on up to date data and reasonable assumptions. The assumptions used on development costs reflect development costs of typical development sites and the broad locations where the Core Strategy direct development. All the policy requirements of the Core Strategy were taken into account in the viability assessment in accordance with the CIL guidance. The development scenarios reviewed were also representative of residential and non-residential development types that are likely to come forward. Overall, the viability assessment concluded that there is continued positive viability for residential and retail development if the proposed charging rates are applied. It is not envisaged that development types that the DMPDPD will assist in delivering will be any different from those tested in the viability study. The Inspector of the CIL Examination concluded that the development requirements of the Core Strategy will not undermine the viability of development and the overall delivery of the Core Strategy. It is also stressed that the viability assessment builds in sufficient viability cushion to ensure positive viability over the period of the CIL Charging Schedule. Furthermore, the Council has carried out a further assessment '*Woking Borough Council Community Infrastructure Levy Viability Assessment – Follow-up, property market update – house price trends (March 2004)*' to provide an update overview of the property market, and in particular house price trends. Overall this pointed to the strength of the Woking market. It is anticipated that the market improvements would largely, if not more than, balance out the cost of CIL at the rates proposed, together with having the capacity to bear costs increases in other areas if necessary whilst maintaining at least a similar viability picture. The further work can be accessed by: <http://www.woking2027.info/infrastructure/cilexamination/cilexaminationviabil.pdf>.
- (c) Is the sequence of plan-making in Woking broadly consistent with other relevant local authorities? (i.e. those in the same housing market area or functional economic area?)**

1.9 Yes, the sequence of plan-making in Woking is broadly consistent with its neighbouring authorities. Woking, Waverley and Guildford Borough Councils form the same housing market area and a functional economic area. Woking is the only one of the three authorities with a post NPPF adopted Core Strategy. The Table below sets out the various DPDs being prepared by the three authorities:

	Core Strategy/ Local Plan	Site Allocations DPD	DM Policies DPD
Woking Borough Council	Adopted Core Strategy (October 2012)	In the process of preparing Site Allocation DPD	In the process of preparing DM Policies DPD
Waverley Borough Council	Preparing a Local Plan with key strategic sites (to be published for consultation in Summer 2016)	Will be preparing a DM Policies DPD to include sites other than key strategic sites (specific timescales are yet to be agreed)	
Guildford Borough Council	Preparing a Local Plan to include site allocations. Scheduled for consultation during Spring/Summer 2016.		Will be preparing DM Policies DPD, scheduled for consultation in June/July 2018

1.10 Based on the above, it is clear that the sequence of plan making is broadly similar amongst the three authorities. The Council accepts that the various plans are being prepared to difference timescales.

(d) The DPD refers to a notable number of SPDs, including amongst other things on matters such as design, affordable housing and parking etc. Is this approach consistent with paragraph 153 of the NPPF/ Is there a clear justification for these SPDs and do they appropriately avoid detailed guidance/advice which should ordinarily be contained within development plan policy?

1.11 The Council is satisfied that the notable number of SPDs prepared by the Council is consistent with paragraph 153 of the NPPF. The NPPF supports the preparation of additional development plan documents if they can clearly be justified and the preparation of supplement planning documents (SPD) where they can help applicants make successful applications or aid infrastructure delivery. They should not be used to add unnecessarily to the financial burdens on development. The additional DPDs being prepared are justified in the Core Strategy and will assist with the comprehensive delivery of the Core Strategy as

set out in other parts of this document. The SPDs provides sufficient clarification and guidance on the application of development plan policies to aid the development management process. They continue to assist significantly in helping applicants in meeting their development requirements when developing their schemes. A number of the SPDs have been positively received by applicants, developers and resident groups as helping in assisting them to understand development expectations. In preparing the SPDs, the Council has been concerned to ensure that they only appropriately focus on clarifying policy and how they would apply to development proposals without adding unnecessarily to development costs. As demonstrated by the various viability assessments, the development requirements of the Core Strategy can be met without undermining development viability.

1.12 The SPDs offers sufficiently comprehensive detail guidance, advice and clarification of policy that will not be appropriate within a development plan policy, in particular, such as the Core Strategy which sets out the strategic policy context for development in the area. The SPDs also do not contain any additional requirements that would require further scrutiny at a DPD Examination.

(e) In order to be justified, a plan should be the most appropriate strategy, when considered against reasonable alternatives. The SA Report October 2015 refers at p58 (Section 15) that alternative options were comprehensively appraised as part of the Core Strategy and no purpose will be served by repeating that assessment. Does the Core Strategy SA of alternative options clearly relate to the policy options for the DPD? Do the alternative options from 2009 remain valid in light of evolving evidence base? Should the DMPDPD SA Report articulate what the consequences would be for the identified sustainability objectives without the DPD (i.e. 'a do nothing scenario')?

1.13 Paragraph 167 of the NPPF offers useful guidance on the preparation of SAs. It states that 'assessments should be proportionate, and should not repeat policy assessment that has already been undertaken. Where possible the local planning authority should consider how the preparation of any assessment will contribute to the plan's evidence base'. It is on the basis of this guidance that the Council had chosen to cross reference to the SA of options for the Core Strategy rather than repeat it. This approach has not in any way been intended to downplay the importance of the SA of options as an essential part of the SA process. The SA of options for the Core Strategy has clearly influenced the preferred policies set out in the Core Strategy. The policies are considered the most sustainable when measured against the other alternative options considered. The options that were appraised include the scale, type, mix and broad locations for development, including housing, provision of green infrastructure to service development, protection of biodiversity, economic development, use of sustainable transport modes, use of previously developed land, sustainable development and options for development in the Green Belt. The Council is satisfied that the policies of the DMPDPD have a clear

relationship to these options. Examples are the DMPDPD policies to help provide green infrastructure, manage air and water quality, bring forward some types of housing in sustainable manner and use of previously developed land. The Core Strategy SA of options can be accessed by: http://www.woking.gov.uk/planning/policy/ldf/sustappraisal/saof_alternativeoptions. Since the purpose of the DMPDPD is to developed detailed policies to help deliver the strategic policies of the Core Strategy, any further assessment of options would potentially and mainly be an assessment to determine whether or not the policies are needed with potential yes or no answers. The Council had engaged in a long process, including during the Core Strategy Examination to decide policy areas where DMPDPD will be helpful (see Appendix 6 of Core Strategy). The Council considers all the policies in the DPD to be needed to help determine day to day planning applications.

- 1.14 The Core Strategy has policies to address the challenges facing the Borough. Section 2 of the Core Strategy deals with these challenges. They continue to be relevant today as they were in 2009. There is no new evidence to suggest that further strategic policies are needed to address new challenges that could be considered in the DMPDPD. Consequently, the options that were tested to support the Core Strategy remain relevant for the DMPDPD.
- 1.15 Yes, the DMPDPD SA Report should articulate what the consequences would be for the identified sustainability objectives without the DPD. The Council is satisfied that these consequences are set out in Sections 7 of the SA Report and to a lesser extent in section 8 of the SA Report.

Issue 2: Are the individual policies clear, justified and consistent with national policy?

- 1.16 Yes, the policies of the DMPDPD are clear, justified and consistent with national policy. The Council has prepared a self assessment of the legal and procedural requirements and the tests of soundness (WBC/DM/014). This provides the evidence to demonstrate that the above requirements have been met.

General comments

There is some variety to how the policies in the plan are presented, a number contain bullet points and some present clear criteria indexed as numerals. It would be helpful for future decision-makers if the Council would give consideration to whether the presentation of policies in the DMPDPD could uniformly follow indexed criteria in the form of numerals or lettering or a combination of the two. This would allow for referenced specificity in identifying compliance or contradiction with a policy. This would not be a main modification nor is it a matter of soundness.

- 1.17 The Council accepts that there should be uniformity in the presentation of the policies. Consequently, the DPD will be modified by presenting all the policies in the form of numerals and where relevant in combination with lettering. This will be done as editorial amendments to the DPD before it is adopted.

The DMPDPD sets out for each policy a short section on ‘Application Information’. This is not a matter of soundness but I would be grateful for the Council’s comments on whether this adds to what is already in government guidance on the requirements and validation of planning applications together with any requirements set out in the local list.

- 1.18 The Council did a short and an informal pilot on the operational effectiveness for using the DPD. One of the sections that were considered helpful was the application information. The Council accepts that the section is helpful but not necessary, and is happy to accept the Inspector’s direction on this matter. The Council accepts that information in this section could be covered in government guidance on the requirements and validation of planning applications together with any requirements set out in the local list.

2.0 DM1 Green Infrastructure Opportunities

(i) Is the policy sufficiently clear, when read in conjunction with Policy CS17, when on-site provision of Green Infrastructure will be required?

- 2.1 The Council is satisfied that policy DM1 in conjunction with CS17 of the Core Strategy is sufficiently clear when on-site provision of Green Infrastructure (GI) will be required. CS17 clearly states that Developers will be expected to contribute to the provision through the Community Infrastructure Levy (CIL) or on larger sites through on-site provision and/or S106 contribution. The Council has published a Regulation 123 list as part of its Community Infrastructure Levy Charging Schedule. Open Space/Green Infrastructure has been identified as priority infrastructure that CIL income will be used to deliver.

- 2.2 The need for on-site provision will only be likely on larger sites. The Council has not assigned a specific site size/threshold value for ‘larger sites’ because the need for on-site provision will be dependent on various contextual factors including the local need, suitability of land, evidenced deficiencies in the area, catchment as well as size and capacity of the site. Each application will therefore be considered on a case by case basis based on the merits of the proposal. Decisions will be informed by evidence listed in the Policy Links.

- 2.3 It is important to note that the requirement for on-site provision may also be required where proposals will result in a loss, CS17 states development that will result in the loss of open space will not be permitted unless alternative or better provision is made available in the vicinity or that development is directly related to the enhancement of the open space, and there will be a presumption against any development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that there is an excess of provision or that alternative provision is made as part of the development.

- 2.4 It is also important to note that in order to secure sustainable and high quality designed schemes, policy DM1 sits in the context of related policies which set out specific policy requirements for the inclusion of green infrastructure assets to mitigate against any potential harm to the environment and/or harm to the

surrounding character of the area. For example Policy CS21:Design requires the incorporation of landscaping, including the retention of trees for amenity value to provide suitable boundary treatment, and the provision of appropriate levels of private and public amenity space. Policy CS7: Biodiversity and nature conservation seeks to retain and encourage enhancement of significant features of nature conservation value on development sites. Policy CS8:Thames Basin Heaths Special Protection Areas requires that new residential developments provide mitigation measures in the form of Suitable Alternative Natural Greenspace (SANG), this can be through contributions to existing SANG or in the form of on-site provision (in accordance with Natural England guidelines). In addition, as of 6 April 2015, 'major' planning applications are required to make provision for sustainable drainage systems (SuDS) to control surface water flooding through the incorporation of sustainable drainage systems SuDS.

2.5 The Council has also taken a strategic approach to GI provision through the emerging Site Allocation DPD, which seeks to allocate sites specifically for Green Infrastructure. The Council has also published *Natural Woking, Biodiversity and Green Infrastructure Strategy* that takes a strategic and coherent approach to Green Infrastructure provision and the benefits it has on promoting biodiversity in the area.

(ii) Should the first sentence of the second bullet point refer to “existing and/or proposed green infrastructure network”?

2.6 The Council accepts that the policy would be further enhanced by adding the wording suggested by the Inspector. The sentence should be worded as: 'the function of green infrastructure assets, what benefits they will bring (e.g. social, environmental, economic) and how proposals will contribute or integrate with the existing and/or proposed green infrastructure network'.

(iii) Is the second sentence of the second bullet point necessary as policy or is it reasoned justification?

2.7 The Council accepts that the second sentence of the second bullet point is fully addressed in paragraph 3.7 and 3.8 within the 'reasoned justification' of the policy and in this regard, it is proposed that the second sentence be removed from the policy text.

(iv) Should there be a third bullet point in the first section of the policy which refers to sustainable management and maintenance arrangements so that the benefits can be secured in the long term? (See PPG revisions February 2016 ID: 8-31-20160211)

2.8 The Council accepts that it is important to ensure sustainable management and maintenance arrangements are in place and identified as early as possible when planning green infrastructure. In this regard, it is proposed that third bullet point be added as follows: 'management and maintenance arrangements that will be put in place to ensure the sustainable long-term care for the asset'.

Additional observations

(v) The policy refers to the ‘Biodiversity and Green Infrastructure Strategy’? Is this consistent with other reference to the Green Infrastructure Strategy?

2.9 The Council accepts there are inconsistent references to a Biodiversity and Green Infrastructure Strategy and Green Infrastructure Strategy. The references relate to one Strategy however the inconsistent referencing is because the document was an emerging Strategy and its title had not been finalised. The Strategy has since been approved by the Council (17 March 2016) titled: ‘Natural Woking - Biodiversity and Green Infrastructure Strategy’. In this regard, it is proposed that all references to a *Biodiversity and Green Infrastructure Strategy* or *Green Infrastructure Strategy* in the DPD be replaced with: ‘Natural Woking - Biodiversity and Green Infrastructure Strategy’. This will be done as an editorial amendment to the DPD.

(vi) Is the last sentence of paragraph 3.4 complete? Is the word ‘features’ missing before the colon?

2.10 The Council accepts that the policy would be further enhanced by adding the word ‘*features*’ after ‘*connected*’ in the last sentence of paragraph 3.4.

3.0 DM2 Trees and Landscaping

(i) Would the final sentence in the first bullet point benefit from disaggregation, so that there would be a full stop after “planting”. The following new sentence would read “Such compensatory measures will be to the satisfaction of the Council”.

3.1 The Council accepts that the policy would be further enhanced by disaggregating the final sentence of the first bullet point. The sentence should read as follows: ‘support or consent to the removal of protected trees (TPO trees and trees within a Conservation Area) and/or proposals that would have detrimental impact on the health of protected trees only in exceptional circumstances and where there are over-riding planning benefits. In such cases full compensation will be required, in the form of suitable replacements and/or additional planting. Such compensatory measures will have to be to the satisfaction of the Council;’

4.0 DM3 Outdoor Sport and Recreation Facilities

(i) Is the terminology “Outdoor Recreation and Sport Facilities” sufficiently clear and consistent with the NPPF on what would not be inappropriate in the Green Belt (para 89) but also the positive opportunity for the Green belt to provide for outdoor sport and recreation (para 81).

4.1 Whilst the policy intent is the same, the Council accepts that the terminology used in the policy should be modified to accurately reflect the terminology in the NPPF. References to ‘*outdoor sport and recreation facilities*’ should be changed to ‘*facilities for outdoor sport and outdoor recreation*’. The modification also

applies to the title of the policy. This change will not affect the substance of the policy and what it seeks to achieve.

4.2 It is acknowledged that the Council should plan positively to enhance the beneficial use of the Green Belt including looking to provide opportunities for outdoor sport and recreation (paragraph 81), and it is also acknowledged that the provision of appropriate facilities for outdoor sport, outdoor recreation is an exception when considering the construction of new buildings within the Green Belt which would otherwise be inappropriate development within the Green Belt (paragraph 89). However there is a clear proviso in both paragraphs, that proposals should retain and enhance landscapes, visual amenity and preserve the openness of the Green Belt.

4.3 The Council is satisfied that policy DM3 allows for positive opportunities for Outdoor recreation and sport facilities to be located within the Green Belt, whilst setting out a robust criteria to ensure that proposals do not have an adverse visual impact in accordance with paragraph 81 and 89 in the NPPF.

(ii) Is the DPD clear that equestrian facilities do not come under the ambit of paragraphs 89 and 90 of the NPPF? Is the policy therefore consistent with the NPPF?

4.4 The policy seeks to make provision for appropriate facilities for outdoor sport and outdoor recreation. Equestrian activities are popular recreational activities in the Green Belt and in limited circumstance within urban areas. In this regard, when the proposed development is situated within the Green Belt it will come under the ambit of paragraphs 89 and 90 but its approval will depend on such a proposal presenting the openness of the Green Belt and not conflicting with the purposes of including land within it. It is important to highlight that the main focus of the policy is to plan positively for the provision of outdoor recreation and sport facility. Provided that the requirements of paragraph 89 and 90 are met.

4.5 The Council accepts that due to the make up of the Borough and limited space in the built up area, that proposals for equestrian related development (or indeed any other outdoor sport and recreation facility) will predominantly be within the Green Belt. However the policy is intentionally phrased to be robust enough for considering proposals for equestrian facilities (or other outdoor sport and recreation facility) that may also be proposed in areas other than the Green Belt.

4.6 The penultimate sentence of paragraph 3.33 recognises that not all equestrian facilities are for outdoor recreational use or outdoor sport. For example Stud Farms. This type of equestrian facility will be by definition inappropriate development in the Green Belt, that will not come under the ambit of Paragraphs 89 and 90 of the NPPF. To avoid any confusion in the application of the policy, it is proposed that the following sentence be added to after the last bullet point under 'General Principles': 'The overall aim is for facilities for outdoor sport and outdoor recreation in the Green Belt to be required to demonstrate that they will preserve the openness of the Green Belt and will not conflict with the purpose of

including land within it'. It is also proposed that a bullet point be added to the last of the bullet points under 'Equestrian Facilities' as follows: 'Provision of Equestrian Facilities in the Green Belt that are not for outdoor sport or outdoor recreation or for agricultural purposes, will have to be justified by special circumstances to be approved.'

- 4.7 Subject to the proposed modifications, the Council is satisfied that the policy is consistent with the NPPF. The modifications offer clarification without changing the substance of the policy, and is therefore considered a minor modification.

Additional observations

(iii) Seventh Bullet Point- opportunities to connect “and enhance”?

- 4.8 The Council accepts that the policy would be further enhanced by adding the wording 'and enhance'. The sentence should be modified to read: 'opportunities are taken to connect and enhance to the surrounding Green Infrastructure Network'.

(iv) Last sentence of paragraph 3.33 after 'keeping' suggest the sentence concludes “,including evidence to demonstrate why it would not be inappropriate in the Green Belt.”

- 4.9 The Council accepts that the conclusion of the last sentence 'and will have to demonstrate why appropriate in the Green Belt' is a wrong choice of phrase and should rather read: 'including evidence to demonstrate why it would not be inappropriate in the Green Belt.'

(v) Is paragraph 3.35 solely restricted to golfing facilities or could similar apply to other clubhouse?

- 4.10 The Council accepts that the wording of paragraph 3.35 can be misinterpreted so that it just applies to golf facilities. The intention of this paragraph is to explain how the Council will consider the cumulative impact of proposals and impose planning conditions where appropriate. It concludes with examples of potential conditions. It is proposed that paragraph 3.35 be read as follows: 'In all cases the Council will consider the possible cumulative impact of proposals and may impose appropriate planning conditions to address the impact e.g. restrict times, frequency of use'.

5.0 DM4 Development in Vicinity of Basingstoke Canal

(i) How are 'important views' defined? Has this been assessed or set out in any townscape or landscape assessment that could be referred to in the reasoned justification?

- 5.1 The townscape and landscape assessment of the Borough is set out within the Landscape Character Assessment (2015) (WBC/DM/E069) and the Woking Character Study (2010) (WBC/DM/E010). The Landscape Character

Assessment provides a detailed description of the landscape character of Woking beyond the urban area. The Woking Character Study is a borough wide townscape and character assessment that focuses on the urban area. In combination these two documents present an up to date and comprehensive assessment of Woking's townscape and landscape. The documents can be accessed on the Council's website (<http://www.woking.gov.uk/planning/policy/ldfresearch>).

- 5.2 Both documents have noted that the combination of Canal side vegetation and the relatively flat topography of the Borough result in few opportunities for long distance views of the Basingstoke Canal. These few opportunities are worth protecting.
- 5.3 This includes but not exclusive to the views from the Canal towpaths, raised footpaths and bridges as well as any short to medium distance views where there is a break in vegetation or rise in surrounding ground levels. The Landscape Character Assessment and the Character Study does not define specific vantage points from which views can be taken from. However they provide sufficient information to enable each proposal to be considered on a site by site basis depending on the surrounding landscape and townscape context. Policy DM4 will play a significant role towards managing development along the Canal to achieve this goal.
- 5.4 A further modification is proposed by adding the Landscape Character Assessment and the Woking Character Study to the Policy Links.

6.0 DM5 Pollution Control – General Principles

Additional Observation:

- (i) Suggest remove word 'and' from point (iv)**

6.1 The Council notes that this is an editorial error and agrees with the Inspectors suggestion to remove the word 'and' from point (iv).

7.0 DM6 Air and Water Quality

- (i) Is the last paragraph of the policy necessary? Does it not effectively repeat the last sentence of CS7 which applies to all development proposals in any event?**

7.1 The Council accepts that there is significantly similarity between the last paragraph of Policy DM6 and the last sentence of Policy CS7 of the Core Strategy. However, the subtle difference between the two provides sufficient justification to retain the last paragraph of Policy DM4.

7.2 The last paragraph of Policy CS7 is a closed list of internationally designated sites (SPA and SAC), and the assessment is specific to Habitats Regulations Assessment to determine the need for Appropriate Assessment. The last

paragraph of Policy DM6 extends the list to include nationally designated sites and the assessment of impacts could also be broader than just Habitats Regulations Assessment. Its retentions provide completeness and comprehensiveness in promoting the overall objectives of CS7 and sustainable development.

Additional Observation:

(ii) Paragraph 4.8 should refer to Flood and Water Management Act 2010

7.3 The Council notes that this is an editorial error and agrees with the Inspectors suggestion to include the word 'Water' to paragraph 4.8.

8.0 DM9 Flats above Shops & Ancillary Accommodation

(i) What does “economic viability of the immediate area” in the second bullet point mean? Is this adequately explained in Paragraph 5.2?

8.1 Reference to viability in this context is an editorial error. The intended word is vitality. Use of space above shops can help add to the vitality of shopping areas, by providing space for small business or for ancillary uses to the businesses operating at ground floor level, or where this space is vacant or underused, by providing residential use. The reference to economic viability should be amended to economic vitality, as this better describes the intent of this bullet point. The amended bullet point would read 'it would not undermine the economic vitality of the immediate area' and more appropriately links to Paragraph 5.2's explanation about ensuring rejuvenation of vacant or under-used accommodation above shops. It should be noted that a further alteration to Paragraph 5.2. is proposed under the Council's response to question (iii) below, to ensure better focus of the policy on economic vitality.

(ii) Final bullet point, development plan policy should not require compliance with SPD and accordingly “having regard to the” would be clearer than the currently drafted “as per”.

8.2 The Council accepts this point and the suggested modification. Therefore the words “as per” should be replaced with “having regard to the”.

(iii) How is the last part of paragraph 5.2 compatible with the GPDO at Class O on change of use from Office to dwelling? Does this restriction and the marketing period have an appropriate hook in development plan policy?

8.3 The paragraph begins by stating “This planning policy applies whenever planning permission is required for a change of use of premises above shops to residential use”. This follows from the opening line of Policy DM9, which states 'Where proposals falls outside the remit of permitted development rights...' Therefore, it is sufficiently clear that where a proposal falls within the remit of permitted development with regard to Class O, or any other Class of the GDPO, this policy and paragraph 5.2's additional restrictions do not apply. It is

acknowledged that at present, the paragraph's guidance for the change of use of self-contained offices would apply in limited circumstances and relatively infrequently. It would, for example, apply where a change of use of accommodation above a shop is proposed in a listed building.

8.4 The intention of this policy is to future proof the DPD, in the wake of the wider, changing planning policy environment, particularly at a national level. For example, if the permanence of changes to the GDPO (previously in force for a three year period) were retracted by the Government, the use of this policy would become greater. The Policy, in excluding permitted development at its outset, is considered to be adequately flexible to endure in a changeable policy setting. However, this is a matter where the Council is open to accepting the Inspector's direction.

8.5 The restriction regarding the marketing period has its policy hooks in the Woking Local Plan (1999) – Policy EMP7: *Loss of B1, B2 and B8 Uses*, paragraph 7.39 and to some extent in the Woking Core Strategy – Policy CS19: *Social and Community Infrastructure*, paragraph 5.183 (where the space is for social or community activity). This restriction reinforces the important role that such spaces could play in ensuring the vitality of centres. Whilst the Council would like to retain this marketing restriction, if the Inspector happened to believe that the restriction is onerous, the following wording is provided for his consideration: "However, the change of use of self-contained office accommodation above shops, which provides space for small local firms, will only be permitted where the proposal complies with the requirements of Policies CS2, CS3, CS4 and CS15 of the Core Strategy".

(iv) Should the policy or reasoned justification reference some flexibility on the application of parking standards where there is good public transport and facilities within reasonable walking distance?

8.6 Core Strategy CS18 sets the framework for parking standards, in the context of providing a sustainable transport system. Core Strategy CS18 should be added to the policies referenced in the Policy Links box. Additional text should also be added to the fourth bullet point of the policy, to add clarity, so that it reads as follows: "the appropriate car parking standards for such developments will be decided, taking into account the locational characteristics of the site, including its proximity to key services and public transport accessibility;".

Additional Observations:

(v) It would be helpful if "relevant space standards" are defined or cross-referenced in a similar way to Footnote 9 in DM11 re: the National Technical Housing Standards

8.7 This point is accepted and to aid clarity, a new footnote (no. 8) will be added, linking to the first bullet point of this policy. It is proposed that the new footnote will read: '8. Such as the nationally described space standard, available at

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard> and standards set in other Development Plan policies'. All subsequent footnote numbering will be updated accordingly.

(vi) Would the insertion of the word “satisfactorily” before the word “occupied” in the third bullet point assist in the implementation of the policy?

8.8 Yes, it is agreed that this would aid implementation of the policy. The third bullet point should be amended to read as follows: “the property can be satisfactorily occupied as a self-contained dwelling unit;”.

9.0 DM10 – Development on Garden Land

(i) Is the first bullet point in the policy justified and effective? Does it repeat National and Core Strategy policy? Would it unduly restrict the supply of dwellings from this source? Does the Council have a case (i.e. particular evidence) in terms of settlement pattern and grain to demonstrate that the first bullet point is justified in the context of paragraph 53 of the NPPF?

9.1 The intention of this policy is to enable more effective implementation of the Core Strategy’s policy approach on character and design (as introduced in CS1: Spatial Strategy for Woking Borough and CS21: Design). It particularly seeks to address the Key Issue and Challenge outlined in the Core Strategy (page 17): to achieve a balance between existing character of the area and the design of new development. The first bullet point of DM10 adds detail to CS21’s first bullet point, to help ensure that development makes a positive contribution to the environment and to strengthen the character and distinct identity of different areas in the Borough. It also adds detail to the first paragraph of CS20: Heritage and Design, which requires development to respect and enhance the character and appearance of the area, and make a positive contribution to the character, distinctiveness and significance of the historic environment. In this sense, the bullet point does not repeat, but adds to Core Strategy Policy.

9.2 The first bullet point of DM10 does not repeat National Policy either, which does not include detail about sub-division of existing curtilages but states that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens (NPPF, paragraph 53). This bullet point is the product of such consideration. It should be noted that it is set within the positive context of the first sentence of the policy, which sets out that the principle of development on garden land is acceptable, as long as the Policy’s four criteria can be met.

9.3 With regard to whether this bullet point would unduly restrict the supply of dwellings from garden land, it is considered to be adequately positive in providing guidance to aid the development management process. With in principle support for such development set at the start of the policy, and the wording that development should “not involve inappropriate sub-division” the

bullet point is considered to be sufficiently flexible to allow for consideration of proposals on a case by case basis, based on the surrounding character and context of a site. However, with this point in mind it is suggested that the word “substantially” could be added before “below” to enable greater flexibility to increase the supply of dwellings from this source. The bullet point would therefore read as follows: “it does not involve inappropriate sub-division of existing curtilages to a size substantially below that prevailing in the area, taking account of the need to retain and enhance mature landscapes;”.

9.4 In terms of evidence to support this bullet point, the different contexts for development are detailed in the Character Study (2010, ref WBC/DM/E010), which shows the distinctiveness of 30 different character areas in the Borough. This includes information on the settlement pattern in each area, in terms of its history and building typologies, and its grain and layout, assessed as part of each area’s built form characteristics. In addition, conservation area appraisals and The Heritage of Woking (2000, ref WBC/DM/E070) gives further detail and evidence. This bullet point aims to create guidance to enable the Council to address the Core Strategy Key Issue and Challenge (page 17) as mentioned above: to achieve a balance between existing character of the area and the design of new development. In this respect, regard should also be given to the additional detailed guidance contained in the Design SPD (ref WBC/DM/E071), which again amplifies Core Strategy policy. In low to medium density areas, it states that the existing pattern of plot subdivision, building form and footprint should be respected.

10.0 DM11 – Residential Sub-divisions, Specialist Housing, Conversions and Loss of Housing

(i) NPPF paragraph 50 states that local planning authorities should plan for a mix of housing based on a number of factors. In light of this, is there clear evidence to warrant the retention of family-sized homes in the Borough?

10.1 The context for retaining family-sized homes is set in the Core Strategy, CS11, based on the Borough’s Strategic Housing Market Assessment (SHMA, 2009, ref WBC/DM/E015) and is clearly evidenced in the more up to date SHMA, 2015. Family accommodation is defined in the Core Strategy (paragraph 5.73) as 2+ bedroom units which may be houses or flats. The SHMA, 2015 shows the estimated need for family sized accommodation to be the majority (89%) of the housing need between 2013-2033 in the market sector. In the affordable sector, family-sized accommodation makes up nearly half (49.7%) of estimated housing need in this period (SHMA, 2015, Section 8, Tables 60 and 61). This is strong evidence of the need to retain family sized homes in the Borough.

(ii) In addition to Core Strategy Policy CS13, should the policy provide additional detail in the form of criteria to support the housing sector for the elderly (eg. residential nursing provision and extra care housing)?

10.2 It is not considered necessary to provide additional detail in the form of criteria to support the housing sector for the elderly within DM11. This is because there is no standard type of accommodation for older people. Older people live both independently, with or without support, and within residential nursing homes and extra care housing. Due to this variety in the type of housing, it is not considered appropriate or necessary to create a standard policy to deal with planning applications aimed towards this group. In addition the Policy makes reference to a good quality of accommodation being provided by meeting relevant housing standards. The Council's existing policies, including but not exclusively CS13 Older People and Vulnerable Groups and CS21 Design (the latter of which includes criteria on inclusivity of access and adaptability of buildings to meet the needs of occupiers over time), are considered to contain adequate detail to guide development of housing for older people. Life time homes is particularly encouraged.

(iii) Does the SHMA 2014 have any relevance or implications on the content of this policy in respect of specialist housing and changes in housing stock bearing in mind its publication post-dates the Core Strategy? Should the SHMA be identified as 'Other Supporting Guidance'?

10.3 The SHMA (published in its final format in 2015) is relevant background to the policy, but as outlined in the response directly above (DM11 question (ii)) does not require additional detail to be added to the policy. The SHMA includes detail on the level of need for specialist housing for older people, which is in addition to need identified for housing generally. However, the identification of sites to meet this specific need is included within the Council's Draft Site Allocations DPD, and not in this DPD.

10.4 As relevant background to the policy, the SHMA should be identified as Other Supporting Guidance, and it is proposed that it is added accordingly to the Policy Links box.

(iv) It is recognised that the PPG refers to "family housing" but is there any assistance from the SHMA or other evidence base to define a "family home" for the purposes of planning policy in the borough that could usefully be set out in the reasoned justification? (i.e. a size threshold)

10.5 As set out in the Council's response to DM11 question (i) family accommodation is defined in the Core Strategy (paragraph 5.73) as 2+ bedroom units which may be houses or flats. As this DPD is a delivery document to the Core Strategy, it is considered that this definition should apply. However, as suggested it would be useful for this definition to be included in the reasoned justification. It is proposed that the sentence "Family accommodation is defined in the Core Strategy (paragraph 5.73) as 2+ bedroom units which may be houses or flats" is added at the end of paragraph 5.22.

Conversion to mixed-use developments and paragraph 5.19

(v) Second bullet point – what is meant by “small-scale”? (anything below major development as defined in the DMPO 2015?)

- 10.6 Yes, the meaning of “small scale” is anything below major development as defined in the DMPO 2015. In essence it would mean fewer than ten (nine or less) dwelling houses or for non-residential floorspace, up to 1,000 square metres. It is proposed that this is referenced with a footnote (new footnote 12) as follows: “12. Small scale is any development below that defined as major development in the Town and Country Planning (Development Management Procedure)(England) Order 2015, or as subsequently updated”. All subsequent footnote numbers should be updated accordingly. The Council has other policies within its Development Plan which deal with major development.
- 10.7 However, if the reference to small scale development is considered too restrictive the Council is open to the Inspector’s view on whether the reference to “small scale” should be removed and wording added to the second bullet point, as follows: “the proposal is appropriate to its location, in terms of character, setting and design”.

(vi) What is the evidence to justify that an element of residential accommodation should be retained?

- 10.8 The delivery target for housing, as set out in the Core Strategy, and also the level of housing need (a proportion of which the Council is unable to meet) is the reason for retaining an element of residential accommodation, and for resisting any net loss of housing on existing residential sites. The existing housing stock is a significant source of meeting the accommodation needs of the area. Sites that are previously developed land within the urban area are where most new development in the Borough will be directed, as per CS1: A Spatial Strategy for Woking Borough. CS10 outlines that new residential units will be provided through redevelopment, including change of use, conversion and refurbishment of existing properties through infill development.

Loss of Housing

(vii) Final bullet point – would the word “far” be readily understood and interpreted by users of the document? Would “significantly” be a more understood planning term for a decision-makers judgment?

- 10.9 The Council accepts this point, and as suggested, the words of the final bullet point should be amended to “significantly outweigh”.

11.0 DM12 Self build and Custom Build Houses

- (i) **DCLG published a technical Consultation on implementation of Planning Changes in February 2016 which proposes approaches to implementation once the Housing and Planning Bill is enacted. Amendments to the PPG**

were published on 5 February 2016 regarding self build and custom housebuilding. Are Policy DM12 and its reasoned justification sufficiently flexible so as to be 'future proofed' in respect of the direction of travel with regards to 'permission in principle' for brownfield register sites and the creation of a small sites register to support custom build homes?

11.1 Yes, the Council is satisfied that Policy DM12 is sufficiently flexible to accommodate future direction of travel on self build and custom housebuilding. The policy offers a general in-principle policy support for self build and custom housebuilding, and proposals are intended to be determined on a case by case basis subject to the policies of the development plan for the area. The policy recognises the establishment of a register to help determine need. The policy encourages applications from community based projects. These elements of the policy allow sufficiently flexibility to accommodate future direction of national policy of this matter.

12.0 DM13 Buildings in and adjacent to the Green Belt

(i) The inclusion within the same policy for development both within and outside of the Green Belt is potentially confusing and conflates the specific purposes of Green Belt with wider landscape and townscape protection. Is the policy on development adjacent to the Green Belt consistent with national policy?

12.1 The Green Belt currently makes up around 63% of the Borough. Across the Borough the Green Belt is tightly drawn around the existing urban area, creating in a number of places, a hard edge between the Green Belt and urban area. The Green Belt boundary is set out on the Proposals Map (2012) (WBC/DM/E001) and clearly demonstrates this juxtaposition. This is also emphasised by the absence of any 'White Land' or Greenfield land within the Borough, where there are usually opportunities to create a gradual transition between urban areas and the Green Belt. Whilst the first part of policy DM13 (A – E), the Woking Core Strategy (CS6) (WBC/DM/013) and the National Planning Policy Framework (WBC/DM/E008) are clear in defining what is appropriate and inappropriate development within the Green Belt and setting out the criteria for assessing the impact of development on the openness of the Green Belt, the second part of DM13 provides a robust policy framework to ensure that there is a suitable transition between the Green Belt and urban edge. There is no ambiguity in the dual function and objective of the policy. The title and policy content are clear and specific about where the policy applies to development within the Green Belt and when it applies outside it.

12.2 The Council is currently preparing the Site Allocations Development Plan Document (DPD) (WBC/DM/E068) which seeks to allocate sites within both the existing urban area and Green Belt for current and future development needs, including for example, commercial, retail and residential. In total the Council is seeking to facilitate the delivery of 4,964 net additional dwellings across the Borough over the Plan period, including 550 net additional dwellings in the Green

Belt between 2022 and 2027 and significantly more between 2027 and 2040. It is important to note that the Green Belt extends into Woking Town Centre and is also adjacent to West Byfleet District Centre, Byfleet, Goldsworth Park and St Johns Local Centres as well as Brookwood Neighbourhood Centre, where most new development will be directed. The Council therefore consider it essential that Policy DM13 also provides sufficient policy framework to carefully manage development proposals adjacent to the Green Belt in order to respect the transition between the built up area and the open countryside as well as provide an appropriate response to its landscape setting. This will compliment the need to protect the openness of the Green Belt.

12.3 The Council is satisfied that Policy DM13 is in general conformity with the Green Belt policies of the NPPF and the overall purposes of the Green Belt set out in Policy CS6 of the Core Strategy. The policy is clear and transparent about its dual objectives. There is no doubt that the first part of the policy (A-E) will significantly promote the delivery of the Green Belt policies of the NPPF. The part of the policy that deals with development adjacent to the Green Belt will ensure an effective transition between the Green Belt and the urban area, taken into account the relationship between the Green Belt and the urban areas and the evidence in the landscape and townscape studies. The Council believes that this second part of the policy compliments the objective of protecting the overall purpose of the Green Belt and consequently not at odds with protecting the Green Belt. The Council had thought of separating the policy by developing another policy that deals with development adjacent to the Green Belt. However, because of their complimentary nature, it was thought best to keep them together, in particular, as the policy has been carefully written to be very clear about its dual objectives. It is emphasised that the second part of the policy does not rule out appropriate development adjacent to the Green Belt, and as such will not restrict development. It ensures that development at such locations takes into account the transition between the Green Belt and the urban area.

(ii) Is any sensitivity of transitional areas at the edge of the Green Belt evidenced by a landscape character assessment or any other local evidence? Does this element of the policy unnecessarily duplicate aspects of CS21 and CS24 which a decision maker would be required to address separately in addition to any identified harm to the Green Belt?

12.4 The Landscape Character Assessment (2015) (WBC/DM/E069) identifies in a number of instances where human influences such as buildings and built up areas have an adverse impact on the landscape. Landscape Type RF: River Floodplain for example states that 'Human influences and glimpses of surrounding Built Up Areas temper the sense of remoteness'. The Landscape Character Assessment also notes that in character areas with a strong rural landscape character there is the potential for settlement expansion resulting in the loss of rural character. Landscape guidelines set out in the Landscape Character Assessment include 'Improve understanding of the general pattern of settlements and their relationship to the landscape and maintain development

control to ensure that new development is sympathetic to the wider pattern of settlement’.

12.5 In addition the Green Belt boundary review (2014) (WBC/DM/E012) contains an Assessment of landscape character and sensitivity to change as part of the methodology for identifying sites for development within the Green Belt. Although this evidence base document sets out an assessment of landscape character based on capacity for change, it provides a helpful understanding of the existing landscape character of the Green Belt specifically within the Borough and the relationship between the existing urban area and the Green Belt.

12.6 The Council considers policies DM13, CS21 and CS24 to compliment one another and in combination, provide a policy framework to ensure that future development provides a suitable transition between the Green Belt and urban area. Specifically policies CS21 and CS24 of the Core Strategy (WBC/DM/013) are development plan policies that can be applied to a wide range of development proposals, regardless of location within the Borough. These policies are deliberately wide ranging as they set the strategic framework for the Borough. Policy DM13, as read, provides an additional layer of policy that will ensure that future development proposals adjacent to the Green Belt reflect the local character and compliments the visual amenity of the Green Belt around the Borough. The policy is also supported by various guidance documents including the Design SPD (WBC/DM/E071), the Landscape Character Assessment (WBC/DM/E069) and the Woking Character Study (WBC/DM/E010).

(iii) Is criterion E necessary and effective?

12.7 Criterion E signposts applicants, officers, elected Members and the general public to national Green Belt policy. The policy has been prepared to ensure it does not repeat or replicate national policy whilst providing a clear indication of what is not inappropriate development in the Green Belt. Read as a whole, Policy DM13 provides a very clear and comprehensive set of criteria based on local circumstances and national policy to development proposals within the Green Belt. Criterion E helps to provide completeness to the policy. If the Inspector wishes to direct otherwise, it will not compromise the substance of the policy.

Additional Observations:

(iv) Paragraph 5.38 references a Delivery DPD, is this a hang-over from a previous document?

12.8 The Council notes that this is an editorial error and should reference the Development Management Policies DPD (DMPDPD). It is proposed that the second sentence of paragraph 5.38 is amended as follows: ‘Although the Glossary of the Core Strategy defines and provides more detail on what is considered appropriate infilling of Major Developed Sites, the Development

Management Policies DPD provides an opportunity to incorporate this detail into Development Management policy’.

(v) Footnote 14 needs to be updated to reflect GPDO 2015

12.9 The Council accepts that the reference in Footnote 14 was superseded in 2015. It is proposed that Footnote 14 is amended as follows: ‘The Town and Country Planning (General Permitted Development) (England) Order 2015 – we strongly advise householders considering works under permitted development rights to contact us first to confirm its status and to subsequently apply for a Certificate of Lawful Development’.

(vi) Paragraph 5.45 needs to be updated to reflect the consolidated GPDO 2015.

12.10As per the Inspector’s comment above (point v), the Council accepts that the references in paragraph 5.45 have subsequently been superseded by The Town and Country Planning (General Permitted Development) (England) Order 2015. In order to reflect this change, the Council propose to amend paragraph 5.45 to read as follows: ‘In April 2015 the Government updated permitted development rights allowing the change of use of agricultural buildings to other uses, subject to certain limitations and conditions. Therefore policy DM13 will only apply where permitted development rights (including any future amendments) cannot be exercised’.

13.0 Policy DM14: Rural Workers’ Dwelling

Additional observation:

(i) Paragraph 5.61 – The word ‘refer’ could be usefully expanded to read ‘reference should be made...’

13.1 The Council accepts that the quality of the DPD will be further enhanced by replacing the word ‘refer’ in paragraph 5.61 with ‘reference should be made...’. It is proposed that the DPD should be modified accordingly.

14.0 DM20 Heritage Assets and their Settings

(i) Should the criteria of the policy reference that they are applicable to applications for both works and development?

14.1 The Council accepts that the quality and the intent of the policy would be enhanced by referencing both works and development. By amending the first bullet point in policy DM20 the Council is satisfied that the substance of the policy is not altered. The first bullet point should be amended by adding ‘or development’ after ‘works’. The proposed wording of the entire bullet point is given in the Council’s response to (viii) below.

(ii) Should the Policy address heritage assets at risk?

14.2 This is a matter that was agreed at the Core Strategy stage that it can best and proactively be addressed outside the Plan making process. The Council agreed a Statement of Common Ground (<http://www.woking2027.info/strategy/csexamination/csexaminationdocs/wbc10>) with English Heritage that a proactive approach will be undertaken outside of the plan making process for assessing the condition of the Borough's heritage assets by surveys on a rolling programme. The Statement of Common Ground is available on the Council's website (www.woking2027.info). Policy CS20 of the Core Strategy provides sufficient basis for this proactive approach to be taken.

14.3 To date, there is one heritage asset on the 'At Risk' Register within the Borough – Brookwood Cemetery. The Council has acquired the cemetery and is currently working with Historic England in carrying out essential restoration works to the site in order to prevent further deterioration of the heritage assets with the aim of removing the site from the register. In the event of other heritage assets being classified as 'at risk', the Council will continue to work with the relevant stakeholders, including Historic England, as part of its continued commitment to preserving and enhancing the historic environment. The Council therefore do not consider it necessary to address heritage assets at risk within DMP DPD Policy DM20.

(iii) Are there locally listed buildings and heritage assets in the borough? Are there criteria for their assessment and if so, could this usefully assist in the determination of proposals that do not have the statutory protection in the 1990 Act?

14.4 The Heritage of Woking – An Historic Conservation Compendium (WBC/DM/E070), which forms part of the evidence base and is noted within the DPD and Core Strategy, contains a comprehensive record of locally listed buildings as well as other heritage assets in the Borough. Although the document was published in 2000, it is a live document which is updated on a regular basis when assets are added to the register or their heritage designation is amended.

14.5 The criteria for the assessment of locally listed buildings and heritage assets is set out within the Heritage of Woking document. Nevertheless, the Core Strategy defines the Borough's heritage assets to include both statutory and non-statutory listed buildings. The definition also states that heritage assets are 'Part of the historic environment which have significance because of their historic, archaeological or artistic interest'. The Council is satisfied that Policy CS20 of the Core Strategy offers robust and sufficient protection for the heritage assets of the area including locally listed buildings. In this regard, the Council do not consider it necessary to amend Policy DM20 or the supporting text in order to assist the decision maker in determining proposals that do not have the statutory protection in the 1990 Act. The Core Strategy already offers that protection.

(iv) Is the policy consistent with the NPPF in that a distinction should be made between either substantial or less than substantial harm? Weighting any harm against public benefits should also be referred to.

14.6 The strategic policy of the Core Strategy, Policy CS20: Heritage and conservation, highlights in paragraphs 5.193 to 5.196 that the impact of development proposals on statutory and non-statutory heritage assets will be determined based on the heritage designation of the asset as well as its local significance. This is consistent with paragraphs 132-135 of the NPPF. Policy DM20 has been prepared to expand upon the general principles set out in Core Strategy Policy CS20. The policy contains further detail on the design requirements of development proposals which affect a heritage asset and/or their setting. The policy does not intend to repeat the policies of the Core Strategy or the NPPF. With this in mind, the Council considers it to be reasonable not to make a distinction between substantial or less than substantial harm as this is already addressed in the Core Strategy and that policies CS20 and DM20 should be read in combination when preparing or assessing a planning application relating to a heritage asset or its setting.

14.7 The Council accepts that the Reasoned Justification for Policy DM20 can be enhanced by referring to weighing any harm to heritage assets and their setting against public benefits. The Council proposes a minor amendment to paragraph 6.35 to read as follows: 'The fact that heritage assets are irreplaceable means that great care must be taken when deciding on the destruction, either partial or total, of those assets. Even the most comprehensive record of an asset can never replace the asset itself. However, there will be occasions where other factors may dictate that a record is an acceptable alternative to the destruction of a heritage asset. In exceptional circumstances where the Council has to make a decision for the total or partial destruction of a heritage asset because a comprehensive record exists, careful consideration will be given to the significant public benefits of the asset before that decision is made. Such a record should be in proportion to the significance of the asset itself and be carried out by suitably qualified people with provision for the publication of the results of the work to a wider audience. It should be noted that as of October 2013, there is no longer the requirement to submit a separate application for 'Conservation Area consent' for the demolition of an unlisted building in a Conservation Area – only one application for planning permission is required.

Additional observations

(i) Paragraph 6.29 should refer to Policies DM17 to DM19

14.8 The Council agree that Policy DM20 should not be referred to in paragraph 6.29 and propose to remove this reference. Therefore the Council propose a minor modification to the final sentence in paragraph 6.29 to read as follows: 'A range of other policies may have relevance to the application of this policy, including policies DM17 to DM19 on Public Realm, Advertising and Signs, and Shopfronts'.

(ii) Should the first line of the policy be expanded to character, appearance and setting of heritage assets?

14.9 The Council is satisfied with the proposed minor modification to include the word 'appearance' in the first line of Policy DM20. The inclusion of the wording will enhance the quality of the policy whilst ensuring that the substance of it remains as intended. The Council therefore propose to amend the first line of policy DM20 to read as follows: 'A proposal affecting the character, appearance and or setting of heritage assets¹⁸ will be required to show:'. The footnote added to the proposed modification is addressed in the point below.

(iii) The definition of heritage assets could be usefully presented in full as a footnote, so there is no ambiguity that it is likely to encompass: Listed Buildings, Conservation Areas, Historic Parks and Gardens (if applicable), Scheduled Monuments (if applicable), Sites of Archaeological Importance, and Locally Listed buildings and assets (if applicable).

14.10 The definition of heritage assets is currently clearly set out in the glossary of the Core Strategy. Nevertheless for the avoidance of doubt, the Council accept the Inspector's suggestion and propose to include a footnote at the end of page 77 to clarify the term heritage asset. This is set out in point (vi) above. The proposed footnote will read as follows: 'The heritage assets of the Borough include Listed Buildings (statutory and non-statutory including locally listed buildings and assets), Conservation Areas, Areas of historic or architectural importance, Scheduled Ancient Monuments, Registered Gardens and landscape, Sites of Archaeological significance and Ancient Woodland'. This definition is consistent with the definition in the Core Strategy.

(iv) Terminology in the policy should accord with that in the legislation and NPPF with an emphasis on the requirements to enhance listed buildings or their settings (S66 of 1990 Act) and to preserve or enhance the character or appearance of Conservation Areas (S72 of 1990 Act).

14.11 The Council accepts that the wording of the policy should be amended to reflect current wording in legislation and the NPPF. A minor modification is therefore proposed to bullet point 1 in policy DM20 to read as follows: 'that the works or development preserve or enhance the heritage asset and/or its setting in terms of quality of design and layout (scale, form, bulk, height, character, street pattern and features), materials (colour and texture) and historic street pattern of the area;'.

(v) Paragraph 6.36 – update to reflect GPDO 2015

14.12 The Council accepts that the reference in paragraph 6.36 was superseded in 2015. It is proposed that the first line of paragraph 6.36 is amended as follows: 'The Town and Country Planning (General Permitted Development) (England) Order 2015 specifies certain types of development which are outside normal planning control'.

15.0 Further Development Management Policies

(i) Would an additional policy identifying and dealing with hazardous installations be justified in a Woking Borough context? What is the scale of the issue of such installations, in addition to the former Woking Gas Holder Station? Is a bespoke approach to this Gas Holder site being developed as part of the Site Allocations DPD?

15.1 Policy DM8: *Land contamination and Hazards* of the DMPDPD deals with contamination and hazardous installations. The policy is appropriately pitched to enable planning decision regarding issues of contamination and hazards associated with development to be made. The Council does not believe that an additional policy identifying and dealing with individual hazardous installations would be justified in a Woking context because it is not a significant issue across the Borough. Beyond Policy DM8, the Council is of the opinion that a bespoke approach focusing on individual sites through the Site Allocations DPD process would be most effective and appropriate in targeting specific actions to the specific requirements of the site. The former Woking Gas Holder Station is the only site that has so far been identified in the area, which a bespoke approach is already being developed as part of the Site Allocations DPD process to enable the site to come forward for redevelopment. The site is allocated as part of a wider area in the draft Site Allocations DPD for employment purposes (Proposal UA35: Monument Way West Industrial Estate, Monument Way West). The Council is of the view that any suggestions for further or alternative uses on the site other than those set out in the Site Allocations DPD should be appropriately addressed as part of the Site Allocations DPD process. The draft Site Allocations DPD can be accessed by: <http://www.woking2027.info/allocations>.

(ii) Should the DMPDPD include a policy to guard against the unnecessary loss of valued community facilities and services in line with paragraph 70 of the NPPF?

15.2 The Council recognises the importance to guard against the unnecessary loss of valued community facilities and services in line with paragraph 70 of the NPPF. This matter has been specifically and comprehensively addressed by Policy CS19: *Social and community infrastructure* of the Core Strategy and also generally addressed by Policy CS16: *Infrastructure delivery* of the Core Strategy. It is therefore not necessary to repeat this by having another policy in the DMPDPD. The Council does not believe that there is anything else that should

be covered that is not already addressed in Policies CS19 and CS16 of the Core Strategy.

- (iii) Does Core Strategy Policy CS16 adequately address water and sewerage infrastructure, particularly for small-scale schemes? Is there particular policy gap given water utility companies have an obligation to connect once development is implemented? Is there evidence of water stress or infrastructure capacity issues which would justify an additional layer of infrastructure policy in the development plan?**

15.3 The Council is satisfied that Policy CS16 of the Core Strategy is sufficiently comprehensive and adequate to address water and sewerage infrastructure. The policy is also sufficiently flexible to allow specific infrastructure provision to be tailored to individual proposals based on their individual merits and site characteristics, including small scale schemes where developer contributions could be appropriately sought towards infrastructure provision. Policy CS16 should be read in conjunction with Section 6: *Implementation and monitoring* of the Core Strategy, which deals in detail how infrastructure provision would be managed, coordinated and paid. The specific modifications suggested by Thames Water in the form of a new policy are all comprehensively covered in the Core Strategy. The additional policy that is suggested will be an unnecessary repetition with nothing new to add. Based on this, the Council do not believe that there is a particular policy gap to address the specific needs of water utility companies. It is also important to emphasise the Policy CS9: *Flooding and water management* is relevant in so far as the general management of water is concerned.

15.4 The Council had prepared an Infrastructure Delivery Plan (IDP) to inform the Core Strategy. The Thames Water AMP5 at the time showed there were no capacity issues for water and sewerage. Thames Water contributed to the preparation of the IDP. Thames Water has also been appropriately consulted on the Site Allocations DPD. They have provided the Council with a wording to be added to the key requirements of specific proposals to make sure that water and sewerage matters are adequately addressed. The Council believes that the measures to be taken in the Site Allocations DPD, together with Policies CS16, CS9 and Section 6 of the Core Strategy provides sufficient and adequate policy basis to address water and sewerage issues associated with development in the Borough without the need for an additional policy.

15.5 The Council also believes that based on the available evidence in the IDP, it could be misleading to single out water and sewerage infrastructure for a separate and specific policy considering the definition of infrastructure given in Policy CS16.

16.0 Implementation and monitoring

- (i) Is paragraph 8.1 correct to say ‘standards specified in the DPD’ – should it be ‘referred to’? Are there specific design and parking standards that**

should be in DPD with regard to paragraph 153 of the NPPF and PPG (ID12-028-20140306)?

16.1 The Council accepts that reference to 'standards specified in the DPD' in paragraph 8.1 is a wrong choice of phrase that should rather be 'referred to' because those standards are set out in separate documents. The DMPDPD should be modified by replacing 'standards specified in the DPD' with 'standards referred to in the DPD'. There is no specific design and parking standards that the Council believe should be in DPD.

(ii) Should additional text be added to paragraph 8.4 to the effect that in addition annual monitoring, the plan, in any event, will be reviewed either in whole or in part at least every five years (PPG ID: 12-008-20140306)?

16.2 The Council accepts that it would be good practice as set out in the PPG for the DPD to be reviewed either in whole or in part at least every year if there is evidence to justify that. In particular, the overall purpose of the DMPDPD is to help deliver the requirements of the Core Strategy. Consequently, if the Core Strategy were to be reviewed in part or in whole, the DMPDPD might have to be reviewed to be in general conformity with the revised plan. In this regard, it is proposed that an additional paragraph be added to paragraph 8.4 as follows: 'The outcomes of the annual monitoring will be used to inform future reviews of the DPD. In any event, consideration will be given to review the DPD either in whole or in part every five years to take into account any new evidence including evidence on how the Core Strategy is performing'.

(iii) Appendix 2: Does Policy DM10 supersede Local Plan 1999 Policy HSG22?

16.3 Local Plan 1999 Policy HSG22 will be superseded by Policy DM10 in combination with other policies such as Policies CS21 and CS10 of the Core Strategy.