

## **East Horsley Neighbourhood Plan Decision Statement (Regulation 18)**

22 February 2018

### **1. Background**

- 1.1. The designated neighbourhood area for the East Horsley Neighbourhood Plan comprises the whole of the parish area of East Horsley. On 8 September 2014, Guildford Borough Council (“the Council”) formally approved the designation of the East Horsley Neighbourhood Area, following an application by East Horsley Parish Council (“the parish council”) and a six-week consultation, in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 1.2. As a ‘qualifying body’<sup>1</sup>, the parish council submitted the draft East Horsley Neighbourhood Plan, along with supporting documents, to the Council on 10 July 2017 for consultation, independent examination and the remaining stages of the draft Plan’s preparation in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 1.3. The Council then publicised the Plan and supporting documents and invited representations during the Regulation 16 consultation period (held between 22 August and 2 October 2017).
- 1.4. In November 2017, the Council appointed an independent examiner, Liz Beth BA Hons; MA; Dip Design in the Built Environment; MRTPI, to examine the Plan and consider whether it should proceed to referendum.
- 1.5. The examination took place in January 2018 and the Council received the final Report of Examination on 7 February 2018. The examiner dealt with the examination by means of written representations, as she did not feel there was the need for a hearing. The Report of Examination recommended specific modifications to the plan and that the modified plan is progressed to a referendum. It also recommended that the boundary of the referendum area should follow the boundary of the designated Neighbourhood Area (East Horsley Parish). The Council published this report alongside this Decision Statement on the Council’s website.
- 1.6. Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the Council to decide whether to reject a neighbourhood plan proposal or to progress the plan to a referendum, what the referendum area should be, what modifications (if any) to make to the plan and what action to take in response to the examiner’s recommendations.

### **2. The Council’s decision**

- 2.1. The Council agrees with the recommendations in the Report of Examination. It has decided to modify the plan as per these recommendations, as well as to make additional minor

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<sup>1</sup> For a definition of “qualifying body” see section 38A(12) of the Planning and Compulsory Purchase Act 2004 (as inserted by paragraph 7 of the Localism Act 2011)

modifications to correct errors in the plan that the report had not addressed<sup>2</sup>. These further modifications have the agreement of the parish council. Only one of them altered the examiner's recommended modifications by correcting a term used in her report to reflect more up to date terminology used in the National Planning Practice Guidance (NPPG)<sup>3</sup>.

- 2.2. The Council has also decided to progress the modified plan to a referendum of eligible registered voters within the East Horsley Neighbourhood Area.
- 2.3. This decision has been made by the Director of Planning and Regeneration through delegated powers.
- 2.4. A complete list of the modifications to the plan is included at the end of this statement.

### **3. Documents**

- 3.1 This Decision Statement and the Report of Examination are on the Council's website at <http://www.guildford.gov.uk/easthorsley>
- 3.2 Both documents are also available for inspection at the Guildford Borough Council offices:
  - Guildford Borough Council, Millmead House, Millmead, Guildford, Surrey, GU2 4BB (offices open between 9am to 5pm, Monday to Friday).
- 3.3 For any questions please contact the Planning Policy team on 01483 444471 or e-mail [planningpolicy@guildford.gov.uk](mailto:planningpolicy@guildford.gov.uk).

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<sup>2</sup> These modifications were made in accordance with paragraph 12(6) of Schedule 4B of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004)

<sup>3</sup> This was in relation to the new policy wording for Policy EH-EN5 recommended in Modification 5 of the Report of Examination. The correction changed the term Sustainable Urban Drainage Systems (SUDs) to Sustainable Drainage Systems (SuDs), to reflect the more accurate and up to date terminology used in the NPPG.

## Schedule of modifications to the East Horsley Neighbourhood Plan

Recommendation number/paragraph of report	Policy/ section	Modification	Reason for modification
N/A (Further modification recommended by Guildford Borough Council)	Section 1.1, first paragraph	<p>Renamed the first subtitle under section 1.1 to 'Localism Act, <del>and</del> the NPPF <b>and NPPG</b>' and amended the last sentence of the first paragraph as follows:</p> <p><del>The National Planning Policy Framework ('NPPF') that followed the Localism Act sets out in detail the rules about what a neighbourhood plan can do and what it cannot do.</del> <b>The National Planning Practice Guidance ('NPPG') explains the neighbourhood planning system introduced by the Localism Act and, together with the National Planning Policy Framework ('NPPF'), it forms the main guidelines and national policy framework</b> for the policies proposed in this document.</p>	For accuracy, as the NPPF sets out government planning policy whilst the NPPG provides guidance on how this policy should be implemented.
Optional modification (para. 4.3) (recommended by examiner)	Section 1.1, second paragraph	<p>Modified paragraph as follows (optional modification, recommended by examiner):</p> <p>'...The policies within this neighbourhood plan, once approved and adopted, will become part of the local development <del>policy</del> <b>plan</b> and applicable <del>planning law</del> <b>adopted policy</b>.'</p>	For accuracy, as the neighbourhood plan, once made, becomes part of the development plan rather than 'planning law'.
N/A (Further modification recommended by Guildford Borough Council)	Section 1.1, second paragraph; and header text (repeated throughout document)	<p>Amend text on front cover:</p> <p><del>Submission</del><b>Referendum</b> Version <del>July 2017</del><b>February 2018</b></p> <p>Amend second paragraph:</p> <p>This document represents the <del>Submission Version of the</del> East Horsley Neighbourhood Plan (hereafter called more simply 'the neighbourhood plan' or 'EHNP').</p> <p>And amend text in header:</p> <p><del>East Horsley Neighbourhood Plan: Submission Version</del></p>	For accuracy, as it is no longer the Submission Version. N.B. 'Referendum Version' will be changed to 'Adopted Version' when the plan is made and the date be changed to match the date of adoption.

Modification 1 (para. 4.4) (recommended by examiner)	Community Initiatives (CI) nos. 1-8, pages 22, 33, 43, 45, 49, 53 and 57	Removed CI nos. 1-8 from the main text and set these out in a separate new Appendix III to the document (modified as per examiner's recommendation).	To comply with the Basic Conditions.
	CI 3, 6 and 8	<p>Modified the following paragraphs relating to CI nos. 3, 6 and 8 (modified as per examiner's recommendation):</p> <p>5.6 Affordable Housing (6<sup>th</sup> paragraph):</p> <p><i>In order to ensure that both developers and GBC's housing department are fully informed about the particular needs and priorities for affordable housing in East Horsley, <del>the following a</del> Community Initiative is proposed, <b>as shown in Appendix III.</b></i></p> <p>6.10 Community Infrastructure Levy</p> <p><i><del>The following A</del> Community Initiative is proposed <del>in this respect to</del> <b>establish a new EHPC Infrastructure Task Group, as described in Appendix III.</b></i></p> <p>7.5 Home-based businesses</p> <p><i>To help support local businesses in East Horsley, in particular the growing numbers of home-workers, <del>the following a</del> Community Initiative is proposed <b>for the formation of a new Business Liaison Group, as described in Appendix III.</b></i></p>	To comply with the Basic Conditions.
N/A (Further modification recommended by Guildford Borough Council)	Section 1, Page 7	On 19 <sup>th</sup> June 2017 the EHPC approved the Submission Version of the neighbourhood plan. Subsequent to its vetting, GBC <del>will</del> organized a public consultation in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended).	To correct out-of-date wording from the Submission Version.
N/A (Further modification recommended by Guildford Borough Council)	Pages 5, 35, 42, 51, 59,	<p>Added Appendix III to the contents page</p> <p>Updated cross references to the community initiatives to indicate that they are in Appendix III in cases where the text previously referred to them as being within the main body of the plan.</p>	To update the contents page and correct cross-references that had become incorrect as the result of applying recommended Modification 1.

Optional modification (para. 4.5) (recommended by examiner)	Section 1, Planning glossary (page 4)	Amended definition of affordable housing as below (as per examiner's (optional modification, recommended by examiner):  <del>'A category of social housing offered at below market rates, as defined by government policy, and funded by contributions from developers'</del> <b>Social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market.'</b>	To correct an inaccuracy and accord with the examiner's recommendation.
Modification 2 (para. 4.61) (recommended by examiner)	Policy EH-S1 (page 13)	Changed title of Policy EH-S1 from 'Spatial development plan for East Horsley' to 'Spatial development in East Horsley' (modified as per examiner's recommendation).	To comply with the Basic Conditions.
N/A (Further modification recommended by Guildford Borough Council)	Section 3 and Policy EH-S1 (page 13)	Amended Section 3 heading and the title of Policy EH-S1 on the contents page to 'Spatial development in East Horsley'.	To match the amended wording in Modification 2.
N/A (Further modification recommended by Guildford Borough Council)	Section 3, Page 12	<del>'Within this landscape and planning context, our approach to spatial development plan for in East Horsley is summarised as follows:'</del>	To match the amended wording in Modification 2.
Modification 3 (para. 4.79) (recommended by examiner)	Policy EH-EN1 (page 14)	Modified the last paragraph of policy EH-EN1 to read:  <del>'The Development of on these Local Green Spaces will not be permitted unless it is clearly demonstrated that it is required to enhance the role and function for which the space has been designated.'</del>	To comply with the Basic Conditions.
Modification 4 (para. 4.8) (recommended by examiner)	Policy EH-EN2 (page 18)	Modified Policy EH-EN2 as follows:  <b>'Development proposals will be supported which comply with other policies in the development plan and ensure the retention of:</b> a) mature trees of arboreal significance; and of b) established hedgerows.  <i>Development which results in the loss of mature trees of arboreal significance will be expected to undertake replacement planting in a landscaping plan to be approved by the planning authority, unless it can be clearly shown that this is not feasible. In the context of this policy, Arboreal significance shall be taken to refer to include any mature healthy trees and to include but not exclusively the following species: of ash, beech, common lime, elm, hazel, hornbeam, maple, oak, sweet chestnut, sycamore, willow or yew.'</i>	To comply with the Basic Conditions.

<p>Modification 5 (para. 4.11.1) (recommended by examiner)</p>	<p>Policy EH-EN5 (Page 22)</p>	<p>Modified Policy EH-EN5 as follows: <i>'Development proposals in East Horsley which <b>will result in surface water draining into</b> include, or are in close proximity to, drainage gullies, ditches, culverts, pipes or other systems provided for surface water drainage <b>that will run at some point downstream through an area subject to higher risk of flooding than found in zone 1 of the Environment Agency's classification</b> are required to <b>demonstrate that the system is capable of accepting the anticipated extra load.</b> accompany the planning application with a Condition Survey of such drainage systems. <b>Surface water generated is encouraged to be dealt with on site by means of Sustainable Drainage Systems (SuDs).</b>'</i>  The second paragraph to remain as shown.</p>	<p>To comply with the Basic Conditions.</p>
<p>Modification 6 (para. 4.12.4) (recommended by examiner)</p>	<p>Policy EH-H1 (page 24)</p>	<p><i>Developments of 20 dwellings or more should <del>shall</del> provide a mix of <b>smaller housing types with a maximum number of three bedrooms as a substantial majority of the total dwellings provided.</b></i>  <i><b>Development proposals are encouraged to consider provision for first time buyers within any scheme.</b></i> <i>(market &amp; affordable) which fall within the following ranges:</i> <i>Family Homes (3 &amp; 4 beds) 25% — 35% of all dwellings</i> <i>Homes for Downsizers (2 &amp; 3 beds) 30% — 40% of all dwellings</i> <i>Homes for First Time Buyers (1 &amp; 2 beds) 15% — 25% of all dwellings</i> <i>Housing for the Elderly (1 &amp; 2 beds) 10% — 20% of all dwellings</i> <i>Within each of these types of housing, a mixture of sizes of dwellings should be provided based upon the bedroom numbers indicated in the brackets above and with housing designs that are appropriate for each category.</i></p>	<p>To comply with the Basic Conditions.</p>

	Section 5.2 Housing Types (pages 23-24)	<p>Amended the following text on pages 23-24 to read accurately with the modification to Policy EH-H1:</p> <p><i>‘Considering the present village housing stock and local trends, we have analysed the types of new housing needed to satisfy these different housing needs, as presented in our Evidence Base document, Analysis of Housing Types. Based on this analysis the following targets are <b>suggested</b> proposed for market-based and affordable housing in the village:</i></p> <p>..... table as shown</p> <p><i>Such housing types are not mutually exclusive of course and an element of overlap arises since housing may serve a variety of purposes – indeed this is a positive feature of a well-designed and flexible housing design. <del>For the purposes of our plan policies, and w</del>Within the context of East Horsley, the following typical specifications are assumed for these four different housing types.’</i></p>	To comply with the Basic Conditions.
Modification 7 (para. 4.13.1) (recommended by examiner)	Policy EH-H2 (page 24)	<p>Modified Policy EH-H2 as follows:</p> <p>‘Developments on sites of more than 20 dwellings should ensure that at least 10% of all dwellings are built <b>to increased mobility standards suitable for the less mobile elderly. Development of bungalows is encouraged as a popular local building type.</b>’</p>	To comply with the Basic Conditions.
	Paragraph below Policy EH-H2 (page 24)	Deleted the last sentence on page 24, as per examiner’s recommendation, to be consistent with the revised wording of Policy EH-H6.	To comply with the Basic Conditions.

<p>N/A (Further modification recommended by Guildford Borough Council)</p>	<p>Pages 12 and 26</p>	<p>Page 12:  <i>'...development at such sites would be addressed by a number of general policies in the neighbourhood plan, including Policy EH-H1 which <del>sets ranges for the mix of housing to be built</del> <b>establishes a housing mix policy</b> for larger development sites in order to satisfy identified housing needs.'</i></p> <p>Page 28:  <i>'This includes Policy EH-H1 above which establishes <del>ranges for the types of housing</del> <b>a housing mix policy</b> for <del>to be built at</del> larger sites and Policy EH-H2 concerning the building of new bungalows on larger sites.'</i></p>	<p>Modified for consistency with the revised wording of Policy EH-H1 as recommended in Modification 6.</p>
<p>Modification 8 (para. 4.17.1) (recommended by examiner)</p>	<p>Policy EH-H6 (page 32)</p>	<p>Modified Policy EH-H6 as follows:  <i>'Planning permission will be granted for the development of 0.74 hectares of land at the Thatcher's Hotel site subject to the following criteria:</i></p> <p><i>a) The provision of <b>mainly smaller dwellings with no more than 3 bedrooms</b> <del>up to 22 homes</del> (market and affordable), to be located within the existing settlement area; and</i></p> <p><i>b) <del>Compliance with the housing mix ranges as proposed in Policy EH-H1, which mix ranges shall apply even if the development is proposed for less than 20 dwellings; and</del></i></p> <p><i>c) The original front building, which is of Chown design, should be retained if at all possible and converted into apartments or other housing; and</i></p> <p><i>d) Mature tree screening from the A246 should be maintained; and</i></p> <p><i>e) The Lovelace boundary wall on the southern and western boundaries adjacent to the A246 is a distinctive landmark feature and should be maintained; and</i></p> <p><i>f) A publicly-accessible footpath is <b>encouraged to be</b> provided allowing passage through or around the site from beside the petrol filling station to the pavement on the A246 Guildford Road close to the entrance of The Warren; and</i></p> <p><i>g) The loss of the hotel facility must be appropriately justified in the planning application in accordance with the applicable <b>adopted Local Plan policy.</b>'</i></p>	<p>To comply with the Basic Conditions.</p>



Modification 9 (para. 4.18.2) (recommended by examiner)	Policy EH-H7 (a) (page 35)	<p>Modified Policy EH-H7(a), criteria iii)-vi), as follows:</p> <p><i>'iii) Residential development should be no more than two storeys high, other than in exceptional circumstances;</i></p> <p><del>iv) The maximum ridge height of the roof above ground level does not significantly exceed that of other surrounding houses in the vicinity;</del></p> <p><i>iiiiv) Adequate refuse &amp; recycling storage is provided with minimum visual impact; bins should be stored out of sight from the street.</i></p> <p><del>v) If the development is in an area where there are no existing houses nearby, the maximum ridge height of the roof should be no more than 8.5 metres above ground level other than in exceptional circumstances;</del></p> <p><del>vi)v) Boundary clearances on either the side of detached or semi-detached dwellings should be of a size consistent with other dwellings in the general vicinity and should be sufficient to allow access for garden equipment and wheelchairs if access to the dwelling and curtilage is not available for wheelchairs from the house. They should not be less than 1.5 metres at each side of the dwelling other than in exceptional circumstances;'</del></p>	To comply with the Basic Conditions.
Modification 10 (para. 4.20) (recommended by examiner)	Policy EH-H7(c) (page 36)	<p>Modified Policy EH-H7(c) as follows:</p> <p><i>'The recommended style for multi-home developments where new roads are being created is as follows:</i></p> <p><del>i) Design the layout as a cul-de-sac wherever possible;</del></p> <p><i>i) Include provision for footpath or cycleway linkages wherever possible (see also Policy EH-INF4, Footpaths &amp; Cycleways, below);</i></p> <p><i>ii) If there is to be screening at the front of the house, use hedges or shrubs, not fences, walls or railings;</i></p> <p><del>iii) Along the roadside in front of houses choose grass verges rather than tarmac pavements. If Paving is to be used it should encouraged to be permeable including soft landscaping where possible to encourage natural drainage and limit surface water flooding.</del></p> <p><i>iv) Provide communally-owned green areas and trees to enhance the overall landscaping of the new development in keeping with the existing wooded nature of the village.'</i></p>	To comply with the Basic Conditions.
Modification 11 (para. 4.21.1) (recommended by examiner)	Policy EH-H8 (page 38)	Deleted Policy EH-H8 as per examiner's recommendation.	To comply with the Basic Conditions.

Modification 12 (para. 4.22.1) (recommended by examiner)	Policy EH-H9 (page 38)	Modified criterion c) of Policy EH-H9 as follows:  <i>'c) <del>†The resultant Plot Ratio of the size and massing of new residential development is to be no greater than that of surrounding property. in keeping with the average Plot Ratio of dwellings in the vicinity of the site. (Plot Ratio is defined as the ratio between the gross area of the total building footprint divided by the area of the plot on which the new dwelling is to be located.)</del>'</i>	To comply with the Basic Conditions.
N/A (Further modification recommended by Guildford Borough Council)	Section 1, Planning glossary (page 4)	Deleted the definition for <i>'Building Footprint'</i> from the planning glossary, as the plan no longer refers to this term.	To take account of the deletion of this term from Policy EH-H9, as recommended by Modification 12.
N/A (Further modification recommended by Guildford Borough Council)	Section 1, Planning glossary (page 4)	Deleted the definition of <i>'Plot ratio'</i> from the glossary, as the plan no longer refers to this term.	To take account of the deletion of this term from Policy EH-H9, as recommended by Modification 12.
Modification 13 (para. 4.31) (recommended by examiner)	Policy EH-LE1 (page 53)	Modified criterion b) of Policy EH-LE1 as follows:  <i>'b) offers a positive contribution for the benefit of the local community, eg. by reducing the need for everyday car trips; <b>or</b>'</i>	To comply with the Basic Conditions.

## Appendix 1: New appendix to follow Appendix II: Evidence Base List (Recommended Modification 1)

### APPENDIX III COMMUNITY INITIATIVES

The following Community Initiatives are proposed related to certain of the policy themes addressed in the neighbourhood plan. These Community Initiatives do not represent formal development policies and are proposed as potential aims or initiatives to be pursued by EHPC for the long term benefit of the community in East Horsley.

#### ***a) Flooding***

GBC's Surface Water Management Plan has set out a programme of works for East Horsley as one of 14 surface water flooding 'hot spots' in the borough. As recommended by this plan, the following Community Initiative is proposed:

##### ***Community Initiative 1 Flood Co-ordinator***

*EHPC will designate a volunteer to act as Flood Coordinator and interface with GBC and Surrey County Council, to identify local flooding problems and help to develop a Strategic Flood Risk Assessment for East Horsley.*

#### ***b) Community-owned green spaces***

To support future acquisitions of community-owned green spaces, the following Community Initiative is proposed:

##### ***Community Initiative 2 Acquisitions of green spaces for community benefit***

*Support for further acquisitions of woodlands and meadows in East Horsley will be considered by EHPC should suitable acquisition opportunities become available in the future. HCPS has also affirmed its readiness to give support in assisting such acquisitions.*

**c) Affordable Housing**

In order to ensure that both developers and GBC's housing department are fully informed about the particular needs and priorities for affordable housing in East Horsley, the following Community Initiative is proposed:

**Community Initiative 3 Affordable housing**

*EHPC shall offer information and guidance to developers and to GBC on local needs and priorities when affordable housing allocations are being considered within East Horsley.*

**d) Road safety**

During village consultations many residents expressed concerns about traffic volumes, the speeds of passing vehicles and traffic growth due to new housing development. Accordingly, the following Community Initiative is proposed to enhance road safety for all road users and pedestrians in East Horsley:

**Community Initiative 4 Road Safety**

*EHPC's Road Safety task group shall continue to engage with the Highway Authority in seeking the introduction of new schemes for traffic calming and other road safety improvements through the residential centres of the village where appropriate.*

*Where proposed new developments are likely to involve significant increases in traffic flows, EHPC will also discuss with the Highway Authority the introduction of appropriate road safety measures in the area, which may include establishing safe crossings or introducing new traffic calming measures. A funding contribution from the developer through a Section 106 agreement would normally be sought in such cases.*

**e) Pavement Improvements**

In view of the current state of many pavements in East Horsley, the following Community Initiative is proposed:

**Community Initiative 5 Pavement improvements**

*EHPC's Road Safety Task Group shall maintain a schedule of pavements in East Horsley that are most in need of repair or maintenance and engage with the local highways authority to seek improvements. Schemes for the widening of pavements and improvements in surface water drainage shall also be considered, where possible, through engagement with the appropriate authority.*

**f) Community Infrastructure Levy**

The following Community Initiative is proposed in connection with the Community Infrastructure Levy:

**Community Initiative 6 EHPC Infrastructure Task Group**

*EHPC will establish a new Infrastructure Task Group responsible for evaluating potential infrastructure and other village development projects to be funded in whole or in part by EHPC from the proceeds of the Community Infrastructure Levy. This task group will be composed of local parish councillors and resident volunteers.*

**g) Local Market**

In the Jobs & Local Economy Survey, 74% of respondents supported the concept of an outdoor market to be held regularly in the village. Visitors to such a market are also likely to use existing shops in the village, thus helping to increase their footfall. Accordingly, the following Community Initiative is proposed:

**Community Initiative 7 Local Market**

*EHPC shall seek to initiate a monthly outdoor market for local produce, including arts and crafts, at a location in East Horsley to be determined.*

**h) Business Liaison Group**

To help support local businesses in East Horsley, in particular the growing numbers of home-workers, the following Community Initiative is proposed:

**Community Initiative 8 Business Liaison Group**

*EHPC will set up a new Business Liaison Group to support and promote local businesses with a particular focus on the needs of home-workers.*