

## Guildford Borough Council Local Plan Examination

### Written Response to the Inspector's Questions

#### The Royal Society for the Protection of Birds

##### Matter 1

###### 1.1 Is the Sustainability Appraisal adequate?

The RSPB does not consider the Sustainability Appraisal is adequate because all 8 of the “reasonable spatial strategy alternatives” considered contain a proposal for 2000 houses at the former Wisley Airfield. The RSPB does not consider that this approach represents an appropriate consideration of alternative strategies, as at least one of the alternatives should have excluded the Wisley Airfield site: The failure to do so makes it impossible to take into account the comparative sustainability of the site (and hence the strategy containing it) against other possible strategies. This has an important bearing on the overall soundness of the Plan. Paragraph 182 of the National Planning Policy Framework requires that for a plan to be justified it “should be **the most appropriate** strategy, when considered **against the reasonable alternatives**, based on proportionate evidence” (our emphasis). If all scenarios contain the former Wisley Airfield for the same quantum of housing the Council cannot demonstrate that this inclusion is the most appropriate strategy, particularly given the distance of this site from Guildford and the size of the Borough means that there are likely to be other approaches open to the Council,

We heightened this in our response at submission stage;

*“Failure to consider any plan scenario which does not contain Allocation A35 fails to satisfy the requirements of this test: there are clearly alternative sites and approaches that could have been adopted (highlighted by the number of sites that the Council has considered throughout the production of the Plan) but the Council has ultimately declined to demonstrate a clear need for the Wisley airfield site. If the Council had presented scenarios here with and without the Wisley airfield site it would have been possible to consider the comparative merits of the alternative sites and approaches, but instead the Council has considered no alternatives for such a substantial proportion (16.1%) of the Council’s housing allocations, and one that will have an array of significant implications arising from its inclusion in the Plan. The RSPB consider that in order to make the Plan sound it is essential that it assesses alternative scenarios which do not include the Wisley airfield site.”*

The RSPB is disappointed that the Council had not taken the opportunity since the submission stage to re-evaluate its approach. We are not aware that the Council has supplied any evidence to demonstrate that the inclusion of Wisley Airfield is essential. On this basis we consider that the Sustainability Appraisal continues to be inadequate.

## **1.2 Has an appropriate Habitats Regulations Assessment been undertaken and is the plan's approach towards the Thames Basin Heaths Special Protection Area sound?**

Although a Habitats Regulations Assessment of the Local Plan has been undertaken, the RSPB have grave reservations about its conclusions in relation to the proposal to allocate the former Wisley Airfield site for housing. The plan can only be adopted if the Council is able, on the basis of all the evidence available, to conclude that the Plan will avoid an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (or any other Special Protection Area (SPA) or Special Area of Conservation (SAC)), as required by The Conservation of Habitats and Species Regulations 2017 ("the Habitats Regulations"). It is our opinion that this requirement cannot be met.

The RSPB has already highlighted, in its objection to the recent planning appeal for the redevelopment of the Wisley Airfield, that it is profoundly concerned about the potential impacts of residential development at this location upon the Thames Basin Heaths Special Protection Area (the SPA). We highlighted that we did not consider that it would be possible for the mitigation measures proposed by the developers to overcome the impacts upon the SPA, in particular due to the number of Public Rights of Way, which run through the Wisley Airfield site and into the SPA. The key point is that the plan cannot be considered compliant with the requirements of the Habitats Regulations if it includes a potentially harmful allocation.

In order to overcome this issue we consider that the inclusion of the Wisley Airfield site must be dropped – it is only if this is done that it will be possible for an assessment under the Habitats Regulations to conclude that the delivery of the plan will avoid harm to the SPA.

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##### **Matter 5**

###### **5.3 Is the plan resilient and flexible enough to maintain 5 or more years' supply of deliverable housing land going forward?**

The RSPB do not consider the plan to be resilient or flexible enough to maintain the supply of deliverable housing land due to the plan's reliance upon the Wisley airfield site to provide 16.1% of the Borough's 2034 housing figure. Due to the proximity of the site to the Thames Basin Heaths Special Protection Area (the SPA) and our concerns around the Suitable Alternative Natural Greenspace (SANG) being insufficiently attractive to ensure that sufficient residents are drawn away from the SPA (due to the Public Rights of Way network on the site further detailed in our response to Matter 11.31), we consider that it will not be possible to put in place sufficient avoidance and mitigation measures to ensure that this development will avoid an adverse effect on integrity on the SPA. This therefore places the delivery of the overall housing target at risk.

At the time of writing an appeal decision has yet to be issued. If the scheme is rejected the reasons for refusal will need to be closely scrutinised to understand their implications for any future development proposal at Wisley Airfield. If this site fails to deliver housing during the plan period as a result of the reasons contained within the appeal decision it will be extremely difficult for Guildford Borough Council to meet its housing target. We expect to see the Council clearly demonstrating how it will meet its housing targets, and maintain the necessary five year supply of land, if the proposed development of the former Wisley Airfield does not come forward.



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##### **Matter 11**

###### **11.24 Is the size of the allocation sufficient to create an adequately self-contained new village?**

This question appears to suggest that the current allocation may be too small to sustain necessary services and that given its location remote from other services it might therefore need to be significantly larger in order to provide the critical mass that would enable such services to be delivered and sustained. In our answers to Inspector's questions 1.2 and 5.3 the RSPB have already highlighted that given the proximity of the proposed allocation to the Thames Basin Heaths Special Protection Area (the SPA) we consider that the site is not suitable for a settlement of 2,000 dwellings due to the challenges of securing appropriate avoidance and mitigation measures. Consequently, we consider that the idea of a larger development should be rejected, as the challenge of securing sufficient avoidance and mitigation measures to ensure that the development will avoid an adverse effect on integrity on the SPA will be even greater and the prospects of success commensurately lower.

###### **11.28 What is the relationship of this site to the A3 infrastructure improvement works**

The RSPB's concern is that two very significant and potentially damaging schemes will be located in close proximity to each other and Ockham and Wisley Common SSSI/ Thames Basin Heaths SPA. The proposed redevelopment of Wisley Airfield will lead to increased recreational disturbance on the SPA by increasing the number of residents in close proximity, whilst the M25/A3 Junction 10 improvements will result in changes to Non-Motorised User Provision through the junction and therefore has the potential to change use patterns and volume of use on the SPA, in addition to direct land take from the SPA/SSSI. Consequently, it is essential that the impact of the proposed improvements to the Wisley Airfield scheme should be considered in combination with likely impacts of the M25/A3 Junction. When assessed in this context we consider that it will not be possible to exclude the risk of an adverse effect on integrity upon the SPA caused by these schemes in combination.

In addition it is anticipated that compensatory areas of habitat will be required as a result of the land take from the SPA for the M25/A3 scheme and it will be important that recreational disturbance as a result of the Wisley Airfield scheme is considered when identifying these areas to ensure that their effectiveness is not undermined.

### **11.31 Can the plan's provisions effectively prevent an adverse impact on the SPA?**

We consider that the general approach of the plan and inclusion of policy P5, which sets out an approach to the protection of the SPA, to be effective. However, the inclusion of the former Wisley Airfield site for housing undermines both the principles set out in the policy and the plan's provisions to prevent an adverse impact on the SPA.

As the RSPB highlighted in its objection letter to the Wisley Airfield planning application:

*"The location of the SANG between the development and the SPA will actually draw people towards the SPA and would end up simply providing new residents with a route to the SPA. Clearly, this defeats the object of providing a SANG."* (RSPB objection letter, 25 March 2015)

We further stated:

*"Whilst we understand the developer's desire to locate the SANG in the 400m zone as built development is highly unlikely to be permitted we consider that the constraints this has on its design is likely to introduce pinch-points and compromise the SANG's effectiveness."* (RSPB objection letter, 25 March 2015)

Finally the RSPB stated:

*"The RSPB's view is that the existing PROW [Public Rights of Way] fundamentally and unavoidably compromise the functionality of the SANG as an avoidance measure."* (RSPB objection letter, 12 February 2016)

This final point is particularly important: multiple public rights of way run right across the whole development site and into the SPA, providing ready access to the SPA to residents of **any** housing scheme that is constructed on this site. We do not consider that the proposed Suitable Alternative Natural Greenspace for the development, through which the public rights of way run, will be able to deter people from using the SPA in sufficient numbers to cause an adverse effect on integrity and consequently it is our view that it is not appropriate to have a housing allocation in this location.

The RSPB consider that the provisions within the plan are insufficient to prevent an adverse effect whilst this allocation remains. It is important to note that in the light of our concerns above the RSPB consider that only way in which policy P5 can ensure the effective protection of the SPA would be by the rejection of any development proposal at Wisley Airfield. The consequence of this, as highlighted in our responses to questions 1.1 and 5.3 is that it is unlikely that the Council will be able to demonstrate a 5 year supply of housing and that it will also struggle to deliver its 2034 housing target: both have profound implications for the soundness of the Local Plan.