

## Hearing Statement

### Wisley Action Group

Wisley Action Group summarises its position and adds in the light of developments on the matters which it wishes to comment on in the hearings. We append our closing submissions in the Wisley appeal as an up to date expansion on some of the topics, particular the SPA and highways.

#### *1. Plan preparation*

The submitted draft has not been the subject of a regulation 19 consultation. That consultation only took place on the 2016 draft. The 2017 consultation solely concerned modifications and so was not under reg 20(1) 'any person may make representations ... about a local plan'. The 2017 modifications can only be recommended if the plan is otherwise unsound.

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

The SA fails to consider reasonable alternatives (SA, page 36):

- (i) it fails to consider the obviously reasonable alternative of meeting the OAN without providing a buffer. Since government policy is to meet the OAN if possible, it is a realistic option. Provision below the OAN because of constraints would also comply with government policy and so is a reasonable alternative;
- (ii) a large number of sites which are treated as constants in all eight options, most notably Wisley. Where those sites do not have planning permission and are not obviously compliant with policy, then their exclusion from the plan is a reasonable alternative;
- (iii) certain of those sites have always been included in all of the options subject to the earlier 2016 sustainability appraisal, including Garlick Arch (site 43). Reasonable alternatives include not developing those sites and should have been assessed;
- (iv) Wisley was omitted from three of the 2016 options, however that does not mean that it could lawfully be dismissed as no longer being a reasonable alternative at the time of the 2017 Sustainability Appraisal. By that stage the planning application for the development of the bulk of the site had been refused by the Council and the appeal continued to be resisted. There remained (and remain) fundamental policy objections and showstopper deliverability issues on highways and air quality. By 2017 it was irrational to assume that any reasonable alternative had to include Wisley.

##### *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?*

It is common ground from the Wisley appeal that a substantial area of the SPA (in the vicinity of the A3 and the M25) is affected by nitrogen oxide levels which are over the critical level and where the contribution of the Wisley scheme is more than 1% of the critical level. The Local Plan HRA proceeds on the inaccurate basis that there is no likely significant effect from the Wisley scheme.

#### *2. Calculation of the Objectively Assessed Need for Housing (OAN) Are the calculations contained in the West Surrey SHMA Guildford Addendum Report an appropriate basis for establishing the OAN for Guildford?*

WAG consider that the OAN figures are still too high, but will leave this topic to others.

The questions do not directly address what the requirement should be in the light of the OAN and the constraints. The requirement should be no more than the current OAN figure. There is no justification for having a larger requirement, particularly since this requires Green Belt releases. Providing more housing than is needed cannot be an exceptional circumstance.

*3. Unmet Need in the Housing Market Area (HMA) Is the plan sound in not making any allowance for unmet need arising elsewhere in the HMA?*

The plan is sound insofar as it does not seek to meet unmet need from elsewhere in the HMA. Guildford is struggling to meet its own needs, problems compounded by the choice of the undeliverable and unsustainable Wisley site.

#### *4. Housing Trajectory*

*Is the plan's housing trajectory, which starts at a low level and rises towards the later years of the Plan period, a sound basis for meeting housing need?*

Taking an annual need, applying it to the plan period and then recalculating the need in each year on the basis of hoped for delivery is a route to failure. It pushes delivery late in the plan period when the need is current and growing. It risks reliance on over ambitious and undeliverable major projects and gives no room for correcting a shortfall on the large requirements at the later stages.

*Relevant topics include:*

*4.2 Whether the housing trajectory is realistic and deliverable, and whether there are any identifiable threats to delivery.*

The trajectory is unrealistic in respect of Wisley and Garlick's Arch. Putting aside the merits of those allocations, the sites are not deliverable in those timescales:

- (i) the Wisley appeal awaits imminent determination and in the agreed absence of a strategic highways solution has to be refused. If the problems with Wisley were capable of being overcome then a new application would take a considerable time.
- (ii) Wisley and Garlick's Arch are reliant upon the proposed Burnt Common slip roads (A43a) which are not agreed;
- (iii) Producing 200 dwellings a year from Wisley is unrealistic, given that the site will be developed from one direction (west to east).

*4.3 The key infrastructure improvements influencing the housing trajectory.*

Of concern to WAG, Wisley and Garlick's Arch rely on the Burnt Common slip roads.

#### *5. Five Year Housing Land Supply*

*5.1 Is the methodological basis for calculating the 5 year housing land supply sound? (The Council's calculations are based on a 20% buffer, the Liverpool methodology and a rising trajectory – see 3.50 of the Council's response to initial questions.)*

A 20% buffer for the 5YHLS is realistic. Spreading the requirement over the plan period and deferring much of the supply to the end of the period is failing to meet current needs and risks failure.

#### *9. Spatial Strategy, Green Belt and Countryside Protection*

*9.1 Is the spatial strategy as set out in the preamble to Policy S2 sufficient to explain the plan's approach to the overall distribution of development and guide future development during the plan period?*

The plan (even in the 2018 proposed modifications) is reactive rather than proactive in spatial terms. The various iterations of S2 set out numbers proposed but not what the spatial approach is. The preamble (4.1.5 to 4.1.9) says little in terms of priority. Beyond the urban area, the spatial strategy is based on the sites which have been chosen rather than the sites being based on the spatial strategy. In particular, it is impossible to discern a strategic reason for choosing to develop at Wisley. It is unclear how any planning application for an unallocated site would be addressed in terms of the spatial strategy.

*9.2 Having regard to the need for housing, does the plan direct it strategically to the right places? Relevant aspects are: • The spatial distribution of existing and future need for housing • Movement patterns • Green Belt and landscape impact • Infrastructure provision and constraints.*

The plan proposes the largest scheme at the Former Wisley Airfield, which is the worst possible location in spatial terms. It is not located near needs; the transport links are very poor and unsustainable; there will be Green Belt and landscape harm; and it is subject to major road and waste water infrastructure requirements and European environmental sensitivities. This is part of a pattern of allocating housing in the north east of the Borough particularly Ockham, Ripley, Send and the Horsleys. The Council is locating supply impractically far from the areas of demand.

*9.3 Are the proposed new business land and floorspace allocations in the right strategic locations? Relevant aspects are: • The spatial location of existing and future needs • Movement patterns • Green Belt and landscape impact • Infrastructure provision and constraints.*

The Wisley business allocation is poorly located for the rest of the borough. It is also too small to satisfy the demands of the new settlement's population.

*9.4 Having regard to the extent to which it is proposed to release Green Belt land and develop greenfield sites, do the plan's policies strike the right balance (in terms of housing provision) between the use of urban and previously developed land and urban extensions? Has the potential for further residential development in the urban area been adequately explored? (See also Item 5 of my initial questions.)*

WAG would prefer to see more development in the existing urban areas, but will leave the ability to do so to others. In Green Belt locations urban extensions are more sustainable than remote sites (such as the Former Wisley Airfield) which include some previously developed land.

*9.5 Having regard to 9.2 to 9.4 above, are the overall amount of land proposed to be released from the Green Belt, and the strategic locations for Green Belt release, justified by exceptional circumstances?*

No. There is no need for the amount of releases and their locations. In particular there are no exceptional circumstances for releasing land for the A35 Wisley scheme or other land in that locality.

*9.7 Taking into account the extent of housing, employment and other needs, does the plan take a sound approach towards the protection of the landscape, including the AONB and AGLV, and the countryside generally?*

No. Landscape harm is caused by the Wisley proposal, including to the AONB.

*9.8 If the Plan had to accommodate a greater housing requirement, for example through a higher OAN, what would be the implications in terms of the spatial strategy?*

The spatial strategy needs to be revised in any event to remove unsound sites.

## *10. Built Environment and Heritage Assets*

*10.1 Is the plan effective in respect of the promotion of good urban design on all sites, but especially on its major strategic allocations? (See Item 9 of my Initial Questions.)*

The plan does not deal with the design issues that arise on the major allocations. Saying that Wisley should 'Incorporate high quality architecture that responds to the unique context of the site' (A35) adds nothing meaningful.

*10.2. Is the plan sound in respect of its approach to heritage assets? (See Item 34 of my Initial Questions.)*

We agree that policy D3 does not accord with the NPPF.

## *11. Site Allocations*

### *A35, Wisley Airfield*

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

No. It is too small to be self-sustaining – the great majority of residents will have to travel out for employment, shopping and most social facilities. Perversely it proposes a 600-pupil secondary school far from the rest of the population meaning that hundreds of children will have to be driven in and out each day.

The site is remote (in Surrey terms) and poorly connected by the road network. It does not have convenient access to the rail network.

*11.25 What is the position regarding the substantial brownfield / hardstanding areas that are not included within the site boundary?*

The hardstanding and former runway are previously developed land (but without any curtilage). They have a minimal effect on openness. Erecting any buildings on the site will harm openness and Green Belt purposes, the scale of the A35 allocation causes more harm. If the hardstanding outside the site (that is, in the SPA buffer) were to be dug up, that would be a modest benefit which would not justify the new settlement.

*11.26 The site is on a rise, with extensive views. How would the visual impact of the scheme be handled?*

The proposal involves a long strip of development. Due to the numbers of homes proposed, these will involve high (up to 5 storey) buildings and dense, urban forms of development. There are extensive views of the site and it was apparent from the evidence of other third parties at the appeal that there would be harm to the AONB. It was common ground at the inquiry that there would be harm to the setting of more distant heritage assets (Chatley Semaphore Tower and RHS Wisley) as well as nearer listed buildings and the Ockham Conservation Area. These harms will remain even though the allocation site is larger than that application.

*11.27 How would the site access be handled?*

That is for the Council to explain in the light of its allocation.

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

The agreed position of the parties at the inquiry was that the Burnt Common slips are essential for Wisley to proceed but that Highways England's emerging proposals for Junction 10 (in the Road Investment Strategy "RIS") are neither essential nor would they solve the Wisley impact on the strategic highways network. Whether those slips can, should or would be provided is contentious and unsupported by evidence. Guildford Borough Council and the County Council are currently objecting to the RIS scheme.

*11.29 What would be the pattern of movement from the site? How could the plan effectively promote more sustainable transport modes?*

The site is set in the least accessible part of the borough, far from train stations and with poor local roads. Bus routes will be lengthy and no one could routinely walk or cycle to any settlement beyond the site. The Local Plan policy aspires to an off-site cycle network to railway stations that would be 'attractive and safe for the average cyclist' but is not in the appeal scheme. Cycling to Ripley involves crossing the Ockham interchange by four signalised crossings and cycling around the inside of the roundabout.

Little use for travel to work was envisaged by WPIL for the new cycle routes. The appeal scheme also proposed that bus routes be subsidised in perpetuity, illustrating their lack of attractiveness. WPIL had to adjust upwards the vehicle generation figures derived from the TRICS data to take account of the location. The squeezing of the development in a long tube will encourage private vehicle use for trips within the settlement. Many residents will be 0.5 to 1 mile from any village centre or school.

*11.30 What is the timing of the key infrastructure works for this allocation and their relationship to the delivery trajectory for the site?*

Highways England objected to the impact of the appeal scheme on the strategic highways network and that objection remains unresolved. The key infrastructure works would be the Burnt Common slip roads (which are the subject of that objection); the removal of the NATS beacon and upgrading to sewage disposal facilities. The first is not agreed. There must be uncertainty over the timescale for the removal of the beacon. Finally the extent and timing of improvements to waste water treatment are not certain (three years' work has been mentioned by Thames Water) and their impacts were not assessed in the planning application.

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

No. There are two issues. Nitrogen oxide emissions already exceed the critical loads in the vicinity of the A3 and M25. The Wisley scheme will increase these by at least 1% of the critical load on what WPIL accepted would be between 22 and 63 hectares of the SPA. In those circumstances there is likely to be a significant (harmful) effect. The site's conservation objectives which require that the integrity of the site is maintained or restored by maintaining or restoring the 'extent and distribution' and 'structure and function' of the habitats of the three bird species. The Natural England supplementary advice on the SPA, which is to be read with the conservation objectives, includes as a target the reduction of nitrogen oxide to below the critical level because of the harmful effect of promoting plant growth.

Concerns about disturbance by human pressure and domestic animals are addressed by the RSPB.

*11.32 How much of the site is considered to be brownfield land?*

Simply the runway and hardstanding.

*11.33 Are there local level exceptional circumstances that justify the release of the site from the Green Belt?*

There are no local level exceptional circumstances. Whilst containing hard surfaces, the site has minimal effect on openness nor does it cause other harm. It does not need to be developed to remove harm. Nor does development meet any local needs within this part of the borough.

There are no borough-wide exceptional circumstances. The OAN figure can be met by development on other, better sites. The allocation causes considerable harm to the openness of the Green Belt and its purposes (in particular safeguarding the countryside). It is a wholly unsustainable site for a new settlement, being too small to support itself and poorly located in transport terms. The proposal also causes visual and landscape harm and harm to the setting of designated heritage assets.

Additionally there is no justification for releasing a further three fields from the Green Belt outside the A35 allocation.

*A43, Land at Garlick's Arch, Send A43a, New North-facing Slip Roads on the A3 A58, Land adjacent to Burnt Common Warehouse, Send*

*11.34 Are there local exceptional circumstances that justify the release of this land from the Green Belt? In combination with the allocation at A25, Gosden Hill Farm, (see 11.14 above), is there a risk of a significant diminution of the Green Belt in this locality? Can the perception of the eastward sprawl of the wider Guildford urban area along the A3, and the encroachment into the undeveloped gaps, be avoided?*

No local exceptional circumstances appear for the Garlick's Arch development or the slip roads. The slip roads would put more traffic onto the overcrowded A3 and cause rather than avoid harm.

*11.35 Would the developments proposed in these allocations integrate with the village or would they be separate entities?*

We will leave this issue to others.

*11.36 What steps would be taken to ensure that they promoted sustainable development and sustainable movement patterns?*

The slip roads involve putting more local traffic onto the overloaded strategic highways network.

*11.37 What are the anticipated movement patterns arising from the new slip roads in combination with the housing and employment allocation, taking into account the potential for a redistribution of traffic from the strategic road network (notably from the east towards Woking), and what would their effects be on the roads through Send, including traffic flow, noise and air quality?*

The justification advanced for the slip roads at the appeal was that they would prevent an otherwise unacceptable impact of the Wisley scheme on the local highway network. The intention would be to divert other traffic away from Ripley, freeing up space for Wisley settlement traffic. They would though increase traffic on the A3 and on other routes.

The traffic modelling by WPIL for the appeal was profoundly unsatisfactory. Despite modelling traffic in the Environmental Statement and the ES Addendum, they produced four further sets of modelling

between August and October 2017 which replaced the earlier modelling and, sometimes, each other. These were still riddled with errors which were not corrected by the end of the inquiry and subject to criticism, in particular from Highways England and East and West Horsley Parish Councils. Those later models were not able to be assessed by any public authority in the appeal.

Notwithstanding the need to address this issue in the Wisley appeal, the effects of these proposals have not been subject to any adequate assessment.

We attach for reference (as Appendix 1) the closing statement made by Richard Harwood QC on behalf of the Wisley Action Group and Ockham Parish Council at the public inquiry held in September/October 2017 into the Appeal against the planning application for 2068 dwellings on a smaller allocation than A35 at the former Wisley Airfield which we hope will be helpful background for the Inspector as this appeal took place after the local plan consultation closed.

**Wisley Action Group**

**8<sup>th</sup> May 2018**