

West Horsley Neighbourhood Plan Examination Statement from Guildford Borough Council

Daniel Nunn, Planning Policy Officer
Daniel.nunn@guildford.gov.uk

19 January 2018

1. The purpose of this document

- 1.1 This document has been provided for two main purposes. Firstly, to set out background information for the examination of the West Horsley Neighbourhood Plan (the plan). Secondly, to provide a statement from Guildford Borough Council to set out the Council's views on the plan.

2. Legal requirements

- 2.1 The Council has reviewed West Horsley Parish Council's submission documents against the requirements of Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) and other relevant legislation. The Council is satisfied that the required documents have been submitted, and that the requirements of the Town and Country Planning Act 1990 (as amended) have been met.

3. Statement from Guildford Borough Council

- 3.1 Guildford Borough Council provided detailed comments on the Regulation 14 version of the West Horsley Neighbourhood Plan in order to suggest ways to improve the effectiveness of the plan's policies, in addition to discussing whether the plan would meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)¹.
- 3.2 The examination will test whether the neighbourhood plan complies with the basic conditions and other legal requirements. This statement therefore focuses on these matters.

4. Basic conditions

- 4.1 The Council believes that the West Horsley Neighbourhood Plan meets most of the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)².
- 4.2 However, the Council has concerns that there may be tension with the following basic conditions:
- a.) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan), and
 - d.) to contribute to the achievement of sustainable development.
- 4.3 The reasons for this concern are set out below.

¹ [excluding 2b, c, 3 to 5 as required by 38C(5)]

² [excluding 2b, c, 3 to 5 as required by 38C(5)]

Policy WH2: Design Management within Village Settlement

Bullet v.

- 4.4 Policy WH2, bullet v., provides two design principles that all development proposals in Character Areas 4 and 8 must comply with in order to be supported.
- 4.5 Firstly, bullet v. seeks to limit all new dwellings to comprise single or two storey buildings, with gardens both to the front and rear. Secondly, bullet v. provides that all redevelopment of single-storey dwellings into two-or-more storey buildings will be resisted.
- 4.6 The Council suggests that the examiner consider the appropriateness of bullet v. within the Policy on three points;
- i) The provisions are highly prescriptive and may prove unenforceable, causing problems and delays during the development management process.
 - ii) The requirements could lead to an inefficient use of land, unlikely to deliver sustainable forms of development.
 - iii) The restrictive nature of the design principles are unlikely to assist in the delivery of the mix of homes needed as identified in the Council's Strategic Housing Market Assessment.
- 4.7 *Point i):* The policy provisions are highly prescriptive. The Council is concerned that the blanket restriction may be unenforceable in many situations, causing problems and delays during the development management process. For example, development proposals that include a basement storey, or loft-conversion 'half-storey', could quite reasonably respect the character of the area whilst accommodating more than two-storey dwellings. The strict application of policy bullet v. as currently worded could provide for the unnecessary refusal of such proposals. The Council therefore suggests that the examiner amend the wording of point v. to address building heights and the character of the area.
- 4.8 *Point ii):* Single-storey dwellings (bungalows) are not an efficient use of land, and may not be a sustainable form of development. The requirement for development proposals to comprise single or two-storey buildings in Character Areas 4 and 8 (the Character Areas with higher density in the Neighbourhood Area³) may therefore not have regard to paragraph 58 of the NPPF, which requires neighbourhood plan policies to optimise the potential of sites to accommodate development. The Council asks that the Examiner consider whether bullet v. has therefore met basic conditions a and d.
- 4.9 *Point iii):* The borough has a very high housing need. Extending smaller homes can often be an affordable way for families to provide for their needs whilst remaining in an area where high house prices means that moving house may not be an option. The Council's Strategic Housing Market Assessment (SHMA) identifies the need for a mix of homes and the Council is concerned that a blanket restriction on the type of dwellings that can be built will not assist the delivery of the mix of homes needed. The examiner is asked to consider whether this requirement is aligned with the strategic needs of the wider local area and consequently meets basic condition a.
- 4.10 The desire to retain bungalows and concern over inappropriately scaled development is understood. However, the Council's view is that the character of the area can be protected

³ As identified within the West Horsley Character Appraisal Report (2017).

more effectively through appropriate design policies, rather than blanket prohibitions on a particular type of development.

Bullet vii.

- 4.11 Policy bullet vii. states that the '*current density of housing within the village does not generally exceed 10-15 dwellings per hectare*'. This is based on the Density Background Paper, which looks at current densities across the settlement.
- 4.12 However, the Density Background Paper identifies a number of areas, in Character Areas 4 and 8, which exceed 10-15 dwellings per hectare, reaching up to 30 DPH in places.
- 4.13 The Council is concerned that the low density of 10-15 dph stated is unsustainable and does not help to optimise the potential of sites within Character Areas 4 and 8 to accommodate development, as required by paragraph 58 of the NPPF. The Council's view is that the low density proposed is unnecessary to achieve the objective of protecting local character, especially with the desire for small homes.
- 4.14 National Planning Policy Guidance (NPPG) states that 'Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan'⁴. It also states that policies 'should be concise, precise and supported by appropriate evidence'⁵.
- 4.15 The examiner is therefore asked to consider whether the reference to typical densities in bullet vii. accurately reflects the evidence provided in the Density Background paper and is representative of typical densities across the settlement. If not, the examiner is asked to consider whether this therefore meets basic conditions a and d.

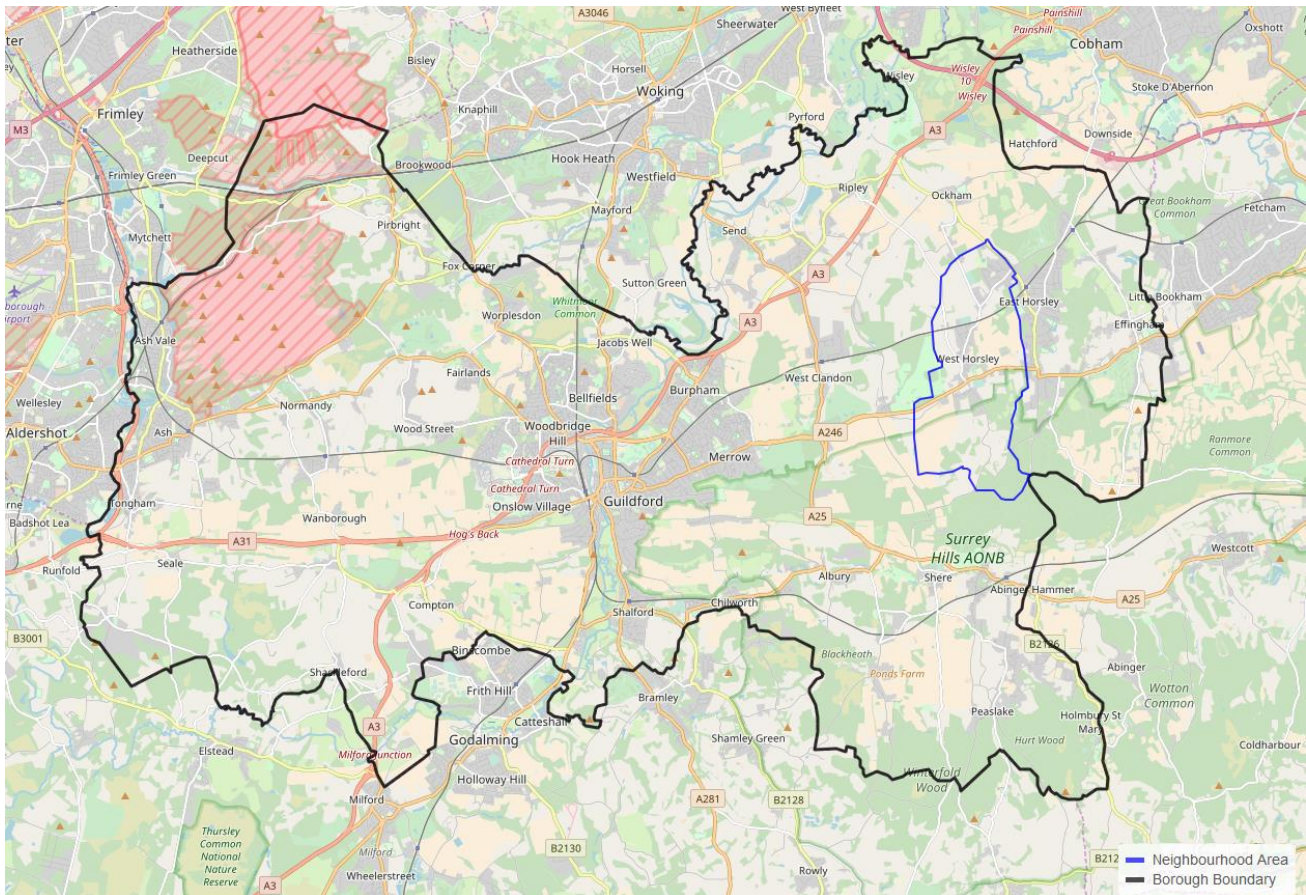
⁴ Paragraph: 040 Reference ID: 41-040-20160211

⁵ Paragraph: 041 Reference ID: 41-041-20140306

5. Information to support the examination

Location of the plan area

- 5.1 The West Horsley Neighbourhood Plan relates to the West Horsley Neighbourhood Area, which covers the parish of West Horsley. West Horsley is a parish in the east of Guildford borough (see maps below; parish and neighbourhood area boundary in blue).



[Available at: <https://www.guildford.gov.uk/westhorsley>]

Description of the plan area

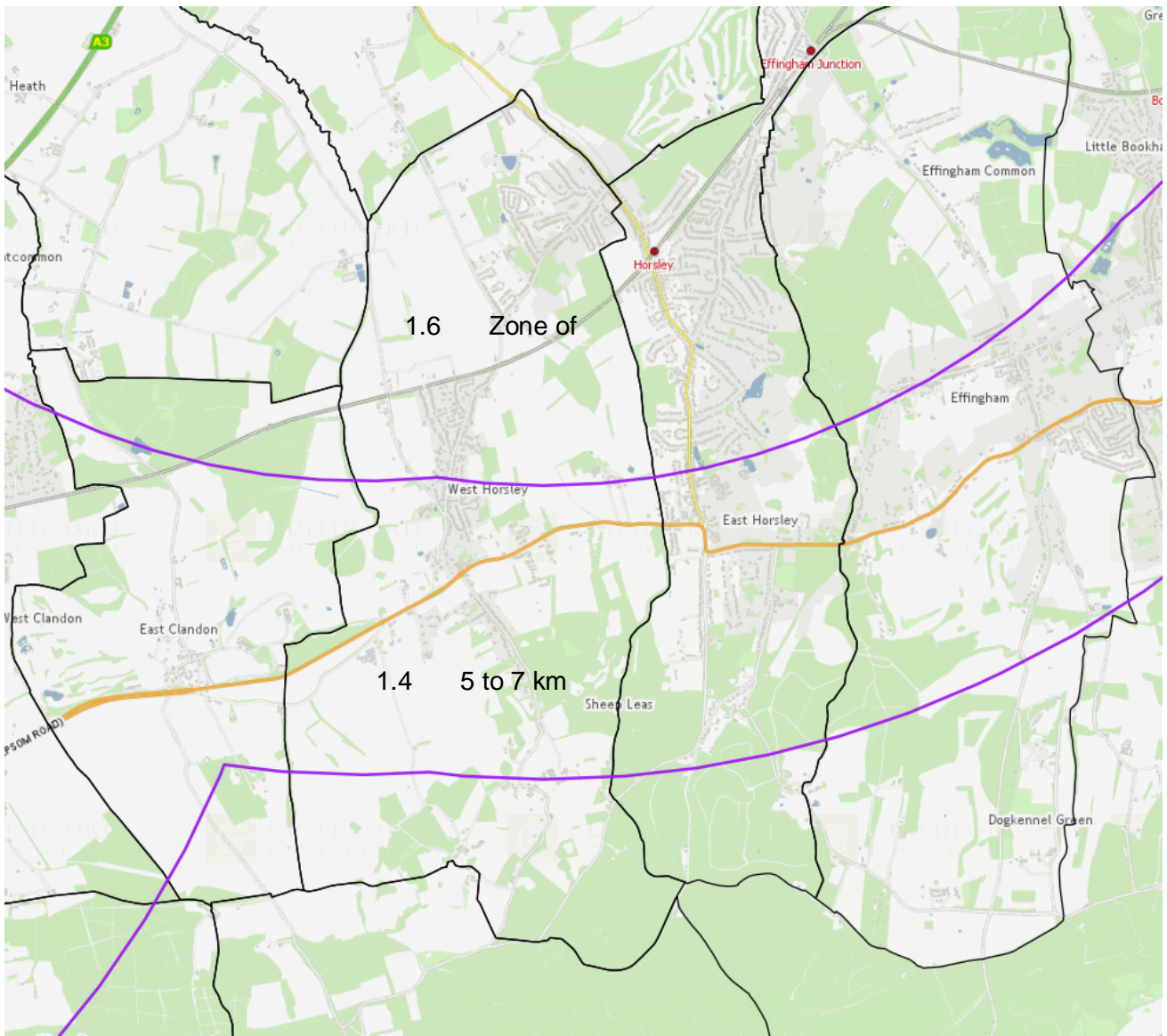
- 5.2 West Horsley is a rural Parish, approximately 11km east of Guildford. The Parish is currently washed-over by the Green Belt. The total population is approximately 2,800, with approximately 1,100 homes in the Neighbourhood Area.
- 5.3 Further detail about the settlement is in the Settlement Profiles document: <http://www.guildford.gov.uk/newlocalplan/infrastructureanddelivery>

Special Protection Areas

- 5.4 The northern part of the parish and most of the settlement falls within the Thames Basin Heaths Special Protection Area (SPA) zone of influence set at 400m to 5km from the edge of the SPA. The Habitats Regulations 2010 and saved policy NRM6 of the South East Plan require that when new dwellings are created within this zone avoidance measures in the form of Suitable Alternative Natural Green Space (SANG), and mitigation measures in the

form of a contribution to the Strategic Access Management and Monitoring (SAMM) project, must be provided. SANGs are alternative recreation spaces that soak up increased recreational pressure on the SPA brought by new housing. The SAMM project delivers access management measures on the SPA.

- 5.5 The remainder of the settlement falls within the 5-7km zone where large-scale developments of over 50 net new dwellings may have to provide avoidance and mitigation measures, assessed on a case-by-case basis.
- 5.6 Please see the [Thames Basin Heaths Special Protection Area Avoidance Strategy](#) for more information.



© Crown Copyright Licence No. 100019625, 2015

6. Strategic Context

Current local plan

- 6.1 Guildford Borough Council's current Local Plan consists of the saved policies of the Local Plan 2003. The proposals map is available online at:
<http://www.guildford.gov.uk/planningmap>
- 6.2 The Local Plan 2003 is online at:
<https://getinvolved.guildford.gov.uk/consult.ti/LPSS2016/consultationHome>
- 6.3 Neighbourhood plans must be in general conformity with the strategic policies on the Development Plan currently in force. The Council has produced a documents setting out the strategic Development Plan policies:
<https://www.guildford.gov.uk/neighbourhoodplanninginformation>

Emerging local plan

- 6.4 The Council consulted on a Regulation 19 Proposed Submission Local Plan: Strategy and Sites between 9 June and 24 July 2017. The consultation documents are available online at:
<http://www.guildford.gov.uk/newlocalplan/proposedsubmission>
- 6.5 The Council submitted the Submission Local Plan to the Secretary of State on 13th December 2017, for examination by an independent planning inspector. The Submission Local Plan proposes to inset the settlement of West Horsley from the Green Belt, to extend the settlement boundary and deliver sites within and adjoining the village.
- 6.6 Detailed maps of the proposals can be viewed at the following web pages:
- Map of Horsleys (West Horsley, North):
<https://getinvolved.guildford.gov.uk/consult.ti/pslpss17/viewCompoundDoc?docid=8815316&sessionid=&voteid=&partId=8823988>
- Map of Horsleys – (West Horsley, South):
<https://getinvolved.guildford.gov.uk/consult.ti/pslpss17/viewCompoundDoc?docid=8815316&sessionid=&voteid=&partId=8824180>
- 6.7 The Council's Local Development Scheme published on 21 February 2017 (see <http://www.guildford.gov.uk/newlocalplan/lds>) sets out the next stages and the timeframes for delivery of the new Local Plan. The Submission Local Plan Strategy and Sites (2017) used a housing figure drawn from the Joint West Surrey Strategic Housing Market Assessment (SHMA) 2017 Guildford Addendum (see <http://www.guildford.gov.uk/newlocalplan/shma>). This document sits alongside and updates the West Surrey SHMA (2015) to take account of the latest economic projections and latest mid-year population estimates. The 2017 SHMA Addendum proposes a borough-wide housing need figure of 654 homes per year for the Plan period (2015-2034).

Further information

- 6.8 The evidence base for the West Horsley Neighbourhood Plan can be found at the following web page:
<https://www.westhorsleyneighbourhoodplan.org/evidence-base>

6.9 The Guildford Land Availability Assessment (LAA), which includes information on the sites in the Proposed Submission Local Plan and West Horsley Neighbourhood Plan, can be downloaded in PDF format from the following web page:

<http://www.guildford.gov.uk/newlocalplan/landavailabilityassessment>

7. Appendix 1 Map of West Horsley Parish/West Horsley Neighbourhood Area

